THE FIRST

Book of Records

OF THE

Town of Southampton

WITH OTHER

ANCIENT DOCUMENTS

OF HISTORIC VALUE,

Including all the writings in the Town Clerk's office from 1639 to 1660; transcribed with Notes and an Introduction by Wm. S. Pelletreau, and compiled by the undersigned Committee, chosen at Town Meeting, April 1st, 1873, and published at the expense of the Town, by its authority.

HENRY P. HEDGES,
W.M. S. PELLETREAU,
EDWARD H. FOSTER.

John H. Hunt, Book and Job Printer,
Sag-Harbor, N. Y.
1874.
The mission of the Historic Division of the Town Clerk's Office is to preserve and protect the Town of Southampton's historic holdings for generations to come. The few copies that we have of our original editions of the Record Books of the Town of Southampton are now in need of preservation.

In addition to preserving our Town's record books, our goal is to provide improved access to those people that are interested in exploring the wonderful history of the Town of Southampton. Technological developments have allowed us to scan the originals in order to reprint each volume and also to post them on our website offering new search capabilities that have not been available in the past.

Respectfully yours,

Sundy A. Schermeyer, Town Clerk

CERTIFICATION

State of New York )
County of Suffolk )
Office of the Town Clerk
Southampton, New York

This is to certify that I, Sundy A. Schermeyer, Clerk of the Town of Southampton, in the said County of Suffolk, State of New York, have compared the original First Book of Records of the Town of Southampton, Long Island, N.Y. dated 1874 held in the Town of Southampton's Historic Division of this office and certify that this is a correct transcript of said original.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town this 2nd day of January, 2009.

__________________________________________
Sundy A. Schermeyer
Clerk of the Town of Southampton
THE OLD PELLETREAU HOUSE.
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WM. S. PELLETREAU,
EDWARD H. FOSTER.

JOHN H. HUNT, Book and Job Printer,
Sag-Harbor, N. Y.
1874.
PUBLISHER'S NOTICE.

In presenting this work to the public, we do it with a full sense of its incompleteness as a first class job, from the fact that it must go forth from the press as a poor specimen of that workmanship which the present time and facilities demand; for this reason, chiefly, among others, that to follow the ancient spelling and general get up of old documents of over 200 years ago, with their total disregard of punctuation, capitalizing, grammar, etc., it is next to impossible to make a work look well, to say nothing about its perfect antagonism to all modern rules of printing.

That the work is a true copy of the original documents now in the Town Clerk's office we have no reason to doubt, as the manuscript was prepared under the supervision of the Committee appointed for that purpose, and the proof sheets corrected by Wm: S. Pelletreau, Esq., a former Clerk of the town, who has had the general charge of the work.

With this brief explanation and apology, we present the work to the general reader, giving below a copy of the resolution authorizing the same.

Respectfully Yours,

JOHN H. HUNT, Publisher.

COPY OF RESOLUTION

passed at the annual meeting of the electors of the town of Southampton, N. Y., April 1st, 1873, as recorded in minutes of said meeting, on page 28, Liber D., Records of the Town of Southampton, N. Y.

RESOLUTION:

"After discussion, the motion that a committee of three, to consist of the Hon. H. P. Hedges, copy, and cause to be printed the first book of Town Records, and such other documents of historical value as they may consider advisable, at a cost not exceeding $150; was adopted."

The above resolution has been compared with the record of above named minutes, and found to be a correct copy of the same.

Dated at the Town Clerk's Office, in Southampton, N. Y., March 9th, 1874.

F. H. FOSTER, Clerk.
To the memory of Henry Pierson, Town Clerk, (1653-1669,) to whose faithful pen we are indebted for a large part of our knowledge of the early history of the town, but who, while giving us much information about other men, has left us very little concerning himself; and as no tombstone marks his last resting place, may this humble notice be his Memorial and Epitaph.
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THE OLD SAYRE HOUSE.
INTRODUCTION.

The period at which this town was settled is famous in the History of England. The Revolution had already begun that was destined to shake the throne of a thousand years, and by overthrowing the superstitious veneration that ascribed to royalty a divine right to rule, prepared the way for a higher degree of constitutional liberty; the storm was gathering that was soon to burst upon the head of the monarch who had labored to destroy the rights of his people, and although his execution was a shock to the prejudices of the age and in the end proved a blow to the cause of freedom, yet from that day to the present the liberties of England have been based upon surer guarantees and supported by firmer pledges, than her rulers ever gave when their power was weak, and broke when their hands were strong.

Yet it is admitted that the Revolution of 1640 was not caused by any physical sufferings; the general condition of the laboring classes in England at that time was far superior to that of the same class in other lands; the question of right for which Hampden fought and fell was one that affected so little connected with physical evils that one of the greatest of English statesmen has not hesitated to declare that the whole cause of the war was that the "imagination of the nation rose against the government." Philosophers of this class will see little excuse for the heroic struggles of Puritan and Huguenot; a little sacrifice of conscience, a little yielding to the powers that be, would have enabled them to live a quiet life and die a peaceful death; but he has studied the records of the
past to little purpose, who has not seen that the noblest pages of human history tell the story of men who died when they might have lived, and suffered when they might have rejoiced.

The troubled condition of the old country was the principal cause of the settlement of the new world. Safe in their home in the wilderness, the war that swept the length and breadth of their native land, was known to the self-exiled band only by rumors that were few and far between; it was to them what the roar of the wintry wind is to one seated by a happy fireside, and the overthow of one government and the setting up of another no more disturbed their quiet repose, than the storm that rages on the ocean without can destroy the tranquility of the sheltered harbor.

We will not attempt to recount the story of the founding of our native town; the work has been done by abler hands than ours; but it is our task in transcribing these records of the past, to rescue from destruction the little that remains of what is fast becoming an age of fable. That nations whose beginning is lost in the mist of ages should ascribe to their founders a supernatural origin and superhuman powers, cannot excite our surprise, when we find the descendants of our first settlers firm in the belief that their ancestors were endued with greater powers of body, a higher degree of health, and longer lives, than are granted to men of the present day. A careful perusal of these records will expose the fallacy of that blind worship of the past, so ably rebuked in Sacred Writ by the wisest of men, and show clearly that many an admirer of the good old times, if they should return, would find himself much the worse off for their coming.

When the first settlers arrived they found the island inhabited by a race whose origin is wrapped in utter obscurity. From the little that is found in these records concerning them, it appears that the whole extent of what is now the town of Southampton was owned by the Shinnecock tribe of Indians, who were divided into many small bands, and were living in villages that were without exception situated near the different creeks.
or branches of the bays, forming so important a part of the geography of the town. Their nature and habits rendered it impossible for them to live in large communities, and although their traditions speak of their being once as numerous as the leaves of the forest, yet it is exceedingly doubtful if the tribe in its best days ever numbered two hundred fighting men. Their hardihood, bravery, and powers of endurance, in short, all the good qualities that they possessed, have been magnified to the utmost extent by the writers of romance, and it is a popular belief that they were free from most of the physical ills that shorten the life and embitter the existence of civilized men. Yet a little thought will at once dispel this illusion. Utter ignorance of medical knowledge, homes that at the best were but a poor protection from the elements, food of an inferior quality, badly cooked, often in insufficient quantities, and too frequently a total deprivation of it, these must have had the same effect then that they would have now. That they were hardy none can deny, for none but robust constitutions could endure their manner of life, but that they possessed any natural superiority of mind or body, or enjoyed any immunity from disease, may be believed by the novelist, but is not to be credited by the philosopher or historian.

Although the land was honorably purchased of its aboriginal owners, yet the settlers never saw a moment's rest for fear of their dreaded neighbors. In the field a guard was kept; at night none knew at what hour the alarm would sound; to meeting on the Lord's day they went as men prepared for instant war; every male from sixteen years of age to sixty was a soldier enrolled in the ranks; and in proportion to its population the town could boast of a larger standing army, armed and equipped, than any nation on the surface of the globe.

Those who believe that the settlement was formed entirely of God fearing and virtuous men, will find in these pages much that will fail to support their views. When we see that it was found necessary to build a prison at a very early date; when the stocks and whipping post occupied a prominent position in
IV

INTRODUCTION.

Our village, and, to judge from the records, neither suffered from want of use; when petty law suits were far more frequent than at present; when we find stringent laws passed against lying, drunkenness and kindred crimes, the question naturally arises: when was this age of purity that people boast of? The truth is that while there was here one class that may have been sufferers for the world was not worthy, there were also among them those who came to this country simply to better their condition, and others still who evidently belonged to those who “leave their country for their country’s good.” But we think no unprejudiced mind can read these records without being convinced that the bone and sinew of the new settlement were men who, from their sound judgment and constant appreciation of the duties they owed to God and man, are worthy of all the respect and admiration that posterity can bestow.

At the very first stage of the enterprise our fathers saw the need of established law. Magistrates were elected (generally three in number) who were looked upon with a degree of veneration that the modern occupants of the office can scarcely hope to obtain. The entry on page 24 will show the origin of the various courts whose actions form so large a part of the present volume. The Justices held their ordinary courts very much as they are held at the present time, but all affairs of any consequence to the town in general were decided at the Quarter Courts, and in almost every case where the General Court is referred to, the Quarter Courts are meant. These were composed of the freemen of the town, and all of them were duly notified to attend; the Magistrates presided, witnesses were examined, the case fully discussed, and the question decided by a plurality of voices; those who failed to attend were fined, and all present were required to vote.

And in connection with this, one peculiarity of our ancestors may deserve a passing notice; the high value they placed on office and its honors. It a man was so fortunate as to become a Justice of the Peace or a Captain in the Militia Company, he
was sure to make use of the title upon all possible occasions while living, and it would be placed with pious care upon his tomb-stone after he was done with this world and its glories. It would seem like one of the strange inconsistencies of human nature, that a class of men who are supposed to be dead to worldly fame and careless of earthly greatness, should be almost infatuated after such little titles as Mr., Captain, and Esquire.

A little thought, however, will perhaps explain the discrepancy. Love of power may be considered one of the inherent qualities of human nature, and, in their own country, the men whose labors are here recorded, were of a class who could never expect to be known to fame, or attain to dignity. Stars and orders were not for them, the insignia of nobility were far beyond their reach, and men can easily affect to despise what they can never hope to possess. But in the land of his adoption, a change awaited him. The man who in his native land was looked upon as a schismatic by the church and a revolutionist by the state, suddenly found himself transformed into a peer of a new realm, one of the inhabitants of a social world so small that his presence or absence was a thing of the utmost importance to the rest of the body politic; the highest offices of the little Commonwealth were within his reach. To be a magistrate of the infant colony was relatively as high as the loftiest judicial position in the gift of the English crown; and the Captaincy of its little band of soldiers, was a post as important as a Major Generalship in the British army.

As the town was founded by men who had suffered from religious persecution, it may readily be supposed that the formation of a church would be one of the first things to which they would turn. To erect a house for worship seems to have been one of the first public labors undertaken by the community. The peculiarities of Puritan belief and practice

an inexhaustible theme for the pen of the essayist and historian, and certainly no class of men ever lived whose thoughts and acts were more influenced by considerations connected
with the eternal world. In such a state of society the preacher of the Gospel would naturally hold a very important position, but his social influence was based upon the fact that he was the only educated person in the community. In a place where only one man can read and write, that man is an oracle, but where all can boast of these accomplishments no one can claim any precedence from the possession of them. Any boy who now attends an Academy with any desire to learn, can obtain without leaving his native town, an education that the graduates of Cambridge or Yale could not gain at the time those institutions were founded. The worst enemies of Puritanism cannot deny that the ministers of the new Colonies were men of blameless life and good ability, and though in some cases their minds were clouded by the prejudices and bigotry of the age, they strove by every action “to point to brighter worlds and lead the way.” It is pleasant to be able to record the fact, that while the history of many towns on Long Island shows instances of religious persecution, especially in the case of the Quakers, the records of this town are nowhere stained with blood. The envious code of laws found on page 18 of this book were never enforced to their full extent. The original is supposed to be in the hand writing of Abraham Pierson, the first minister, and bears internal evidence of having been written at the earliest period of the settlement, but the settlers of the new world soon found it necessary to enact laws more adapted to the circumstances of the community, and thus originated the sarcasm so frequently heard that the Puritans agreed to be “governed by the laws of God until they had time to make better.”

The town at an early mitted to settle here who were not acceptable to the majority of the inhabitants. This doubtless prevented many from becoming residents, who, had they settled here, would have been liable to persecution for their religious views. To suppose that the founders of this town were at all in advance of their age, and too enlightened to entertain the thought of controlling the re-
religious views of their neighbors, may be believed by their descendants but is not supported by facts. Civil and religious liberty has been a thing of slow growth, and we ought not to be surprised that a darker age, and a more ignorant community, should have thought the jail and the whipping post were the proper place for Quakers, and that the best way to stop a heretic's tongue was to put a hole through it with a hot iron.

The history of the world shows that extremes both of thought and action follow each other, thought and speech are now untrammeled, and sentiments can be freely expressed, that would once have insured a violent death to the one who uttered them.

The belief of our ancestors was the strictest Calvinism, and this creed is still the faith of most of their descendants. That all things that are were fore-ordained from the beginning of the world, and that every act of man was a link in an endless chain planned by Eternal Wisdom, was something that to them admitted of no doubt. Their belief in the divinity of our Lord was not to be shaken. To them Christ was something more than "the best of all good men," something more than a teacher sent from God, something more than an impostor who betrayed the confidence and worked upon the credulity of his followers. He was to them the Son of God, born in the likeness of his Father's glory, and we may readily suppose that they would have no sympathy or charity for the modern so-called "Liberal Christianity" that considers Paul and Plato, Christ and Socrates, Peter and Andrew Jackson Davis, equally divine and equally entitled to reverence.

But in one respect there has been such a remarkable change in the manner of presenting Bible doctrines, that we cannot forbear to notice it at length. No one who is at all acquainted with the sermons of that period can fail to observe the stress that is laid upon the two doctrines of the Resurrection and the day of Judgment. The time and talent spent in the attempt to reconcile the doctrines of Election and free will, was more than equalled by that employed to find the time of the coming of the Son of Man, and in expatiating upon the events of the last
great day. The darker parts of Scripture, the prophecies of the Apocalypse and Daniel, were searched, not only with that eager curiosity that has in all ages prompted men to endeavor to lift the veil that hides the future, that caused the ancients to resort to oracles, and induces some in modern times to put faith in "spirit rappings," but with the spirit that actuates men in whose minds hope and expectation hold equal sway, and as men are generally inclined to believe what they wish to be true, it seems to have been the common belief that the time was nigh at hand.

The reason for this may be found in the entirely different circumstances surrounding the two classes of men. Compared with the past, the present is emphatically an age of ease and luxury, and men who have their good things in this life, and whose every wish is gratified as soon as it is expressed, can hardly be expected to have any very ardent longings for the coming of the Judgment Day, or to dwell with much delight upon its certainty. With our ancestors, the case was vastly different. The Puritan wished for nothing better than to stand before an impartial Judge, and meet as his accusers the bigoted James and Charles, and the profligate Rochester and Buckingham. It was an ordeal they had no reason to dread, a contest in which they were sure to come off victorions. They could hope for mercy from God, who never received it from man, and there was justice in Heaven's tribunal for those who failed to find it in earthly courts.

The question of Proprietor rights is one that has been a fruitful source of contention and the cause of expensive law suits. The publication of these records will throw much light upon this vexed subject. We learn from them that all the territory east of Canoe Place and west of a "place or plain called Wainscott," was sold to the persons named in the Indian deed, for a consideration duly paid. This tract was therefore owned by them as undivided property, and the share that each possessed was in proportion to the amount paid by him. If a person who was acceptable to the majority of the inhabitants wished to
settle in the town, a home lot and farm was frequently granted to him, generally, however, with the condition that he was to remain and improve the same for a term of years. Persons who understood useful trades were thus encouraged to become members of the new settlement, and in many instances a share in the undivided property, or, as it was called, "a right of commonage," was granted to them. All that was not actually disposed of in this manner was justly supposed to belong to the original purchasers and their heirs. As a few pounds were sufficient at that time to buy a "right," almost every one who came to settle in the place availed himself of the privilege, and so the proprietors and the townsmen were almost identical: still it was well understood that none had any claim to the public lands who had not purchased a share in them. A list of the proprietors, with the amount of their respective rights, was carefully kept; and when from time to time large tracts of lands were divided, each tract was carefully surveyed and divided into as many lots as there were 150 pound allotments in the town,* the proprietors were duly notified of the completion of the work and warned to be present at the time of drawing, and on the day appointed each drew his share by lot. The number of allotments was 41, and the whole number of proprietors 47.

Although the number of allotments was never increased to any great extent, yet from various causes the number of proprietors in course of time became very great, some of them owning but a small fraction of a share; still their right was fully recognized, and it was not until they began to lay claim to all lands under water, and attempted to control the fishing privileges, that any serious controversy arose between them and the town at large. At length, by carrying their claims to the farthest extent allowed by theory, they prejudiced even their just rights, and in 1818 the word Proprietor was another name for grasping, unscrupulous avarice.

As the undivided lands diminished in quantity, the value of a

* The origin of the 150 pound allotments will be found on page 50 of this work.
share became less, and at the present time a proprietor right, once so important, is little more than a name.

We have reason to believe that a school was established in Southampton at a very early date. The records to the year 1635 are in the hand writing of Richard Mills, who styles himself "school master," and probably acted in that capacity from the time of the settlement. What at that time was called a school, can hardly be compared with the institutions of the present day; the branches taught were few in number, and the instruction exceedingly limited. Almost all required of the school master was that he should be a fair penman, and possess a tolerable knowledge of Arithmetic. Geography, Grammar and other branches now considered essential were not taught at all, books were not easily obtained, and the instruction was mostly oral. To read and write and learn the fundamental rules of arithmetic was all that was considered necessary, and the "Rule of three" was to most of the scholars the boundary of mathematical knowledge.

The master himself held a high position in the town from his superior knowledge. His narrow income was often increased by small sums received for writing deeds and other legal documents. A sick man would send for him to make his will, and he would be called upon by town officers to assist in adjusting town accounts. If he could sing, his fortune was made, and he would always be a welcome addition to all social gatherings.

Witchcraft, that caused so much alarm in New England, and was the source of one of the most painful episodes in American history, never seems to have disturbed the quiet of the town; the only reference to it is found in 1667 when a person is persecuted for slander in asserting that a certain woman had bewitched him: it seems to have excited little attention, but it is to be feared that nothing was wanting but favorable circumstances to cause such scenes as made Salem so notorious in history. The belief in Witchcraft may have been absurd, but it was certainly universal; the dread of its influence may have been groundless, but it was certainly unfeigned; men can hardly be blamed for
taking such precautions for their safety as the united voice of
the age considers necessary, and our ignorant ancestors may
be pardoned for believing what the greatest of British jurists
never ventured to doubt.

With the year 1660 the era of the settlement may be said to
end; the new enterprise was no longer an experiment, but es­

tablished upon a firm and sure foundation. The Indian tribe,
that had been a source of constant alarm, were no longer re­
garded with that dread that made every house a castle, and
every man a soldier. The brief period of Dutch government
only bound them faster to the mother country to which they
were united by the ties of blood. The day of their probation
was ended, and it will be well for ourselves and those who
may come after us if, in the hour of peril, Heaven shall grant
us hearts as bold and hands as strong as those with which the

fathers met all the storms of fate.

And it is a feeling of profound respect for the memory of the
Puritans, deep appreciation of their labor in behalf of human
freedom, veneration for those institutions that are the blessing
of the earth as it is and the glory of the world as it is to be,
that has prompted one who is of a different race, and can claim
no kindred with the names that are written in this book, to col­
lect with jealous care the fragments that time has spared, and
preserve this history.

The editor wishes to express his obligations to the Rev. G.
R. Howell for much valuable assistance in preparing this work
for the press.

WILLIAM S. PELLETREAU.

SOUTHAMPTON, March 1st, 1874.
ERRATA.

—:0:—

24th page, 9th line from bottom, for CRLL read call.
26th page, 31st line from top, for NITE read into.
27th page, 2d line from bottom, for AOWE read Howe.
35th page, 16th line from bottom to be omitted.
49th page, 11th line from bottom, for FOEMAN read freeman.
54th page, in note at bottom, ISAAC WILLIAMS should be I. Willman.
65th page, 12th line from top, 15 October should be 25 October.
109th page, 2d line from bottom, for STANES read stands.
119th page, 5th line from top, for WEE read were.
138th page, 3d line from bottom, for OFFEARE read appeare.
The Disposall of the Vessell.

March 10, 1639.

In consideracon that Edward Howell hath disbursed 15 lb. and Edmond Harrington 10 lb., Josias Stanborough 5 lb., George Welbe 10 lb., Job Sayre 5 lb., Edmond Needham 5 lb., Henry Walton 10 lb., and Thomas Sayre 5 lb., Itt is Agreede upon that wee, the forenamed undertakers have disposed of our several pts of our vessell to Daniell How. In Consideracon whereof hee is to transporte them so much goods either to them their heirs, executors and Assignes, (If they shall desire it,) as their Seuerall Somme or Sommes of Monney Shall Ammounnt unto, and moreover, to each of those persons Above named, or their Assignes, he shall transporte to each man A person and A tunne of goods free. But in case that any of the forenamed Persons shall not have occasion for the transporte of soe much goods as his money shall Ammounnt unto, that then the said Daniell is to make them payment of the remainder of the monney by the end of two yeares next ensuing the date hereof; and likewise this vessell shall be for the use of the Plantacon, and that the said Daniell shall not sell this vessell without the consent of the Maior pt. of the Company. And that the vessell shall be reddy at the Towne of Lynne to transporte such goods as the Aforesaid undertakers shall Appoint, that is to say, three tymes in the yeare, furthermore, if in case that any Person or Persons shall not have occasion to Transport any goods that then the said Daniell is to pay them their Somme or Sommes
of Money together with Allowence for A tunne of goods and A person within the termne of two years next ensuing the date hereof, And for the full performance of * * * said Daniell hath* our [THREE LINES GONE] furthermore where as it is expressed formerly that the vessell shall come to our Intended Plantacon three tymes in the yeare, we thought good to express the tymes, viz: the first Moneth, the fourth moneth and the eighth moneth.

Furthermore for the rates of persons, goods and chattel, it there prove any difference betweene vs, the undertakers and the Said Daniell How, that then it shall be reffered to two men whome they and he shall chuse

Furthermore for as much as Allen Bread, Thomas Halsey and William Harker Arc by the Consent of the company come into and party undertakers with vs, we Edward Howell, Daniell How and Henry Walton have consigned three of our pts. that is to each man A howse lott, plantinge lott and farme answerable to the rest of ye undertakers for their disbursement of five pounds A man to vs the above said undertakers, That is to say whereas Mr. Howell had 3 lotts he shall have but two, and Daniell How for 3 lotts shall have but two and Henry Walton for 2 lotts shall have but one.

EDWARD HOWELL,
DANIEL HOW,
HENR. WALTON.

Forasmuch as wee, Edward Howell, Edmond Harrington, Edmond Needam, Daniel How, Josias Stanworth, Thomas Saire, Job Saire, George Welbe and Henry Walton & Thomas Halsey, Allen Bread and William Harker have disbursed fourscore pounds for the settinge forword A Plantacon and in regard wee have taken upon vs to transporte at our owne prop costs and charges all such persons as shall goe at the first voyage when those of our company that are chosen thereunto shall goe upon discovery and search and to beginne and settle a plantacon. and further more, in regard all such persons sowe goeinge upon our acompt, haue in our vessell the freemdom of half a
tunne of goods a person it is thought meete that wee the fore-
named undertakers should not at any tyme nor tymes hereafter
be lyable to any rates, taxes or Impositions, nor be putt upon
any fencinge, building of meeting house, erectinge fortifica-
tions, buildinge of bridges, preparinge highways nor otherwise
charged for any cause or reason whatsooner during the tyme of
our discontinuance in our Intended Plantacon except yt in the
fenceinge in of plantinge lotts, every man shall with his neigh-
hors fence or cause to be fenced by the first day of April web
shall be 1641.

Furthermore because the delayinge to lay out the bounds of
townes and all such land within the said bowndes hath hene
generally the ruin of towns in this country, therefore wee the
said undertakers have thought good to take upon us the dispose
of all landes within our said bowndes soe yt ye web lay
out for A house Lottshall at all tymes from tyme to tyme here
after continue to be A house lott and but one dwelling house
shall be builded vpon it, and those lotts yt we lay out for
plantinge lotts shall not at any tyme nor tymes hereafter be
made house lotts whereby more Inhabitants might be received
into our said Plantacon to the oner chargeinge of Commons and
the Impoverishinge of the towne, and yt alsoe what is layed
out for commons shall continue commons and noe man shall
presume to Inchroach vpon it not so much as A handes breadth.
and what soever we lay out for farmes shall so remaine for af-
ter tyme, and ye disposal of all such lands soe layed out shall
be at all tymes and from tyme to tyme hereafter at the will and
pleasure of vs, the undertakers, or executors, administrators
and assigns, [3 lines gone,] and alsoe. who soever selleth his
Accommodations in the towne shall sell houuse lott and plant-
inge lote or lotts and meadow Intirely and if hee sel his farme
he shall not deuide it but sell it together, viz: his farme Intire-
ly and his Accommodations in ye Towne Intirely. Moreover
whosoever cometh in by vs shall hould himselfe satisfied with
four Aches to an housee lott and twelne aches to a plantinge
lott and soe much meadow and upland as may make his Accom-
modacons fifty acres, except wee, the said undertakers, shall see cause to Inlarge that proportion by A tarme, or otherwise. Furthermore noe person nor persons whatsoever shall challenge or claime any proper Interest in seas, riners, crookes, or brooks howsoever bounding or passing through his grounde but fir­edom of fishing, fowling and navigation shall be common to all within the bankes of the said waters whatsoever.

And whosoever shall fell any tree or trees in high wayes, is either to grubb them vp by the rootes or else to cut them smooth up even by the grounde, and take the tree or trees out of all such highways. And whosoever felloth any tree or trees in the commons shall either carry away the body or bodyes thereof with yo Aptonances or else sett or lay it up on heapes soc as the pasture for chattell or passage for man or beastes may not have any Annoyance. Likewise noe person nor persons whatsoever shall fell or lopp or carry away any tree or trees, firewood or otherwise, off or from any lott or lotts whatsoever for as is the lande so shall ye Aptonances bee every mans owne peculiar property.

Neither shall any person make or use any highways, paths or otherwise ouer any persons howse lott, plantinge lott or meadow, but shall vpon all occasions use the Allowed wayes layed out for yt end.

Furthermore it is thought meete that if the said vndertakers make any Composition with any person or persons yt lay claime * * manifesthis or their * * in any part or parts in all * * of the place where god shall cause or direct us to beginne our Intended plantation * * the [2 lines gone ] And iteome to pass yt wee the said undertakers shall either in our owne names or in the names of the Inhabitants In general promise to pay or cause to be payed any somme or sommes of money, goods or chattell, fins or rates, or the like as may hereafter be thought meete proportionably to what they Injoy and that then every person or persons Inhabitinge within the boundes of our plantation, being owners of land there, that they shall be contented and pleased to help to beare A share or
shares from time to time, and at all times hereafter, of all such payments as may be required of vs, the forenamed undertakers, or executors, Administrators or Assigns, and yt his or their subscribinge to these presents may be a sufficient declaration under all such persons handes, yt they doe Approve of all the premises here specified.

Lastly, wee the said undertakers testify by these presents in our admitting of Inhabitants to our Intended plantacon that wee without any kinde of reservation, leave men free to choose and determine all causes and controversys, Arbitrary among themselves, And that whenssoever it shall please the Lord, and he shall see it good to adde to vs such men as shall be fitt matter for A church, that then wee will in that thinge lay ourselues downe before ye constitutes there of either to be or not to bee receaue as members thereof according as they shall discerne the worke of god to be in our hearts.

EDWARD HOWELL,  
EDMOND NEEDHAM,  
EDMOND X FARRINGTON,  
JOSIAH STANBOROUGH, JOB SAYRE,  
DANIEL HOW,  
HENR. WALTON,  
mark of  
ALLEN X BREAD,  
GEORGE WELBE,  
THOMAS HALSEY,  
WILLIAM HARKER,  
Undertakers.

The mark of  
THOMAS T NEWELL,  
JOHN FFARRINGTON,  
the mark or  
RICHARD O ODELL (?)

These are to give notice that wee, the aforesaid company of undertakers, doe freely and ffreely give our consent that John Cooper shall and is admitted an undertaker with the like full
and limited power with our selves in all cases yt may concerne our Plantacon.

EDWARD HOWELL,
The marke of EDMOND X FFARRINGTON,
EDMOND NEEDHAM,
THOMAS HALSEY,
The marke of ALLEN X BREAD,
DANIEL HOW,
HENR. WALTON.

A Declaration of the Company.

Know all men whomse those presents may concerne yt whereas it is expressed in one Article that the power of disposinge of lauds and Admission of Inhabitants into our plantation shall at all tymes remaine in the hands of vs the said undertakes to vs and our heirs forever, that our true intent and meaning is that when our plantation is layed out by those Appointed according to our Articles and that there shall be a church gathered and constituted according to the minde of christ that then wee doe freely lay downe our power both of orderinge and disposinge of the plantation and receiving of Inhabitants, or any other thinge that may tende to the good and welfare of ye place at the feete of Christ and his church, provided that they shall not doe any thinge contrary to tho true meaneing of the former Articles.

Furthermore wheras it is expressed in A former Article yt the lando of ye undertakers shall at all tymes remaine free from affordinge any helpe to build meetinge house or making of bridge or bridges or mendinge of highwayes or the lyke during the tyme of their discontinuance from our Plantacon, it is thought meete that it shall take place and stand in force but
two yeares vnless there bee some good reason given for it and then those shall have land only for the third year provided that within the third year they come back againe ** ye 4th day of ye 4th * 16— [one line partly gone.]

In Witness of these two Articles foregoing we have set to our handes.

The marke of

EDMOND X FFFARRINGTON, EDWARD HOWELL,  
JOHN COOPER, THOMAS HALSEY,  
EDMOND NEEDHAM, DANIEL HOW,  
HENR. WALTON, THOMAS SAYRE,

These are to give notice that wee the afore sayd vndertakers doe fully and freely give our consent that Mr. John Gosmere shall and is admitted an vndertaker with the like full and limited power with our selues in all cases yt Concerne our Plantation.

EDWARD HOWELL,  
EDMOND NEEDHAM,  
HENR. WALTON,  
JOHN COOPER,  
WILLIAM HARKER,  
JOB SAYRE,

The marke of ALLEN X BREED,  
THOMAS SAYRE,

The marke of EDMOND X FFFARRINGTON,  
THOMAS HALSEY.
Notes to the "Disposal of the Vessell."


1. Edward Howell came from Marsh Gibbon, in the hundred and shire of Buckingham, Eng., where in 1639 he sold the Manor of Wesbury which he held in fee by inheritance, this manor was bought by William Howell is 1536 of Robert Dormer who had it from the company of Cooks of London to whom Edward I demised it, to William who died Nov. 30, 1557 succeeded his eldest son John who died without issue in 1576, and the manor then passed into the hands of the second son Henry. From him it came to another Henry (son of the last named who in 1606 pays £20 to the sheriff of Bucks Co. on a loan to England. Edward the Southampton colonist inherited the estate from the second Henry (who appears to have been his father according to Lipscumb's Buckinghamshire). For a genealogy of his descendants see Howell's history of Southampton.

2. Daniel How. He was one of the most influential pioneers of the settlement, and a magistrate probably as long as he was a member of the colony. He was made freeman at Lynn 1534, and Lieut. in the Ancient Artillery Co. 1638, resided in Southampton up to Oct. 1643, but was one of the founders of East Hampton in 1648, where he probably removed in 1649. Had brother Edward and son Ephraim.

3. Edward Farrington in 47, came from Olney, Co. of Bucks, with wife Elisebeth and 4 children in 1635. (died 1671,) his wife Elisebeth was b. 1586, and children Sarah b. 1621, Martha b. 1623, John b. 1624, Elisebeth b. 1627, and m. John Fuller 1641. Edmund, Thomas, John and Edward are found on the early papers, but no evidence of actual residence here, except Thomas and Edward, both of whom are on the list of 1645, but not of that of 1644. Edward was here apparently in 1657, the family returned to Mass.

4. Allen Bread. Although he is named in the Indian deed, Dec. 13, 1640, it is doubtful if he remained here through the first year, he was of Lynn in 1630, and returned to Mass. 1641.
5. Wm. Harker returned to Lynn, had w. Elisabeth who died May 21, 1661.

6. George Welhees A resident of Lynn in 1638, he did not remain in Southampton probably after the first year.

7. Edmund Needham did not remain long, as no land appears to be recorded to him. He died at Lynn 1677, leaving children.

8. Henry Walton removed in the first or second year of the settlement, probably to Boston where a Henry W. lived many years at this period. [His name occurs in the Indian Deed, but not after. W. S. P.]

9. Thomas Newell or Newhall probably never came to Southampton. Resided at Lynn where he left descendants.

10. Phillip Kirtland came quite early to Lynn, had two sons Phillip x 21, Nathaniel x 19 (1635) came from Co. of Bucks, En. to Lynn, in the Hopewell 1635. He had another son John, b. about 1617, they probably returned to Mass. before 1644.

11. Thom. Tery he probably removed to Southold where the name is common and has been since the settlement.

James Farret’s Patent.

Know all men whom this present writing may concern, that I James Farret, of Long Island, Gent., Deputy to the Right honorable the Earle of Sterling, Secretary for the Kingdom of Scotland, doe by these presents, in the name and behalf of the said Earle, and in mine owne name, as his Deputy, as it doth or may in any way concerne myself, Give and Grant three leave and liberty to Dauyeill How, Job Sayre, George Wilbe and William Harker, together with their associates to sitt downe upon Long Island aforesaid, there to possess, Improve and enjoy
Eight miles square of land, or so much as shall contain the said quantity not only upland but also whatsoever meadow marsh ground, Harbors, Rivers and Creeks lye within the bounds or limits of the said Eight miles, the same and every part thereof quietly and peaceably to enjoy to them and their heirs forever without any disturbance, lett or molestation from the said Earle or any by his appointement or procurement for him or any of his, and that they are to take their choyce to sitt downe upon as best suiteth them, And also that they and their Associates shall enjoy as full and free liberty in all matters thatt doe or may concerne them or theirs or that may conduce to the good and comfort of them and theirs both in church order and civell Government, together with all the easements, conveniences and accommodations what soever which the said place doth or may afforde answerable to wt other Plantations enjoy in Massachussets Bay. But in as much as itt hath pleased our Royall King to give and grant the Patente of Long Island to the aforesaid Earle. In consideration thereof it is agreed upon that the trade with the Indians shall remain to the said Earle of Sterling to dispose of from time to time and at all times as best liketh him. Onely the aforesaid Daniel How and his copartner shall have liberty to make choyce of one man amongst them that shall freely trade with the Indians in their behalfe for any victuals within their owne plantation, but not for wampam. And if any of the aforesaid persons or any for them shall secretly trade with the Indians for Wampam, whether directly or indirectly without leve or license from the said Earle or his assigns, the person or persons so offending shall pay for every fathom so traded, to the said Earle or his assigns, the sum of twenty shillings. Further itt is Agreed upon that what soever shall be thought meet by the Right Worshipful John Winthrop Esq., Governor of the massachussets Bay, to be given to the Earle of Sterling in way of acknowledgement, as the Patntentee of the place, shall be duly and truly payed, and further more it is agreede upon that noe man shall by vertue of any gift or purchase, lay any claim to any land yeing within the compass
of the eight miles before mentioned, but only the aforesaid In-
habitants shall make purchase in their own names and at their
own leisure from any Indians that Inhabit or have lawful right
to any of the aforesaid land or any part thereof and thereby as-
sume it to them selves and their heirs as their Inheritance for
ever. In witness whereof we have hereunto sett our hands and
seals the 17th day of Aprill, 1640.

Memorandum, that the true meaning of Mr. Farret is that,
whereas hee hath formerly purchased certain lands in Long
Island for the Earle of Sterling or him selfe, that he doth by
these presents fully release all claime and Interest in the land
above mentioned or persons that shall sitt down upon it with
all title to government whether in church or Common wealth,
all which is to bee dearly and fully drawne up according to
the true meaning of this agreement when things shall be settled
and concluded by the Right hononrable John Winthrop above
mentioned.

JAMES FARETT, [L.S.]

Sealed and delivered
in Presence of
THEOPH. EATON,
JOHN DAVENPORT.

[The following document is written upon the back of James
Farret's patent.]

I Winthrop within named having seariously considered of
that which in this writing is reffered to my determination, al-
though I am very unwilling to take it vpon me & as unfit also
tho rather being to seeke of any rule or oprronsed precedent to
guide me herein, yetbeing called hereunto I shall express what
I conceive to be equall vpon the considerations here ensuing,
12 RECORDS: TOWN OF SOUTHAMPTON.

viz, the land within granted being a mere wilderness and the
natives of the place pretending some interest which the plant-
ers must purchase and they might have had land enough gratis
(and as convenient) in the massachusetts or other of the Collonies
with liberty to trade with the Indians (which they are debared
from) and for that they had possessed and improved this place
before any actual claim made thereto by the Right Honbbl.,
the Earle of Starling, or had any neede of his lordships patent,
and whereas his lordship (upon consideration I suppose of the
promises) required nothing of them but in way of acknowledg-
ment of his interest, I doe hereby upon conceiue and doe accord-
ingly, (so far as power is given me) order and sitt downe that
the Inhabitants of the tract of land within mentioned or the
plantation now called Southampton, upon Long Island, and
their successors for ever shall pay yearly to the saide Earle of
Starling his heirs or assigns upon the last day of 7 ber, att
Southampton aforesaid towre bushells of the best Indian Corne
there growing, or the value of so much in full satisfaction of all
rents and services services (the 5th part of gold and silver oare
to the kings majesty reserved always excepted.) In testimony
whereof I have hereunto sett my hand, dated 20 (8) 1641.

JO. WINTHROP.

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Indian Deed.

This indenture, made the 13th day of December, Anno Dom.
1640, betwenee Pomatuck, Mandush, Mocomarto, Pathemanto,
Wybbenett, Wainmenowog, Heden, Watermexoted, Cheekepuehat, the native Inhabitants & true owners of the eastern pt.
of the Long Island, on the one part, and Mr. John Gosmer,
Edward Howell, Daniell How, Edward Needham, Thomas
Halsey, John Cooper, Thomas Sayre, Edward Harrington, Job Sayre, George Welbee, Allen Breade, Will'm Harker, Henry Walton. On the other part, witnesseth that the sayd Indians for due consideration of sixteene coats already received, and alsoe three score bushells of indian corn to bee payed upon lawfull demand the last of September, which shall bee in the yeare 1641, & farther in consideration that the above named English shall defend vs the sayd Indians from the unjust vio-

lence of whatsoever Indians shall illegally assault vs, doe ab-
solutely & for ever give & grant & by these presents doe ac-
knowledge ourselves, to have given & granted to the partyes above mentioned, without any fraude, guile, mental reservation or equivocation to them & their heires & successors for ever, all the lands, woods, waters, water courses, easements, profits & emoluments thence arising what soever, from the place commonly knowne by the place where the Indians bayle over their cannooes out of the North bay to the south side of the Island, from thence to possess all the lands lying eastward between the forsaid bounds by water, to wit, all the lands lying eastward between the foresaid bounds by water, to wit, all the land pertaining to the partyes aforesaid, as alsoe all the old ground formerly planted lying eastward from the first creek at the westemore end of Shinecock plaine, To have & to hold forever without any claime or challenge of the least title, interester or propriety whatsoever of vs the sayd Indians or our heyres or successors or any others by our leave, appointment license counsel or authority whatsoever, all the land bounded as is above said. In full testimonie of this our absolute bar-
gaine, contract & grant indented & in full & complete satisfac-
tion & establishment of this our act & deed of passing over all our title and interest in the premises, with all emoluments & profits thereto appertaining or any wise belonging from sea or land within our limits above specified without all guile wee have set to our hands the day and yeare above sayd.

Memorand. Before the subscribing of this present writing it is agreed that the Indians abone named shall hauie libertie to
break up ground for their use to the westward of the creek afore mentioned on the west side of Shinccock plaine.

MANATACUT, X his mark,
MANDUSH, X his mark,
WYBENET, X his mark,
HOWES, X his mark,
SECOMMECOCK, X,
MOCOMANTO, X,
these in the name of the rest.

Witnesses of the deliverie & subscribinge this writing.

ABRAHAM PIERSON,
EDWARD STEPHENSON,
ROBERT TERRY
JOSEPH HOWE,
THOMAS WHITEHONE,
JOSHUA GRIFFITHS,
WILLIAM HOWE.

Confirmation of the Indian deed.

NOVEMBER THE 24th, 1686.

This day Appeared before me Llft. Collonlll John Youngs Esq., one of his Majesties Justices of the peace, eleven of the Cheife of the Indiens of Shinccock, namely: Pungamo, Sachem, who is son and heire to the within subscribed Mandush, and quaqua-shawg, Iohn man, Cobil, asport, palamecowet, wahambahaw, wiack hance, Suretrust Saspan Ahickock, five whereof being old men, Did declare before me as followeth (viz) that the aforesaid Mandush Sachem and true proprietor with those Indians with him subscribed to ye within written Deed, with ye full consent of the Rest of the Indians of Shinccock & did ac-
according to this Deed as within written sell and alienate the said lands to the English therein named and did alsoe declare that upon their certaine knowledge they knew that the within said payment for the said lands was by the said English made to the said Indians according to covenant as within expressed, to their content, and that all the forenamed Indians Did this day unanimously Acknowlegde and consent unto the within written Deed accordidg to the true Intent thereof as atest my hand the day and year aforesaid

JOHN YOUNGS.

We namely Pungamo Gice Mamanamon Indian Sachems of Shinecock by and with ye consent of our people doe hereby acknowledge that ye within Written deed of sale made by our fathers and predecessors is a just and honest conveyance of ye lands within mentioned accordinge to ye true Intente and meaning therof as is therein bounded and expressed, and for the full confirmation of ye premises We the afore named Indian Sachems by and with the consent of our people and In there behalfe as well as for our selues and ours and their heires and sneksersors doe by these presents Ratify and Confirm the within written Deeds with all the premises therein centained to ye associates there heires and sneksersors of ye purchasers of said land within mentioned, In testimony whereof we the said Indian Sachems hane Set to our hands and Seals In Southampton this Sixteenth of August In the yeare of our Lord 1703

POMGUAMO his X mark Sachem
CHICE his X mark Sachem
MAHMAM AM his O mark Sachem

Sighed Sealed and delivered
In Presence of
STEPHEN BOWYER
ARTHUR TORITY
BENJAMIN MARSHALL
August 16th then appeared before me the Subscribed Pom-
guamo Chice Mahman am Indian Sachems and did acknowledge
this above Confirmation to be their free and voluntary act and
deed.

Test, JOHN WHEELER, justice

(The above Confirmations are written upon the back of the
Indian deed)

When the town Records came into my hands in 1862, it was
the common belief that the earliest records were lost, but upon
a careful examination two rolls of papers were found which
proved to be the leaves of a book, these I arranged in chrono-
logical order, (as the pages were not numbered,) and as the ac-
counts of town meetings of each year, from 1641 were found, it
is to be supposed that comparatively little has been lost, the
volume thus made was strongly bound and carefully indexed,
and if not destroyed by accident may last for generations to
come.

This volume is now printed, and no pains has been spared to
make an exact copy of the original, and nothing has been omit-
ted. The records to 1651 are in the handwriting of Richard
Mills, who seems to have acted as school master in the town
from the settlement, though his name does not occur previous
to 1650. In 1651 he sold his home lot to John Cooper, Jr.,
and removed from the town (his house lot is probably the one
now occupied by the Presbyterian parsonage.) He was town
Clerk in Westchester in 1661. Schoolmaster in Middleburg
1657–1660, (See O'Callaghan's Dutch Records 107, 120, 132.
The laws founded upon the Mosaic Code found on pages
3–8 (of the original book) are supposed to be in the handwrit-
ing of Abraham Pierson, first minister of the town.

It is perhaps unnecessary to add that until 1757 the year was
considered as beginning on the 25th day of March, and that
month is always mentioned as being the first of the year.

The word "page," and the number at the commencement of paragraphs denote the pages of the original volume of town Records now in the Clerk's office.

May 1st, 1873. W. S. P.

**Liber A. Town Records of Southampton.**

[The first two pages here copied seem to be a fly leaf of the original book.]

*Page 1.* George Wood doth acknowledge himself to owe unto this towne the summe of 10 pounds to be levied of his goods and Chattells lands & tenements, vnder this condition that he ye said George Wood shall appear at ye next quarter Court to be holden for ye body of this town, then and there to take order for ye discharge of ye said towne of a Bastard child where of hee is father.

John Cooper doth acknowledge himself to owe unto this towne ye summe of 5 pounds to be levied of his goods & chattells lands and tenements under this condition that George Wood doe appear at ye next quarter Court to be holden for ye discharge of ye said towne of a Bastard Child where of George Wood is father.

— Cooper and John Moore doe acknowledge themselves to owe unto the body of this towne the summe of five pounds to be levied of their goods and Chattells lands and tenements vnder this condition that Arthur Bostock doe appeare at the next quarter Court to bee holden * * * October then to make his personale appearance.

Arthur Bostock made his Appearance according to the Recognisience.
Page 2.

List of the freemen.

Mr Edward Howell  John White  Edward Joanes
Josiah Stanborough  Mr John Gosmer  Mr Rainer
Thomas Talmage  Mr Odell  Mr Browne
Thomas Halsey  Richard Barret  John Howell
Wm. Rogers  John Cooper  Mr Thomas Topping
Thomas Saire  Mr John Ogden  Mr Smith
Mr Robert Fordham.

These freemen called ye 8th of October 1650 at ye Court of Election, William Rogers default, Mr Smith default.

Page 3. An Abstract of the Lawes of Judgement as given Moses to the Commonwealth of Israel, soe farre forth as they bee of Morall that is of perpetuall and universall Equity. Among all Nations. Especially such where the Church and Common Wealth are Complanted together in holy Covenant and fellow shippe with God in Jesus Christ, being jointly and vuanimously Consented vnto as fundamental! by the Inhabitants of this Collony of Southampton.

Of Trespasses.

1. Yf a mans swine or any other Beast or a fire kindled by him break out into an other mans field of Corne he shall make full Restitution both of the damage done by them, and of the losse of tyme when others have had in Carrying such swine or beasts vnto the owners or vnto the fold, (Exod. 12.5. 6) But yf a man put his swine or Beast into another mans field Restitution is to be made of the best of his owne though yt were much better than that which was destroyed or hurt. (Levi. 24, 18  Exod. 21, 34)

2. Yf a man killeth another mans beast or digg or open a pit and leave yt vneeoured and a beast fall into yt, he that killeth the beast and the owner of the pit shall make Restitution. (Exod. 21, 35)

3. Yf a man's beast killeth the beast of an other the owner of the beast shall make Restitution. (Exod. 21, 28)
4. Yf a mans Oxe or other beast gore or bite and kill a man or woman, whether eh'ld or of riper age, the beast shall be killcd and noe benefit of the dead beast reserved to the owner. But if the oxe or other beast were wont to push or bite in former tyntes and the owner hath been told of yt and hath not kept him in, then the oxe or beast shall he forfyt and killed and the owner also put to death, or else fined to paye what the Judges and person damnified shall laye vpon him.

5. Yf a man deliver goods to his neighbor to kepe and they be sayed to be lost or stolen from him, the keeper of the goods [PAGE 4.] shall be put to his oath concerning the [two words gone] which yf he take and noe evidence appeare to the contrary hee shall be quitt But yf hee bee founde false vnto his neighhor or unfayythfull hee shall paye double vnto him.

But if a man take hire for the goods committed vnto him and they be stolen the keeper shall make restitution, but yf the beast soe kept for hire dye or be hurt or be driven away no man seeing of yt, An Oath shall be taken of the keeper that yt was without his default and yt shall be accepted.

But yf the beast bee torne in peices and a peice be brought for witness yt exesuseth the keeper. Exod. 22, 13.

OF CRIMES, AND FIRST OF SUCH AS DESERVE CAPITAL PUNISHMENT OR CUTTING OFF FROM A MANS PEOPLE WHETHER BY DEATH OR BANISHMENT.

1. Of Blasphemy which is a curseing of God or wicked denying of God by Atheisme or the like, to he punished with death.
2. Idolatry to be punished with death.
3. Witches which is fellowshippe by consent with a familiar spirit to be punished with death.
4. Consulters with witches not to bee tolerated but eyther to bee cut off by death or Banishment.
5. Heresie which is the maintaynance of some wicked error overthrowing the foundations of Christian Religion with obstinacy, yf it be ioyned with endeavour to seduce others thereunto to be punisned with death. Because sna: an heretick noe lesse than an Idolater seeketh to thrust the souls of men from the Lord their God.
6. To worship God in a molten or graven image to be punished with death.

7. Whosoever shall revile the Religion and worshipp of God and the Government of the Church as yt is now established to be cut off by Banishment.

PAGES 5 and 6. [The 5th and 6th pages as the book is bound are blank.]

Page 7. 8. Willful perjury whether in • • • or in private conference to bee punished [two words gone.] Rash perjury whether itt bee in publick or private to be punished with Banishment, just is it that such a mans name should bee cut off from his people who prophaneth so grossely the name of God before his people.

9. prophaning the Lords daye in a carelessse or scornfull neglect or contempt thereof to bee punished with death.

10. To plot or practice the betrayinge of the Country or any principall forte therein, to the hande of any foreigne State, Spanishse, French Dutch or the like, contrary to the Allegience wee professe & owe to our dread Soneraigne Lord King Charles his heires and Successors whilst hee is pleased to protect vs as his Loyall Subjectes, shall bee punished with death.

11. Unreuerced and dishonorabe Carriage to Magistrates to bee punished with banishment for a tyme, tyll they acknowledge their fault and professe Reformation.

12. Rebellion or Sedition or Insurrection by takeing vp of arms against the present Gouernment established in the Country to bee punished with death.

12 Rebellious Children, whether they continue in Riot or Drunkenesse, after due correction from parents, or whether they enure or Smite their parents Are to bee put to death.

13. Murder which is a willfull man Slaughter, not in a mans necessary and just defence, nor casually committed, but out of hatred or eneuly to bee punished by death.

14. Adultery which is the defiling of the Marriage bed to bee punished with death.

15. Defiling a woman espoused, is a kinde of Adultery, and
punished by death, of both partyes. But yf the woman be forced then by the death of the man only.

16. Incest which is the defiling of any that are of kin, with the degrees prohibited in Leviticus to be punished with death. The carnall man with woman [two lines gone] mayed in her father's house, kept silent secretly after her marriage with another to be punished with death.

18. Manstealing to be punished with death.

19. False witness against life to be punished with death.

OF CRIMES LESS HAINOUS SUCH AS ARE TO BE PUNISHED WITH SOME CORPORALL PUNISHMENT OR FFINE.

1. With losse of honour or office yf heo bee a magistrate or officer, meete yt is that their names should be dishonoured who dishonour Gods name.

2. With losse of freedom.

3. With disability to give testimony.

4. by Corporalle punishment, eyther by stripes or by branding them with an hott yron or baoaring them through the tongue as he hath hoared and pieered Gods name.

2. Drunkenesse as transformeinge Gods Image into a Beast, is to be punished with the punishment of a beast. A whippe for the horse and a rode for the fooles hacke.

3. Forcing of a mayd or a Rape is not to be punished with death by Gods Laws.

1. With a fine or penaltly to the father of the mayd.

2. With the marriage of the mayd defiled (to wit) yf she and her father consent.

3. With Corporall punishment of stripes, for his wrong is a recall Slander and worse to make a whore than to saye one is an whore.
RECORDS: TOWN OF SOUTHAMPTON.

4. Fornication to be punished

1. By marriage of the mayd or giving her a sufficient dowry.

2. By stripes though fewer from * * * the former cause.

Wounding of a freeman * * * frees Inhabitant. [The rest of these laws are lost.]

[The 9th page of the original book is occupied with a copy of the latter part of the Indian deed, the whole of which is on the 12th 13th and 14th pages. The 10th 11th and 12 pages of the original book are blank. W. S. P.]

Page 13. Southampton the 6th of April 1641, yt is Ordered that noe man shall give or lende vnto any Indian or Indians eyther gunnes pistolls or any other Instruments of Warre viz, powder shott Bullets Matches, Swords or any other engine of Warre whatsoeuer. Upon payne of the forfeiture of his whole personal estate found within the limits of Southampton and also to be lyable to the Censure of the Court for what corporall punishment they shall minke meet to inflict vpon such like offenders. [Note added.] But at a gen'll Court in October 30, 1655 it is concluded that either of ye Magistrates at their discretion may give liberty for the mending of any Indians gun they see meete.

April 6, 1641 yt is ordered that any person whatsoeuer hath any Lott or Lotts vpon Shinecock playne in the which there are any Indian Barnes* or welles lyeing open whereby cattle have or may take Inrte or harme, the owners or oversees of such Lotts shall fill up all such Barnes and welles by the tenth day of this Month vpon payne of payeing all such damage as arise by their Neglect, and further to answer for theire contempt at the next Court.

Yt is ordered that there shall bee three plantinge lotts layed out abbutting vpon the Little Common apperaynynge vnto each

* "Indian Barnes" were holes dug in the earth and lined with bank. for the purpose of keeving their corn during the winter. they were covered with mutches. W. S. P.
of the forty eight Acres, viz, to Henry Symonds the first lott, to Mr. Abraham Peirson the second, Lott, and to John Moore the third lott, yt being further ordered that the persons above mentioned shall be at the charge of fencing the sayd lotsis see much as they shall abutt upon the little common.

Yt is ordered that Mr. Howe is to have his planteing lott at the end of Allen Bredes planteing lott, and yt is to lye three Acres in length, and see much in brethth as will make the lott to containe three score and foure Acres.

Page 14. 1641 yt is ordered that all the Inhabitants of this towne shall make their personal Appearance after due warning given at such place or places as they shall be appointed unto, after the second calling over of their names by the Constable or any other officer, and upon every such default to paye two shillings. And whoso shall appear and then depart without Licence of the Court shall be lyable to paye for every such default two shillings and to stand to the further pleasure of the Court.

[Note added.] It is further ordered by the general court October 1648 yt the Secretary & the Clarke of the band for the tyme being shall take notis of all defaults of appearance & respectively & shall within 3 days after any such default present them to one or bothe ye magistrates in a warrant directed to the constable to be served by waye of distress & sale of goods as in waye of execution and the paye soe collectt shall make account to the townes use.

December 16. 1641 yt is ordered that the Marshall shall have two shillings sixe pence for the serving of every execution that shall bee to the value of twenty shillings and under, and to have sixe pence upon the pound one and above the sayd two shillings sixe pence.

December 16, 1641 It is ordered that whosoever shall so offend as that they shall be adjudged worthy of corporal punishment by the Magistrate or Magistrates. The marshall shall have twelve pence for every one that he shall according to order give punishment unto, to be payd by the partye punished, eyether in money or worke. Yt is ordered that for the warne-
ing of Juryes that the Marshall vpon warrant from a Magistrate shall doe yt, and that he shall warne such persons as are most free from exceptions among the Inhabitants of this place.

— 21, 1642 It is ordered that the Company of the towne of Southampton shall be trayned sixe tymes in the yeare, and that to be at the most convenient tymes in the yeare according to Page 15 the discretion of the Commander, yt l further Order be taken, and that the Inhabitants of this towne from sixteene years old and upwards shall beare Armes (unless they shall have lycence to the contrarie) And that, whencesover any notice shall be given of the tyme or tymes of trayning by any officer, they shall make their Appearance at the second call of the Clarke or else shall paye for their default three shillings, to be gathered by the Clarke, and yt the Clarke shall be absent at the tyme appointed that then he shall paye for his default five shillings.

Further yt is ordered that all traynings are to beginne at seven of the Clock in the morning from the first of March to the last of September, and from the last of September to the first of March to beginne at eight of the clock in the morneing.

December 22 1641 yt is ordered that there shall bee four quarter Courts in ye yeare, and one generell meeting, to be holden the first of October for election. The quarter Courts to be holden as followeth, One to beginne the first Tuesday in March Another to beginne the first Tewsdaye in June, Another to beginne the first Tewsdaye in September and the other the first Tewsdaye in December, yt is also agreed that the Magistrates shall have powre to crl either Generall meeting or particular Courts at any other season which in their discretion shall be thought meet.

Yt is ordered that every man shall cleare sixe feet at the end of his howse Lott, both of stumpes tree tops, lopps and what seever shall bee any Annoyance for the passage of Men Women or children by night or daye, and this to bee done betwixt this and the twentieth of ffebr vpon ye payne of 5 s.

Page 16. Yt is ordered that there shall be a Grand Jury
warned against every quarter Court to make presentment of all laws and orders that shall be broken in this Towne.

Dec. 23 1641 Yet is ordered that, so much as Nathaniel Kirtland hath bound himselfe to vs the freemen of this Towne, That yt there come any man to the Towne and that the Towne cannot otherwise Accommodate him that then he shall parte with one of his lotts viz with that which was his Brothers, being payed his charges according as shall be valued by foure men, two by him & two by the sayde Towne, and that he the sayd Nathaniel shall possess the old ground that was layd vto his Brothers Lott during the sayd tyme.

Jan 2, 1641 The Magistrates shall govern according to the Lawes now established, and to be established by Generall Courts hereafter, they and eyther of them shall be able to send out warrants to any officer to fetch any delinquent before them, and examine the cause, and to take order by suretyes or safe custody for his or their appearance at the court. And furtherr to prevent the offenders lying in prison yt shall be lawful for the Magistrates or eyther of them to see execution don upon any offender for any crime that is not capitall according to the Lawes established or to be established in this place.

The Generall Court shall have powre 1 By warrant of the Magistrates or eyther of them to assemble once every halfe yeare and to sit together tyll all their affayres shall bee dispatched.

Page 17. 2 To call and ordayne Magistrates and other offi-
cers, As a Secretary to eurrole all the members of the Court, and likewise to ordayne Ministers of Justice to attach and tetch and sett persons before the Magistrates and to execute the censures of the Court vpon the offenders, lykewise the sayd Court shall have powre to call them allso to Accompit for the breach of any Lawes established or other misdemeanours, and to censure them as the quality of their act may require.

3 To make and repeale Lawes

4 To impose a levy of Monnies for the publick service of the common wealth as shall be thought fitt for the provision and protection of the whole.
5 To heare and determine all causes whether civil or criminal wherein Appeale shall be made vnto them or which they shall see cause to assume nite their cogniscence and Judicature.

Feb. 1 1641 Yt is ordered that in Consideracion that divers of our Neighbors one the Easte side of the Towne have desired to fence in part of their house Lotts thinking yt convenient for them to plant neere home, and being acquainted with the danger of yt not onely in regard of great Cattell but also of hoggs, yt lyeing in the waye to Hogg neck conceiving yt dangerous vnles they fence where upon having requested the Generall Court to take some counsel in their behalf there being some some of them vnwilling to fence as above sayd, wee doe hereby inioyne every person that hath a lott one thatsie of the Towne that they take a conree to fence in such a waye as they may fence other corne from danger of all manner of Cattell, hoggs or other. And that yt any shall refuse so to doe, that hee or they shall not onely looke after their owne corne that shall be spoyled but shall be lyable to paye all damage that come through their not finding eyther in corne or cattell.

Feb. 2, 1641 Yt is ordered that yt any person what soever shall leave open any common gates, whereby prejudice shall work to any person or persons the person offending shall paye the damage and twelve pence to the townes use or else be whipped.

Page 18. Septem. 7, 1642. Yt is ordered vpon request made (to the Generall Court holden at Southampton) by Thomas Talmage Senr, that instead of the eight acre lott which he then had, be giving yt vp againe into the Townes handes he shall have another granted vnto him, for his propriety and best advaantage.

Octob. 6, 1642 Yt is ordered that noe man shall buy any land of the Indians within the bounds of this towne without the consent of the Generall Court.

Oct 6 1642 Yt is ordered that the Secretary shall have allowed vnto him for every daye the Generall Court shall sitt one shilling and sixepence. And for every presentment by the
Grand Jury two pence, for the entering of any Action one shilling, for entering every judgement he shall be allowed one shilling And for the copy of any of the Court rules sixe pence. [Note on margin] Southampton.

October 6, 1647 At the Generall Court then holden yt is concluded that ye Secretary shall have four shillings per ann, for keeping the towne book, but nothing for the keeping of General Courts,

October 9 1642 Yt is ordered that Richard Barret and Thomas Tomson shall look and espie out for flulk Daines and Wm. Rodgers each of them two acres of old ground upon the playne, and that yt shall belong vnto them as allother lands do that belong vnto other men, and their heires for ever, provided that yt eyther of the sayd parties shall depart and leave the towne within two yeares after the date herof that then the sayd Ground shall return againe into the Townes hands to dispose of.

October 9, 1642 Yt is ordered that every man in this towne that bear eth armes shall watch and ward and come to trayneings in their coats.

October 9, 1642 Yt is ordered that whosoever shall be found sleeping after he hath taken the charge of the watch shall be liable to the censure of 4 lashes of the whippe by the Marshall or else forthwith to paye ten shillings.

March 16 1643 1ehn Moore was censured for saying Daniel How did usurpe the exection of the place of Magistracy hee then lyein under Church censure, not being then deposd or degraded from the same. And to confesse his sayling yt hee shall bee at the next quarter Court.

March 15 1643 Thomas Halsey was censured for some vnreuerent speeches to Daniel How in Court being then a Magistrate, who acknowledged his offenc and promised to make the lyke acknowledgement the next quarter Court.

March 15 1643 William Wills Gent, was censured for some vnreuerent speeches to Daniel Aowe, who confessed his offence and promised reformation.
March 16 1643  Richard Barret was censured (being Clarke of the band) for the neglect of his place who promised reformation.

May 16 1643  Yt is ordered that the fence of the little Common* shall bee sett vp according to each mans proportion within nine dayes after the date hereof, and whosoever shall then bee defective shall paye three shillings for each pole.

May 16, 1643  Yt is ordered that John Cooper shall enjoy the Lott of old Goodman Harrington of Lynn, lyeing in Southampton, with all the privileges thereof, until he shall have payd vnto him the sum of fifteen shillings for the setting vp the fencee that belongs vnto that Lott vpon the little Common.

May 16, 1643  Yt is ordered that whosoever shall bee the Cowkeeper in this towne of Southampton & shall according to his agreement have his wages due vnto him he lawfully demanding the same, and shall not be satisfied within three dayes after the aforesayd demand yt shall be lawfull for the sayd herdsman with the marshall to levy the sayd wages by execution vpon the goods and Cattell of any such person who shall make default hererin.

May 27 1643  Yt is ordered that if any man shall receive detriment or damage by reason of any offence which shall be committed by any Indian or Indians eyther vnto his person or his estate, that within five dayes after be shall receive knowledge of the same he shall repayre vnto one of the Magistrates, and make proove of the sayd damage or offence, And he shall have power from them or eyther of them to demande require and receive satisfaction for the same.

May 27 1643  Yt is ordered that if any person shall receive damage by reason of any trespass committed by any mans Beast Swine or other Cattle that then the party offended giue notice within three dayes (after it comes to his knowledge) to the trespasser who is to chose one man, and the trespassed to chose another to end the controversy. But if the trespasser

* The tract of land so often mentioned in these records as the little Common or little plains, lies at the south end of the main street of the village of Southampton, and bounded South by the beach, and North by "Cin lane" so called.
shall refuse to choose one man that then yt shall be lawfull for the person tresspassed to chose two men to decide the aforesayd damage or controversie, (if any shall refuse to observe this order hee shall lose his dammage.) [Marginal note.] The words interlined and added were done by the five men the 8th feb. 1646 [they are parenthesized in this copy.]

Yt is ordered that such executions as shall bee by the Magistrate or Magistrates directed vnto the Marshall shall be leauned by the marshall, and the sayd Marshall shall choose two Indif­ferent men of the freemen to Apprize such goods and Chattels as shall bee vpon distresse. And yt is further ordered that the aforesayd Marshall shall give publick notice to the whole towne within twenty foure howres after such distresse shall bee made who shall apoynt a certayne tyme and place where public proclamation shall bee made, and whosoever shall bid most shall take the aforesayd Goods or Chattells vpon distresse, and sat­isfaction to be given according to the sayd execution.

Page 21. May 28 1643  Yt is ordered that whosoever hath a lott granted one the Southwest side of the towne shall fence in the common fence one the South side of the sea ten poles of fence with four rayles. And every one that hath a lott on the Northeast side of the towne* shall fence five poles to each lott with four rayles. And yt is further Agreed vpon that what shall bee wanting when each man hath don his proportion, the remaynder of the sayd fence shall be done vpon a common charge and that each man shall make and maintayne his fence.

May 28 1643  Yt is ordered that Richard Post shall have given vnto him tue acres of unbroken vp ground (yt there be so much) adjoying to his other two Acres of land lyeing vpon the playne.

May 29, 1643  Yt was ordered by the Generall court that Richard Barret, John Mulford, Arthur Bostock, Thomas Tom­son & Robert Bond, shall have each of them tue Acres of land

* It is well known that the first settlement was at the place now called old town about one mile east of the present village and the locations mentioned in the text are in reference to the vicinity. The expression "on the South side of the sea" probably means on the south side of the little plain near the sea.
divided unto them upon the playne, viz. Richard Barret John Mulford and Thomas Tomson shall have the aforesaid two acres to lye next unto Henry Pierson's one acre lott, and Mr Smiths eight acre lott. And Robert Bond in the room of the aforesaid two acres hath granted unto him three acres lyeing on the Southside of Mr. Gosmers 8 acre lott, And Arthur Bostock's two acres to lye against Robert Bond's west, and against Mr. Gosmers eight Acre lott north.

June 9 1643 Yt is ordered by the Generall Court that Robert Bond shall not make for any Indian or Indians any harping Irons* or fishing Irons which are knowne to be dangerous weap-

(PAGE 22) ons to offende the English. [Note added.] Re
pealed the 30th Jan. 1650 by the general Court.

October 13 1643 Yt is ordered that whatsoever matters or orders shall be referred to the publikk vote every man that is then and there present, and a member of the court shall give his vote and Suffrage cyther against or for any such matter and not in any case to be a neuter. Yt is ordered that all such lotts and lands as are taken up by any particular persons, such lotts and lands shall be lyable to the paysing of publikk rates and charges,

Thomas Burnet hath a lott granted unto him on the South east side, upon condition that hee staye three yeares in the towne to improwe yt.

October 26 1643 Yt is ordered that noe cattell shall goe without a keeper from the first of January to the tyme that every mans Indian corne shall becarried home from the playne of each side of the towne except such as bane right to goe vpon the little common, vpon payne of foure pence vpon every head, and one penny for every Goate, and this to belong unto him that shall drive them thence to be pounded, and not to deliver them vntill the said forfeitures be discharged.

PAGE 23. October 26 1643. Yt is ordered that Thomas Hyldreth shall satisfie vnto Mr. Smith to the value of three pound and twelve shillings and foure pence, to be payd vnto him in

* Harpoons.
English Wheato after the rate of four shillings by the bushell, betwixt this and the first of March, and that this order shall be a final ende of all matters of Controversie what so ever betwixt them.

November 6 1643 Yt is ordered that whosoever shall kill and bring the hea of a woolfe vnto eyther of the Magistrates shal have payed vnto him by the Toune the some of Ten shillings.

[Note added.] 14th May 1549 it is further ordered that who­soever killeth anie wolfe shall bringe the skin with the eares & tayle vnto one of the Magistrates, and they that kille a wolfe shall have twentie shillings, allwayes provided it be within the bounds of this towne, and it is only to thein yt take paynes.

Whereas yt was formerly agreed that there should be layed out vnto the lotts of the Southwest side of the Towre ten acres and eight Ares to each Lott vpon the playne, yt being certified vnto this present Court, that those lotts are disproportionately layed out, yt is therefore ordered that each lott of Ten Acres and eight Ares shall bee new measured and what shall appear to be overplus shall remayne vnto the use of the aforesayd Towne. And what Lotts soeuer shall not be in full measure that then there shall be lykewise an Addition according to each mans proportion. Aud yt yt shall so fall out that any man who hath improved his land shall vpon measuring hane mouer than his proportions, Then whosoever shall enjoye what shall bee ye overplus shall paye for such improvement as two men shall value the same and in the mean tyme to enjoye yt to his proper use tyl satisfaction be given.

Page 24. March 7th 1644 Yt was voted and consented vnto by the Generall Court that the Towne of Southampton shall enter into Combination with the Jurisdiction of Connecticute.

March 7th 1644 yt is ordered by this present Court that yt by the providence of God there shall be henceforth within the bounds of this plantacon any whale or whales east of the prevention of disorder yt is consented vnto that there shall be towre wards in this towne, Eleaven persons in each ward, and

* That is, the reward was not to be paid for wolves killed by accident or found dead.
by lott two of each ward (if any such whales shall be cast vp) shall bo employed for the cutting out of the sayd whales, who for their paynes shall have a double share, And every Inhabitant with his child or servant that is above sixteene yeares of age, shall have in the division of the other part an equal proportion, provided that such person when yt falls into his ward [be] a sufficient man to be employed aboute yt.

And yt is further agreed upon that there shall be in each ward eleven persons.

1 for the first ward William Barnes, Geo Wood Thomas Cooper Richard Stratton Iob Sayre Thomas Burnet John White William Mulford Thomas Halsey Junr, Thomas Talmage Senr, and Mr Iohnes.

2 for yo second ward Richard Jaques, Thomas Talmage Junior, Mr Pierson Robert Rose, Mr. Gosmer Thomas Halsey Senr Mr Stanborough Richard Barret Richard Post Thomas Tomson Robert Talmage.

3 for the third ward Richard Gosmer Arthur Bostock Henry Pierson John Hande Thomas Hyldreth Iohn Mulford John Moore EJ's Cook Robert Bond Shilk Dauc's & Mr Howe.

Page 25. for the fonerth ward John Cooper Senr Tristram Hedges Iohn Cooper Junr, John Cory Mr Howell Mr Odell Iohn Houell Richard Smith & Thomas Sayre.

Yt is further ordered that Mr Howell Mr Gosmer and Robert Bond shall give notice after any storme or according to their discretion unto two persons as they are before mentioned, and so from tyme to tyme unto other two person, one of which two shall goe to viewe and espie yt there bo any whales cast up as far as the South Harbor,† and the other shall goe unto the third pond beyond Meeocks‡, beginning at the the windmill†. And yt any person (whose turne yt is) who hath Information to goe upon discovery and shall not faithfully performe the same shall eyther pay ten shillings or be whipped.

* The "South Harbor" was an inlet from the Ocean to Shinnecock Bay.
† The pond beyond Meeox was the one called Genesis.
‡ The windmill was probably the first one on Long Island.
March 8 1644. Yt is ordered that the Lott which was belonging vnto Mr. Howe lyeing next vnto Mr. Peirsons house lott shall be reserved for an elders lott. And the lott which was formerly Thomas Halsey's and reserved for an Elders, doth now belong vnto Mr Howell as his proper right of Inheritance.

John Cory hath granted vnto him two Acres of Land next vnto William Mulfords lott yf yt be there to be had.

Robert Rose hath granted vnto him an Acre of new ground or an Acre & halfe yf yt be there, lyeing next vnto Arthur Bostocks lott on the great playne*.

Page 26. Yt is ordered that all the heardes that doe or shall keep Cattell, As Cowes Goates Hoggs or any other Cattell shal hereafter keep them from feeding vpon any meadous or ground fitt to be mowen for haye within the liberties of the towne or within 3 miles of the sayd Towne, and for such default such person shall be lyable to paye such damage as shall accrue to the sayd Inhabitants.

October 22 1644. Yt is ordered that ffulk Danes shal have two Aeres of new ground vpon the playne layd out for him next vnto John Corys his lott,

October 22 1644. At the Generall Court holden by the free-men of this towne Mr. Jones hath the lott granted vnto him which was formerly granted vnto John Budd of Yeancock† viz the house lott lyeing next vnto Mr. Stanboroughsto ye north and the Ten Acre lot that was Mr. Winthropps, and eightaerces which was appoynted vnto Mr Cole of Hartford, and fourt Acres of old ground vpon the playne, yf yt can be found out and 48 Acres lyeing next to Mr. Coles, provided that yt he shall remove from this place with his family before 3 yeaeres shall be expired, that then he shall not sell more of the sayd allottment than he hath improved, by building, tylling, or fenceeing. And to allow vnto the towne forty shillings for the sayd lotts and for the fenceeing of the house lott.

* The "Great playne" so frequently mentioned was the tract of land bounded East by the town Pond, and West by Shimecoock bay, north by the hill street, and South by the ocean.
† Now Southold.
PAGE 27. November 5th 1644 Yt is ordered that whosoever shall fell any tree across any common cart way and shall not forthwith remove yt thence, shall paye for every such offence three shillings, Aud whosoener hath formerly telled any tree or trees crosse any common cartway and doth not take them away within one month after the date hereof shall paye for every such default two shillings.

November 18, 1644 John Cooper the elder was Censured by the Generall Court for som passionate expressions five shillings.

November 18 Yt is ordered thrt every man within this towne that beareth armes shall haue a sufficent coslet* of clabbourd or other wood in continuall readiness.

November 18 1644 Yt is ordered that the little common shall be sufficiently fenced against a 1 sorts of cattell and Goats by those that have fences upon the sayd common betwixt this and the first daye of March next after the date hereof, both for land fence and for water fence, and whose fence shall be deficient shall paye for every pole 1s 6d.

November 18 1644 Thomas Sayre was censured for some contemptious cariag to Mr. Gosmer being Magistrate, to pay 10s and to make publick acknowledgement of his offence which yt he shall refuse, then to be lyable to paye 40 shillings.

PAGE 28. November 19 1644 The petition that was presented by John Stratton and Thomas Talmage Junr for the quiet and peaceable Inioyment of the lott betwixt them which formerly was graunted vnto Widdow Bancroft, was graunted and consented vnto by the Generall Court provided that they shall keep, Improve and possesse the sayd lott in their handes three yeares after the tyme yt was by the sayd widdow Bancroft giuen vnto them.

November 19 1644 It is ordered that all such fines Amerements Taxes or Assessments what soever which have been in this towne past before the date hereof, shall be collected and

* There is some controversy as to the meaning of the term "coslet." Mr. Henry Onderdonk, Jr., supposes it to be a gun-jest, and used to render aim more certain, others think it was something like a shield, and a wooden one would doubtless be a protection against Indians' arrows.
leaned by the same constable or Marshall in whose yeare they were due to be leaned.

November 19, 1644  The petition of Henry Pierson for the quiet and peaceable enjoiyment of the lott which he bought of John White, was by the General Court consented unto provided that the sayd Henry Pierson shall enjoy and improve the same three years from ye tyme of his purchase before he shall have power to dispose of yt.

March 4 1644  Whereas George Wood and an Indian named by the name of Hope both of them being servants unto Mr. Edward Howell of this town of Southampton, have consented to commit carnal filthiness together and the sayd Hope being begotten with child hath constantly affirmed the sayd George Wood to be the lawtull father of the sayd child. Both of them hauing receaued corporale punishment. The sayd George Wood and the sayd Indian named by the name of Hope, have both of them publickly in Court the daye and yeare aforesayd, Consented and agreede that the sayd child basely begotten being at this tyme a yeare old, shall continue to be the lawfull servant of the sayd Edward Houell, his heires or Assignes vntil vnto ye sayd Edward Houell and his heires forever, forty Acres the sayd child shall be of the age of thirty years before he shall be released of his aforesayd Apprenticeshippe, And the sayd Edward Houell doth promise for himselfe his heires and Assignes to pro vide for the sayd child meat, drinke, and Apparel and necessaries fit for such a servant dureing the sayd tyme. In witness whereof the parties aboue mentioned hane set to their hands this fourth daye of March 1644.

March 6 1645  It is ordered that what overplus vpon the new measuring of the eight Acre lottes vpon the great playne that belongeth vnto Thomas Talmage Senr and John Cooper shall ly be between their two Lottes, And the overplus of the eight acres that lye against the Great pond, shall bee left on that end next vnto the greate pond, And what shall be left as overplus of Thomas Hyldreths eight Aere lotte shall lye in length next to Mr. Gosmers and Iohn Moores eight Acres.
Whereas Josiah Stanborough, Richard Barret and Arthur Bostock were appointed to laye out the eight and Ten Acre lotts upon the great playne, yt is agreed vpon and ordered that the aforesayd persons shall prosecute the sayd worke betwixt this and the twentieth daye of Aprill next after the date hereof, and what shall be onerplus of the Eight Acres shall paye for the layeing out of the sayd land Is 4d per the Acre yf yt shall come to so much, and what shall be wanting vpon the measuring of the Ten Acres (yf any desire to have them new measured) that then what shall appeare to be wanting shall bee supplied at the upper end next the wood land.  

March 6, 1645 Yt is ordered for ye yeare ensuing that the front fence of every mans lott shall be sufficiently feneed, and yf any mans fence shall be deficient John Mulford is authorized by this present Court to amende the sayd fences and to have of every one who shall make default 1d for setting vp and providing each pole that shall be wanting, And in case any man shall refuse to make paymt, The sayd John Mulford with the Marshall shall have powre to make distress vpon any mans goods or chattlels.

It is ordered that vnto the lott weh was layd out to Isaack Willman there shall be as good Accomodations layd vnto yt as vnto other lotts one that side of the Towne according to the best discretion of the three layers out.

Page 31. March 6, 1645 Yt is ordered that yf any man who hath a home lot in this towne and shall fence one syde of of his home lot and his neighbor refuse to fence his syde lyke­wise, That then the benefite of the herbidge of such Lott or Lotts as are notfenced shall belong vnto him who shallfence in his lott in particular, and that their shall not bee any Improvement of such person vpon his lott vnless the sayd person shall fence as aforesayd.

March 6, 1645 Yt is ordered that William Rogers shall have such Accomodations layd vnto his Lott as other men have

* From this and many other items of the same nature we have reason to believe that a part, if not all of the great plains was originally covered with woods.
on that side of the of the town where his lott lyeth, with the
land to be returned into his hands which was Improved by Mr.
Smith with full powre and libertie to sell and dispose the sayd
accommodations according to his discretion.

March 6, 1645 yt is ordered that the five pounds that are
due from Thomas Harrington and Edward Harrington vnto the
Towne shall be layd out for the prouiding of a prison.

July 7, 1645 Yt is ordered that Mr. Richard Odell shall
have given vnto him the howse lott that was formerly belong-
ing vnto Mr. Cole of Hartford, with the 8 Acre lott belonging
formerly vnto ye sayd Mr Cole, with 48 Acres of upland, and
Ten Acres vpon the playne with meddow and other appertain-
nances thereunto belonging vpon condition that he possess
the same three years and pay dues as are there vnto belonging.

Page 32. It is ordered for the prevention of disorder in the
Court that noe person whatsoever except the Magistrate or
Magistrates shall speake in any businesse which concerns the
Generall Court vnless he bee vnckered, during the tyme of
his speech, And not to move or speake to any other matter or
businesse vntil the former matter in hand be ended. And that
there bee noe private agitations by any particular persons to
prevent the proceedings or Issneing of any matters. And who-
so shall make default shal bee lyable to paye sixe pence, and
the constable shall distress vpon the goods of the offender and
to present the said finnes to the next General Court.

Yt is ordered that from time to time hereafter that the Meet-
ing howse shall be swepted vpon the last daye of every weeke,
of each family by turnes vpon notice given by those who
swepted yt last. And each family from the first of October to
the 15th of Aprill shall by turne lykewise make a fire in the
meeting howse vpon each Sabath daye, and to gine notice to
the next whose turne yt is, And yt so bee any shall make default
haueing notice given, shall paye for every such default two shil-
lings sixe pence, And yt any shall neglect to giue notice accord-

* This is the present homestead of the heirs of Albot Rogers, and we learn from this and
other records that many houses were built upon the present mainstreet previous to the laying
out of the new town plot in 1648.
ing to turne at the leaste one day before the tyme aforesayd yt thereby the worke shall be neglected such shall be lyable to paye two shillings sixo pence.

Yt is ordered that John Bud shall have granted vsnto him 4 Acres of new ground adjoyning vsnto his former 4 Acres to make vp an eight Acre lott at the end of Mr. Gosmers Thos Sayres and Mr Howells lotts where hee shall think meete

October 13, 1645  Yt is ordered that whosoever shall not appeare vpon warneing givn to help open the beach or gut at Mecaixe shall be lyable to paye fine shillings.

Page 33. Yt is ordered that every one that hath a lot on the west side of the towne shall hence forth mayntayne as his propriety vpon the Beach eight poles two foote and a halfe, and three poles and 3 quarters of common fence. And every one that hath a lott one the East side of the Towne to mayntayne 4 poles & a foot & a quarter of fence vpon the Beach, And two poles wanteing two foote of Common fence else where, And the west side to begin at the west ende, and the east side at the east ende And yt there shall arise any difference betwixe the goodnes of any mans fence, yt shall be adiudged by two Indifferent men chosen by each man and in ease those who are chosen shall not agree, then they shall hane powre to choose a third man to decide the controversie, And this to be done sufficiently betwixt this and the 15th day of this Month. And who soe shall make default shall be lyable to paye two shillings vpun ye pole.

October 29, 1645  Yt is ordered by the Generall Court that from the first daye of November to the first daye of March next ensaicing these shall be a cessation of bearing of Armes vnto the meeting howse vpon the Lord's daye. And those yt are lyable to beare Armes, the one side of the town shall beare Armes on the Lord's daye, And the other side of the towne shall beare Armes the next Lords daye, And so to continue untill the first daye of November, following vntless the Magistrate shall give notice to the contrary. And whosoever shall make default shall paye sixe pence on the fore noon and sixe pence on the afternoone.
PAGE 34. Henry Pierson hath 4 Acres of land granted unto him upon the great playne, lyeing head wayes towards Mr. Smiths and side wayes towards Mr. Wells his lott, and down to the swampe.

Richard Barret is discharged from beareing of armes provided that he keep his Armes fixed with powder and Ammunition.

March 5 1646 Thomas Halsey was censured for hindering the quiet proceedings of the court and causing them to lose their tymc by his willfull obstinacy, and for the unjast chargeing of the Court for injustifying the actions of Mr. Howe, for which offence he is required forthwith to make publick Acknowledgement, and to paye five shillings for his fine.

Thomas Halsey vpon his refusal to make acknowledgement, of those things for which he was censured is tined to paye the sum of forty shillings. [Note added.] Thomas Halsey had his fine remitted by the Generall Court Holden March the third 1647.

Yt is ordered that every person within the boundes of this Towne shall he assistant unto the Marshall & constable in the execution of his office, and to have alloned vnto him for the serving of any warrant that concerns any private business sixe pence but not to have any thing for warrants that concern any publick business.

April the 6, 1646 Yt is ordered that the rates which shal he made for the Towne of Southamton for four years next ensuine the date hereof shal be due and payable from the sayd town of Southamton other towards the mainetayning of the ministry or othertown rates(excepting for the killing of wolves) shall be payd according to the proportion of land that shal be taken vp for each man's allotment.

PAGE 35. October 6, 1646 ! Henry Pierson was censured by the Court of Magistrates for miscariage in threatening that yf any man should strike his dogge he would knock him downe, and to paye for the sayd miscariage Ten shillings and to be of good behaioyr.

Octob. 6, 1646 Arthur Bostock was censured by the Court
RECORDS: TOWN OF SOUTHAMPTON.

of Magistrates for challenging Mr. Stanborough to fight with him and to paye for the sayd offence unto the Towne Ten Shillings.

Octob. 6, 1646 Iosiah Stanborough was censured by the General Court for rescuing of a distress, and for resisting the constable for which offence he was fined Ten Shillings to be payed the next Generall Court vpon demand. [Notc.] Iosiah Stanborough's censure was remitted March 3,

[Note at bottom of page] at a quarter Court houlden the 6th daye of October 1649 the towne reconed with Joshua Barnes for his boat hire, his demand is 6L 12 S 0d whereof was payed to him by Mr. Howe then & before the sum of 4£ 7s 11d, & remaynes dve still the sum of £2 4s 1d.

The above said sum was discharged next day,

PAGE 36. Articles of an Agreement between Mr. Edward Howell Gent, & the Towne of Southampton Jan 7, 1644. The above sayd Edward Howell doth promise to build for himselfe to supply the necessities of the Towne a sufficient mill at Meacoxe upon these consideracons following.

Imps That the Town of Southampton doe giue & grannt vnto ye sayd Edward Howell and his heires for over, forty Acres of land neer vnto the sayd mill in some convenient place there vnto Adiovning.

2 That ye said Towne eyther build a sufficient dam for the sayd intended mill, or else to allowo 4 dayes work of a man that hath a lott on the west side of the Towne, or else so much in value by their Teames and two dayes worke for every one that hath a lott on the south east side of the Towne, and to bring, such tooles as they shall be appoynted, and to come to worke at two dayes warneing.

3 That the Towno of Southampton doe laye ye mill-stones at theplace where the mill wright shall appoynt for ye sayd mill at Meacoxe,

4 That the sayd town vpon the consideracons above sayd

* This mill stood north of the present water-mill belonging to Ashur M. Benedict Esq. One of the mill stones was procured from a rock at mill stone brook at Egmont, the other from a rock in or near mill stone swamp, near the Brick Kilns. W. S. P.
doe freely give the sayd Edward Howell his heires and assigns a payre of mill stones as his lawfull propriety.

5 That every one in the sayd town from 16 yeares old to 60 (except Magistrate Minister Miller and heardsmen) in their own persons shall beo ready so often in the yeare to cutt open sufficiently a gutt at meacoxe, at sue tyme & tymes as ye Magistrate or Magistrates shall give warneing, and the owner of the mill to be helpfull as well as others, except as aforesayd.

6 That noe person shall set vp any ware or wares in the millstreuno within ten poles of the sayd mill nor fish within ten poles of the sayd mill nor in the mill pond [The rest of this agreement if any, is lost. W. S. P.]

P A G E 37. feb 9 1645 Yt is ordered by the Generall Court that yt by the providence of God there shall hence forth cast vp within the limitts of this towne of Southampton any whale or whales or any part or piece of a whale, that noe man shall presume to take or carry any part thereof vpon the forfeiture of Twentie shillings, and to stand to the further censure of the Court, without order from the Magistrate or Magistrates, And whosoever shall find or espie eyther whale or whales or any part or peece of a whale cast vp, vpon notice given vnto the Magistrate or Magistrates shall have for his paynes allowed vnto hym five shillings. But yf yt shall be by the Magistrate or whom he shall appoynt, adjudged not to be worth fivc shillings Then the sayd partie which shall give information shall have it for his paynes, And that from yeare to yeare the Marshall give notice after any storme or according to his discretion vnto two persons in whose ward by turne yt shall belong or appertaine. And yt is further ordered that if any shall finde a whale or any peece there of vpon the Lords daye that then the aforesayd five shillings shall not be due or payable.

April 16, 1646 Yt is ordered that Mr Howell hath 4 Acres of Meddow land graunted vnto him at Meacoxe where he thinks meete.

Yt is ordered that Richard Post shall hane layd out for him two Acres of that land adjoyning to the foure Acres of land that
was some tyme belonging to Mr. Odell and now doth belong to Henry Pierson.

Mr. Gosner hath granted unto him liberty to take in unto the lowre part of his howse lott, from Thomas Sayre his fence to a stake that is marked out by the five men that are chosen to order townes affayres,

Page 38. Southampton this —th October 1646, Henry Pierson dothe acknowledge himselfe to owe unto the sayd Towne the summe of five pounds, and John Cooper doth acknowledge to owe the sayd townes five pounds to be levied of their goods & Chattels lands and tenements, vpon this condition that the sayd Henry Pierson shall appeare at the next quarter Court holden for this town, and in the meanie whyle to be of good behaviour towards the Magistrates and all other persons. [Note.] Henry Pierson appeared this day.

Yt is ordered that ye any man shall take away any part of any mans workeing tooles, or yrons harrows yoakes chaynes ploughs, from any part of the Towne or field without lycence from the owner, shall paye to the owner Ten shillings and make restitution.

Yt is ordered that what soeuer damage shall be made or don unto any man by reason of the badnes of his neighbors fence on the lyttle common, such damage shall be lyable to be payd by such persons through whose fence the cattle broke through, and yt it appeare that was through the badness of the water fence or townes gates, that then such damage shall be payd by the towne.

Page 39. [The 39 page of original is blank.]

Page 40. feb 9, The debt due to Mr. Howell was 7, 2, 9 paid to him 6, 5, 5 remaining vnpaid 0, 17, 4 due to Mr. Gosner, 0, 8, 0

June 26 1647 It is ordered by Mr. Wells of heartford & William Gibbins of the same that all recconings & demands of the towne of Southampton concerning wampum given to Iohn Gosner shall be discharged unto him, & all debts due to him
from the said town shall be discharged vnto them, from ye begining of the world vntill ye day abone written.

These persons are Satisfied,

[Signature]

Autograph of Thomas Halkey.

Page 41. It is ordered this instant 6th of ye 7th month 1647 by ye five men apoynted for the affaires of this towne.

Imps that ye greate playne shall be fenced by ye present inhabitants according to their valnattion in their taking vp of lande in ye said plaync, and also for the marsh land as many as have any on ye same shall fence for it as for ye vpland, & this to be done with sufficient fence against all sorts of cattell, (except pigs of and vnder halfe a yeare ould) by the last day of ye first mouth next.

It is ordered this instant 8th of the twelfth month 1647 that it any person or persons shall keepe cattell on the Lords daye they shall call at every mans house seasonably for such cattell as are to goe before him or them whether Cowes, or goates vpon paine of forfeit two shillings & sixe pence to every man whose cattell they neglect to call for.

Furtherr it is ordered that noe person nor persons inhabiting within the town of Southampton shall henceforth plow or sow any lands late in occupation of any that have deserted this plantation, nor any other lands that are earable held in the common interest, vntill the power apointed for & over towne affaires shall dispose such vacant lands to such Inhabitants for ye good of ye publique.

It is ordered this present 17th of the 12th 1647 that Mr. John Howell shall have 3 acres for a home lot by and between Harrington's lott & Iosiah Stanborough's house, for length & breth as it shall seem most convenient to Iosiah Stanborough Thom-
as Talmage & Mr. Edward Ihomes, & in regard ye said Josiah Stanbrough doth Part with some of his propriety to accommodate ye said Mr. Howell the said Josiah Stanbrough shall goe to the northward upon any lande lots or otherwise to make up the proportion he of right possessed here to fore provided that none of ye aboue sayd lotts exceed three Acres & a halfe.

Page 42. It is ordered this instant 17th of the 12 month 1647 that the profit of whales and the burthen of opening the beach for the mill, and all rates levyesand taxes, the killing of wolves and all other payments arising for any cause or reason what soever shall at all times and from time to time here after be divided received and payed by lands, according to what every man hath in his possession, And this to stand for the most peaceable way any law order or preseript heretofore had or made notwithstanding.

Page 43. Whereas there is a former mention made of severall inclosures belonging to certaine inhabitants that did dwell on the east side of the towne, the same being & lying on the said side of the towne, it is further ordered concerning the same that if any person that is owner of any such inclosures, shall sustain any damage through the deficiency of their fence that the owners of the said allotments shall bear such damage.

It is ordered that Thomas Halsey shall haue his aforesaid mentioned three acres of his fourty eight, laid out sixteene poles in breadth, and whereas there is a highway eight poles wide to bee betweene the said lot and the pond neere adjoyning, the towne doe give way to the said Tho.Halsey to inclose to the pond the said breadth of sixteene poles, but if hereafter the said inclosure of that pt of the highway becomes prejudicial to the towne in the eyes of the maior pt thereof, that then the said pt of the highway se inclosed shall returne to its former nature.

This agreement and the orders herein mentioned were voted and consented vnto by all the present Inhabitants of this towne of Southampton in the presence of us.

THO. WELLES
WILLIAM GIBBINS
Southampton June 24 1647. Wee whose names are underwritten doe witnes that all the Inhabitants of this towne except Tho. Vale & Tho. Burnet were present and consenting into the aforesaid agreement, only Mr Smith was out of towne.

EDWARD HOWELL  IO. GOSMER
ABRAHAM PIERSO  JOB SAYRE,
RICHARD ODELL
JOHN MOORE
THOMAS HALSEY
HENRY PIERSO

Page 44. And for the further settling of that peace and unity amongst the Inhabitants of this towne which hath bin long endeavoured. It is ordered that who soever here after shall upbraidingly reproach another for or about or contentiously discourse former differences and grievances tending to the disquiet of the towne or any person there in shall forfeit for every such default twenty shillings to be paid upon conviction by the testimony of one witness before any one magistrate, the same to be levied by the marshal by way of execution without further tryall.

June 11 1647. The Gentlemens directions about the division of land being read distinctly, well wayghed & considered, and the said Gentlemen, (viz Mr Hopkins and Mr Haynes) having provided in the said writings that when the limits of the plantation were set out every man should have for quantity and quality within the bounds of the towne, & plantation alike according to their several proportions, in there valuation to be divided in the most impartial manner that may be and also to have & hold their due comons according to their several divisions or dividends therefore the day and yeare aforesaid written it is ordered by the true men set over townes affaires, and by the free men and by all the neighborhood (the present inhabitants) of this towne both for them selves & for all that shall come to fill vp the lots that are yet to be disposed of, That the bounds & Lymitts of this town of Southampton shall be in and to all
intents and purposes for as large ample & beneficial manner as it hath bin heretofore at any time or times obtained possessed or purchased of the Indians the nature inhabitants, or James Harret Gent, Agent for the Right Hon. Earl of Sterling.

This order was voated & rully Agreed upon by the parties above mentioned. But one negative voyce in the whole house at an appearance of all the Inhabitants.

Page 45. Southampton April 12 It is ordered by the 4 men for this towne that yt any goates or kids be kept on the common they shall paye to the cow keepers for every six goats or kids that are put upon the little common that is at home according to that rate as for a cow.

It is ordered by the 4 men likewise at this present April 12 that noe man shall have any cattell on the great playne but on his owne ground till all the white corne be in, vpon paine of Ten shillings [Note] or vpon the little plain.

April 12 It is ordered by all the towne that was at the meeting house at a meeting that all cattell except hoggs and goates shall pay for all cattell alike to the keepers*.

May 3d 1647 it is ordered by the five men apointed for the affaires of this towne for this present year that cowes and goates shall not be kept together neither by cow keepers nor goat keepers, nor all nor any of them, at no time, all this present summer vpon ye paine of twelve pence A person for every such default, also that if the goat keepers doe willfully mingle their goats they shall be lyable to the same penalty.

Page 46. [The 46th page in original book is blank.]

Page 47. May 6 1647 Yt. is ordered by the five men for this Towne that all men of 16 yeares to 60 yeares except Magistrates ministers and Constable and clarke, shall bare armes with gunspowder and shot compleat on the Lords daies, vpon paine of sixe pence for noon and sixe pence after noon, and whose leaveth his armes in the meeting house shall pay sixe pence, and this to be levied by the Clarke by way of distress &

* The three preceding entries are in the hand writing of William Browne, and are so difficult to decipher that we are thankful that he did not act as Town Clerk very often.
sale of goods upon refusall to pay ye said forfeiture, [Note] this order is repealed.

Yt is ordered this third of the 5th month 1648 that the trayne band shall be devided into three eqvall squadrons by theelarkes of the band and vpon notice by him given to those or that third part of the soldiers that are to carry ye first Lords day, if any man shall not bring his armes to the meeting house shall pay as in the above written order this to continue unti l fvrther order about this matter, and so each squadron to carry by turns on tho Lords day according to their devision and warneing and to pay like forfeiture as aforesaid, att the same Court it is ordered that 4 men shall bee chosen to equalise the meadow at Shinecock, or else when convenient to be laid out.

PAGE 47. Mr. Sticklin of Hempsted by his depvy his sonne in law Jonas Wood hath vpon the second day of July in the year 1650 drawne for his meadow ground for his proporttion of lande being three hundred lb, first a lot on the beach in itself complete number ye 6th; the second lott vpon Shinecock Number the 22d. And part thereof on the north side of the vpppland lying betwene the stummps and number the 20th and is numbered also the 22d to answer the former,

One other lott called Harrington No. 9.
One other lott marked with No. 30
These lotts were drawne before vs

WILLIAM BROWN The Register.

Upon the 10th day of Aprill 1651 Iohn Kelly had a whome lott of 3 Acres of land fronting against the whome lott of Thomas Halsey granted vnto him vpon condition that yf the saide Iohn Kelly doe not personally * * the same that the saide land with the housing * * with any other material as fencing, shall fall into the townes hands, they paying him his expence on the same, as men indifferently chosen by the said Kelly and the town shall judge it at his leaving to be worth.
Page 48. July 24 1650. It was voted upon the said day by the General Court then holden that Thomas Topping and Josiah Stanborough shall price the goods and chattels of the deceased William Browne* [Note.] A copy of the inventory is entered and mayd.

Upon the 3d day of September 1650 at the General meeting it was granted that Thomas Cooper shall have a home lot of 3 Acres lying against the rear of Thomas Saires his lot and that the said lot shall runne 40 rod in length, and 12 rod in breadth, and that the said lot shall be soe layed out as that it shall be noe impeachment to the highwaye for cattle and carts to pass, it was ordered that Mr. Josiah Stanborogh William Rogers and Edward Johnes shall lay out the same allowing for the highway as they shall think requisite.†

Southampton. At the Quarter Court held upon the 3d of September 1650 Thomas Veale doth acknowledge to owe to Mr Edward Ilowell and Mr John Gosmer to the use of the town the sum of ten pounds to be levied of his goods and chattels lands and tenements under this condition that Sarah his wife shall appear at the next Quarter Court to be holden for ye body of this towne, and in mean time to be of good behaviour to all lawfull people.

The 3d September 1650 Upon the said day were absent at the second call Mr Richard Smiths Mr Thomas Topping Richard Barret [Note] Mr Topping payd and the two other men.

Page 49. It is granted by the major part of this towne that Mr Ogden and his company shall have Cow Neck and Iletfries Neck for their owne proper right, also that they shall have for their planteing land in either or both of said necks three hundred 24 acres, provided they settle vpon it, and vpon the same grant they are to have all the meadow betwixt the brooke by the Sachems house and Hog neck spring, for their proper right provided it bee a mile from the sea side, vpon these conditions

* From these records it appears that Mr. Brown must have died between July 24th and 25th, 1650.
† The above lot of Thomas Cooper is the one now owned by Thomas Warren and Mrs. Hendrickson.
following that they must pay to all common rates of the town at the rate of 9 hundred pounds according to the taking up of those men that dwell there, 2ndly that he shall place there six families that shall live there and have their abode, 3d that in case that the whole bounds of the town come to be stinted for cattle that they must be stinted also as they are that live at the town by the same rule. In common rates as aforesaid is also included the ministers meenes.

Page 50. March 1647. It is ordered by this Generale Court that Mr Howell Mr Gosmer Mr Smith Josiah Stanborough and Thomas Halsey shall have the same authority that the five men had 1644 or to give or let any land that is at liberty for a crop this year.

Page 51. Southampton the 8th of the 8th month 1647. It is ordered by this Generale Court that if any man be chosen to bee freeman of this towneshall refuse it shall pay fortiesheilings for his fine, Imprimus at this instant General Court that Richard Odell gentleman was chosen freeman* and Edward Ianes Josias Stambro and Iohn White, It is ordered upon this 7 day of October 1648 by the General Court that Mr Richard Smith Mr William Browne, & Iohn Howell were chosen freemen of this town of Southampton,

[Notes] This 15 day of June 1649 Mr Thurston Raynor is chosen freeman of this town of Southampton at the General Court by the freemen.

Southampton Aprill. It is ordered upon the 31st of March 1650 by the General Court that Mr Thomas Topping & Mr Iohn Ogden were chosen freemen of this town of Southampton aforesayde,

Page 52. By the townes May ye 6th 1648 It is ordered that Thomas Robbinson shall be accepted as an inhabitant & hath a fifty pound lott granted vnto him provided the said Thomas be not vnder any seandellous crime which may be layd to his charge for 6 moneth after ye date hereof, & that he carry him-

* As the position of freeman not only involved the power to hold office, which was not so much sought after then as novel, but rendered the person liable to jury duty, it appears to have been considered more an honor than an advantage.
self heare as becometh an honest man. It is further ordered
that Samuel Dayton shall be accepted as an Inhabitant, & hath
A fifty pound lot granted unto him provided the said Samuel
(being a stranger to vs) weare of good approbation in ye place
where he last lived at Fleshing, and do demeane himselfe well
heare for ye time of approbation namely six months next to
come.

By the towne May ye 12th 1648. It is ordered that Robert
Marden alias Marvin shall have A hundred pound lot vpon 3
months approbation had of him,

PAGE 53. Southampton June 11. it is ordered by all the In­
habitants of this Towne this day that this town is to be devided
into tortie house lots some bigger some less, as men have put in
a share, six thousand pounds to be devided in to tortie parts*.

This instant 23d of ye first 1648 it is ordered by ye five men
apoynted for towne affaires that ye whole Towne shall be called
together on the second day next at the setting of the same to
consider of A towne plot that shall be then presented to them
and to determine concerning ye said plot or some other that
may be presented by any other mansadvice, & also to consider
of such home accommodations as may be most suitable to ye
comfort peace & welfare of this plantation as touching the
proportion to every man in his taking vp according to his valua­tion,
& that there be men apointed forthwith to decideye same,
& this to put in execution ye order above written,

[Note interlined] The order under written was nullified &
repealed at a General Court holden vpon the 5th day of March
1651, [See page 88 of original.]

This instant 27th of the first 1647† it was long debated at an
apance[appearance] of the inhabitants of this towne concerning
ye pproportions of home lots according to every mans valuation,
and at length it was concluded by ye maior, that it should be three acres to a fifty pound lot & so to every mans according to his taking vp, to adjoyne to him at home or else to lay in the most convenient nearest land that may be, & at ye same town meeting it was further ordered that if so great a proportion at home shall be evil in the eyes of eight or ten families that shall come to inhabit in this plantation within ye space of 12 years after ye date hereof ye present inhabitants do hereby assure they will hearken to them in any way that may be better for the whole,

Page 54. [The 54th page in the original book is blank.]
Page 55. [Indian Deed for the Town of East-Hampton.]

This present writing testefyeth an agreement between the worshipfull Theophilus Eaton Esq. governor of the collony of New haven, & the Worship Edward Hopkins Esq. governor of the colony of Conectyett & their assotyates of the one part, & Poggatacut Sachem of Manhansicke Wayandanch Sachem of Mountaunet, Momwetom Sachem of Carchake, Nowedanoh Sachem of Shinecock & their assotyates the ether part, The said sachems bauceing sould vnto the foresayd Mr Eaton & Mr Hopkins with their assotyats all the land lyinge from the bounds of the inhabitants of Southampton vnto the cast syde of Nepeake next vnto Meantacutt highland with the whole beach from sea to sea, not intraching vpon any length or breadth which the inhabitants of Southampton have and doe possess (as they by lawfull right shall make appear) for and in consideration of twentie Coats, twentie four hatchets, twentie four howes, twentie four kninces, twentie four looking glasses, one hundred Muxes*, alredie receaved by vs the fore named Sachems for vs and our assotyats, & in consideration thereof we do give vp vnto the said purchasers all our right and Interest in the sayd land to them and their heires for ever also do bind our selves to secure their right from any claymes of anie others whether Indyans or other nation what so ever that do or may challenge Interest

* Muxes were instruments like a brad awl, and used for drilling holes in making wampum
therein. Also we the saidy Sachems have covenanted to have libertie freely to fishe in anie or all the creekes & ponds & hunt vp & downe in the woods without molestation (They giving to the Englishe inhabitants no inst offence orinurie to their goods or chattels) likewise they are to have the finnes and tailles of all such whales as shall be cast vppon their proper right, (And desire they may bee friendly dealt with in the other pt) Also they reserve libertie in all conventyen places shells to make wampum Also if the Indians hunting any deer they shall chase them into the water & the Englishe should kill them the Englishe shall have the bodye, and the Sachem the skin. And in testimony of our well performance hereof wee hane sett to our handes the day and yeare above written.

A true copie.

Page 56. October 1648 Thomas Sayre was allowed for his base drumme the some of 13s, and his yeare begyneth the sayd daye.

An action of slander and defamation entered by Mark Megges plaintyve, against Richard Smith defendant, the 17th day of December 1651. The jewry warned upon this action Thomas Halsey Senr, Richard Barret. Thmston Raynor, John Cooper Senr, Richard Odell, John White,

December 21st 1651 The Court being sett The said Inry orderly called and answered lykewise the defendant attended, but the plaintiff appeared not and see hath forfeited his bond. The plaintiff appearing though unseanesably & hancine libertie then to proceed it was granted by the Court that the plaintiff satisfying Mr. Mills 7s the plaintiff's bond is cancelled, the sayd inry having tried the cause finde for the defendant.

Page 57. Ye fiftth day of ye 10th moneth 1646. Account taken of Thos. Halsey Marshall of a rate levied on the Town of Southampton whereof those whose names are ynderwritten have payd nothing towards.*

* The names here added are probably those of men who had land here, but who had abandoned the plantation.
Raphiell Swintfield 02, 11, 00
William Wells 1, 05, 00
Mr Symonds 01, 05, 06
Robt. Terry 00, 10, 2½
Robt. Rose 00, 10, 2½
Ieremyah How 00, 10, 2½
Accounted more for the wolves, and for the water fence 03, 04, 00

Page 58. [58th page is blank.]

Page 59. At a general Court of the freemen upon the 14th day of November 1648, that there shall hereby be provided a sufficient payre of stockes, John White having undertaken to make them.

It is further ordered on the day above sayd that the lande belonginge to the will is to be rated after the value of a hundred and fiftie pound lotte.

6th Octobr 1648 at a general court it was ordered that Iesia Stanbro should bear the ofis of constable the year following.

This 4th December 1648 it is ordered by the general Court that Richard Post is to make a sufficient bridge of tymber in the new hiewaye, and the said Richard Post is to have for the sayd work the summe of twelve shillings true and payed as soon as the work is done.

Page 60. It is ordered December 2, 1648 by the general cort that the inhabitants of this towne of Southampton shall haue their equall vote in making a conclusion concerning the whale or whales that may here after by gods provydance be cast vp within the sayd townes bounds. At the sayd time it is ordered by the sayd Cort & inhabitants that if there shall bee any whales east vp as aforesayd that then the same shall be cut out by one 4th part of the sayd inhabitants who have lots in the towne or some for them able for the occasion, and they shall haue for their paynes one fourth part of the saide whale for their soe cutting it out for the towne and deviding it to every man particular according to their general proportions of land
according to their best understanding, they the sayd cutters ont to have besides the said 4th pt their share as other men according to their proportion of land, and the next tyne that any whale is cast vp another 4th pt, and see evenly the other 4th pt to doe as the aforesayd first mentioned 4th pt to doe in cutting ont and deviding it, and that whatsoever part of whayles is left by the sayd cutters out for the towne it shall be lawfull of any other inhabitant or inhabitants to take it for themselves, but none of the cutters, and that the aforesayd order may be duly observed, and what other prescript or ordering in this matter in respect of sending to looke for whales to the intent none may be lost through negligence it is left to the oversyght of the constable to send out according to his discretion as formerly hath been practiced in this town.

Page 61. It is ordered at a general Court 7th of October 1648 by the freemen of this towne that Isaac Willman hath the house lot next vnto Ellis Cookes vpon the south side* granted him provided that if he shall remove from this place before 3 yeares be expired that then he shall not sell the sayd lott, unless he have improved it by building fencing or manuring.

November 6, 1648 At a general meeting of the inhabitants of Southampton, it is ordered that whereas formerly there hath bin much controversye amongst the said Inhabitants touching the manner of laying out the great plaine. It is this day finally concluded by the said Inhabitants, that all the swamp ground in the saide great playne against any mans lott, shall be laid out to every such person, as in pt of his true measure, acording as the strait lines will give leave, And instead of the said swamp or meadow every such person shall pt with soc much of his vp-land on his said lot in such wise and forme as shall be most convenient to any other to whom it may belong, lykewise that all the eight acre lottes, and four acre lottes, and two acre lottes, and single acres, and soc much of the tens as in meete shall be meas-

* This is the home lot now owned by Edwin Post, in 1688 Isaac Williams gave it to his son Isaac, reserving "one rood of ground for his sons and daughters to put their horses in on Sundays." The second meeting house stood upon the south side of this lot. W. S. P.
ured to compleat the 40 lotts according to former conclusions by the said Inhabitants. The highwayes to be everywhere two perches in breadth, and that the aforesayd may be accomplished according to the intent hereof the said Inhabitants haue made choice of Mr Richard Odell, Thomas Halsey, and Henry Piersan to lay out the said plaine as aforesaid according to theire best understanding, and for theire soe doeing they the said layer out shall haue two pence per acre speedily paid vnto them by the said Inhabitants vpon a towne rate. And since hereby the presente inhabitants are liable to pay for laying out the great plains, it is ordered that vpon the taking vp of any lott by any incomers every said present pay maker shall be repayed according to the rule of proportion,

<table>
<thead>
<tr>
<th>Thomas Cooper</th>
<th>Edward Howell</th>
<th>Richard Wodhull</th>
</tr>
</thead>
<tbody>
<tr>
<td>Isaac Willman</td>
<td>Thomas Beale</td>
<td>Richard Smythe</td>
</tr>
<tr>
<td>John Howell</td>
<td>Henry Pierson</td>
<td>Richard Barrett</td>
</tr>
<tr>
<td>Thomas Halsey</td>
<td>William Browne</td>
<td>Edward Iohnes</td>
</tr>
<tr>
<td>Robert Marvin</td>
<td>Thomas Talmage</td>
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</tr>
</tbody>
</table>

PAGE 62. At a general court february 8 1648 that Mr Edward Howell, Mr John Gosmer, Mr. Richard Odell, Mr William Browne, Richard Barrett, Thomas Halsey, Thomas Sayre, John Cooper, John White, John Howell, Mr John Bndd, haue hought the house of John Mulford, the ahone named have undertaken to pay the sayd John Mulford the sume of thirtie shillings vpon demand.

At a general court february 1648 it is ordered that the playne is to be fencd round both sides, by the last day of march next following and he that is defective of fencinge his portion forfeiteth 18d for every pole. [Note] it is ordered this 6 march 1649 that the sayd playne is liberty given for to sett vp the fence till the 16th of Aprill next.

PAGE 63. A List of the perfect freemen inhabiting this Towne of Southampton March 8 1649.

Edward Howell Gent. John Gosmer Gent, John Moore,
Richard Odell Gent, Thomas Halsey, John Howell,
William Browne, John Cooper, Thomas Sayre,
<table>
<thead>
<tr>
<th>Name</th>
<th>Name</th>
<th>Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>Edward Iohnes</td>
<td>Josiah Stanborough</td>
<td>John White</td>
</tr>
<tr>
<td>Thomas Talmage</td>
<td>Richard Smith</td>
<td>Richard Barrett</td>
</tr>
<tr>
<td>John White</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

A list of all the townsmen May 10 1649.

The agreement between the town of Southamp- 
ton and the well beloved servant of the lord Mr Fordam, con- 
cerning his annual maintenance for his labor in ye worke 
of the lord amongst us, first wee the present inhabitants do 
ingage ourselves to paye in current country paye as it passeth 
at a common rate three score pounds for this present yere 
to beginne the first day of this present Aprill 1649, and to 
make our payments half yearely by equalportions. Fur- 
thermore for the yeares to come and for all & enery yeare 
god shall be pleased to continue Mr Fouldham amongst us 
after Aprill 1659, from the daye of ye revolution of thefirst year 
allove mentioned, it is fully agreed and hereby confirmed that 
the said yearly maintenance shall be fourscore pounds, per an- 
um to be levied upon enery man according to their several
possessions of landes in our plantation of Southampton, & the bounds thereof. Lastly if forty lotts shall not be filled that then proportionable abatement of ye said tour score pounds is to be made according to the number that is deficient, in consideration where of Mr affordam's owne accommodations are not to be liable to pay any part of his yearly mayntanance nor yet any of his estate if the Towne shall see cause to alter the waye of payment as concerning ye ministry. This agreement was consented unto by all the inhabitants, & by them appoynted to be recorded in the towne booke, to be established in the behalf of the whole towne.

May 1644 at the generall court it is ordered yt Mr Richard Smyth & Thomas Halsey shall make a levy of 18d vpon every 50 lb. lott for the satisfying of towne debts & that every pt of this is formally reckoned.

Page 66. May 1649 it is ordered that whosoever they be that are gone out of this towne of Southampton to line, and make clayme to their lands as their rightshall be liable to paye charges for all publick charges equally with the present inhabitants both for tyme past, present, and to come, This order was made by the generall court the day and yeare aboue written.

1st May 1649 it is ordered that Mr Richard Odell Mr. Richard Smyth shall presently measure and marke out with stakes that part of the playne that is to be fenced and to give notice to every inhabitant whom it may conceir of their portion & place where their part lyeth according to their lotts and allotments.

Page 67. October 10 1649. There were voted by the generall Court at Southampton three men (viz) Mr Richard Smithe, Thomas Sayre & John White to agitate towne busines; and they are to have the same authority that the five men had the last yeare, from the 6th of this instant October durring the space of a whole yeare.

October the 30th 1649. It is ordered by the generall Court houlden the day above said That all the Indian women have free liberty granted by the said court to come to this towne to trade with any of the English, more over all the ancient men
of the Indians that please to come to either of the magistrates for a ticket shall have the same, to the end they may have like liberty with the said women to trade &c. and that besides those Indians which already have liberty as aforesaid.

December the 29th day 1649. It is ordered at the generall court holden the daye above said, that the band of soldiers shall have libertie to elect their officers, to stande if the generall court shall give approbation thereof.

29th December 1649. It is ordered that Thomas Stanton shall have paid vnto him the sum of foure pounds for his painses about Interpreting betweene the townes men of Southampton and the Indians about setting forth of the bounds of their land & other matters.

PAGE 68. The act of the generall court heuld on November the 16th 1649. Touching the disposition of the land of late laid out for those to whom it is to be disposed as followeth.

Whereas the land lying in the great playne, which is apoynted by this towne for incomers is at length laid out, by those who were designed to that end, and they the sayd layers out having given vnto the said court in writing a full description of all and every part and parcel thereof with their just proportions. The said lands being laid out into 45 parts and every part containing 6 acres, and three of those said parts compleating one 150 lb lott, and alsoe the whole is to make but 15 such said lotts, all the said parts being dilligently compared, and with most judgement equnallized, and as aforesaid devided and numbered and marked as followeth.

<table>
<thead>
<tr>
<th>Tens</th>
<th>Eights</th>
<th>owld ground</th>
</tr>
</thead>
<tbody>
<tr>
<td>A no. 1</td>
<td>A No. 13</td>
<td></td>
</tr>
<tr>
<td>B. No. 2</td>
<td></td>
<td></td>
</tr>
<tr>
<td>No. 1,</td>
<td></td>
<td></td>
</tr>
<tr>
<td>No. 2,</td>
<td></td>
<td></td>
</tr>
<tr>
<td>No. 3,</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

which is the angle betwenee harringtons and the pond and the rest is adjoyning to the said angle southward
No. 4, {No. 12 which is the 4 acres & 2 acres lying on both sides}

John Cooper his 2 acres.

D No 2

C. No 8

D No 12

No. 7
No 4 " 15
No 6 " 14
" 7 " 13
" 8 " 5
" 9 " 6
" 10 " 3
" 11 " 4
" 12 " 10
" 13 " 9
" 14 " 8
" 15

The rest of this is lost.

Page 69. 8th March 1649 it is ordered at a general court that the miller shall take but two quarts by strike upon the upper part of the dish for toll for one bushel of corne whether it be wheat rie or any other grayne, and noe more.

The day above at a general court it is ordered that no wildland shall be burned before the last of March, and that neither boys nor any others shall set fire any where opposite to barns, and if any do set fire [they] shall pay [word gone] for a man, and the boys shall be whipped.

It is further ordered the sayd day that no cattell shall come upon the great playne after the last of March upon penalty of 2d a beaste and a halfe penny a goat.

The land that was Mr. Pearsons in the great playne was sold by Thomas Hildreth to Mr Mitchell and Mr Mitchell hath sold it to John Cooper sen. and Thomas Vayle, John Cooper is to have 2 acres of the south side, & 5 acres of the 10 acres on the
west side, & 4 acres of 8 on the north side Isaac Willman 1 acre on the north side of the 4 acre lott, 2 acres of the 10 acres on the East side, 2 acres of the 10 acres betwixt John Cooper's part and Isaac Wilman's, 2 acres of the 8 acres betwixt John John Cooper and Isaac Willman.

Page 70. 4th of March 1649, it is ordered by the general Court that Tristram Hedges shall enjoy the 4 acres that is lett him for this present yeare, upon condition that hee do within the tyme make the fences sufficiently that is to be sett vp on harringtons part of the playne.

The 14th May 1649 it is ordered by the townes men that the part of the preat playne yt is unfenced shall be finished by the whole of the inhabitants according to their alments by the last day of this present May, and they that be deficient are to pay 18d for every pole.

The 14th May 1649 it is ordered by the generall court that the fence that is to be set vp about the playne is to be begun at the fence that is already vp, and soe goe on till it be finished and to be sett vp by the 7th day of June next after the date herc eof, they that shall be defective forfeit 18d for every pole, to be levied by way of execution.

The sayd day it is ordered that the inhabitants of this town being by the clarkes of the band devided into two parts, shall according to the said clarkes appoyntment bringe their armes to the meeting house every Lords daye, that is to saye the one halfe the one sabath, & the other halfe the other next after & yt every man shall be provided with 4 charges of powder & shot or bullets. hee that faileth after due warning to pay to the clark sixe pence for every default according to the former order 3d of July 1648.

Page 71. It was ordered by the generall Court held vpnon the 19th of September An. Dom. 1650, That Iohn Cooper shall pay the some of 40s in casethat at any time he doe gine offence in extravagant speeches, as he hath done, as was witnessed by Iohn Howell and some others, but vpnon his good behaviour & carriage the said fine to be remitted.
An action of trespass entered upon the 11th day of April 1650, by Iosiah Stanborough plaintiff against Samuell Dayton defendant is to be tryed by a particular court to be held upon the 14th day of April next.

An action of trespass upon the case entered upon the 14th day of April by Samuel Dayton plaintive against Iosiah Stanborough defendant is to be tryed by a particular court to be held upon the 11th day of April next.

It was granted by the generall court that Jonas Wood of this towne shall haue in lew of halfe an acre of his home lott layed out for a highway to the water, an acre and a halfe of land in the great playne, alsoe halfe an acre of land wanting in measure of his field lot.

The said two acres lies on the east side of the neke called Halseys neck running east and west in length, Issae Willmans land lying on the north side father (?) Cooper's in the middle also on the south side & Thomas Burnet on the South side.

Page 72. Chosen at the court of Election for Magistrates Mr Topping, Mr Rayner, Richard Barrett, Henry Pierson Register, John Iessup Constable, chosen for townesmen Christopher Tiose Lieutenant Post, John Howell.

[The date of the above is probably Oct. 1650, and is in the handwriting of Richard Mills who who went out of office then.

W. S. P.]

Page 73 Upon the 11th day of January 1650,

Whereas John Kelly carpenter of Southampton hath put to arbitration the action and differences betwixt him and Deborah Raynor both the saide parties being bound to stand to the verdict in performance according to the judgement of Mr Iosiah Stanborough gentlemen & Richard Mills Schoolmaster & secretary, & Mr Richard Smith.

We therefore doe judge & give our full verdict every [one] of vs agreeing, that the saide John Kelly shall forth with pay or cause to be payed the some of 1 lb which he formerly received of Deborah Rainer unto her again alsoe that the saide John Kelly shall forth with pay the some of ten pounds sterling in
manner and wise following that is to say the some of five pounds sterling forthwith to be payed unto Deborah Rainer Senior, alsew that five pounds sterling more shall be this present instant put into the marshalls hands Mr Richard Smith, there to lye and abide vntil such time as the said John Kelly shall make evidently appeare by good & sufficient witnes vpon oath that the said John Kelly was lawfully disunited and divorced from his wife which he had at Mounserat in the Indies or elsewhere, & this to be done within the space of eightheene months after the date hereof, & being as before fully proved that he the saide John Kelly was lawfully divorced from his wife then the said five pounds shall by the marshall be repayd to him, but yt in the said space of time he doe not produce witness as above specified then the said five pounds in the marshalls hands (now in being) is to be payd vnto the saide Deborah Rainer for her proper right and due.

In witness whereof the said arbitrators have sett to their hands the day and year above written,

RICHARD MILLS, Secretary,
IO. STANBOROUGH,
RICHARD SMITH.

PAGE 74. The groundes and report of the verdiet of the arbitrators vpon John Kelly for Deborah Rainer senior followeth.

 Whereas John Kelly Carpenter, did announce & profess his wife at Mounserat was dead & buried himselfe being as he said then present at the sight thereof, and did there fore proceed & gained a promise of marriage from Deborah Rainer, Senior, he after confessing that he left his wife aline & in good health, but seeking to evade the same with saying that she was only dead in trespasses & sinnes, & hereby had wronged the said Deborah as ase in his after disparageing disgracing & abusing the saide maide with serving of warrants & causing her appearance before the magistrates and disparageing her name with other abuses, the said arbitrators for the trouble dotame injury, he seeking to compell her to marry him, he by his owne confession leaving his said wife alive, therefore gane in the verdict
endorsed. Moreover the said arbitrators did at the same time adjudge that John Kelly should forthwith pay the secretary for his recording this writing about the same, the sum of [word gone.]

IO. STANBOROUGH
RICHARD SMITH.

PAGE 75. Vpon the 23d day of October 1650 at the generall court it was ordered that Thomas Sayre shall duly traie with the company of towne soldiers at there dayes appointed excepting his personall pursuing of the Indians in a hostile way, or to goe forth against the common enemy.

Vpon the day above written Mr Richard Odell in consideration of his former paynes of training the solldiers is left to his liberty whether he will traie or not or whether he will beare armes to the meeting or not.

The 8th of November 1650 An action of debt entered by Joshua Barnes plaintive, against Thomas Osburneof East Hampton defendant to be tryed the next quarter court in December 1650.

9th November 1650 An attachment granted unto Joshua Barnes of this plantation upon a beast of Thomas Osburnes senior of Easthampton upon an action of debt & damage to be commeneed at the next quarter court to be held in this towne the first tuesday in December next.

10 November 1650 1 Ioshua Barnes planter of Southampton doe bind myself, my heires executors and assignes to pay or cause to be payed vnto Mr. Edward Howell gentleman of the saido plantation the some of tweluo pounds sterling to be levyed vpon his goods chattels & housidge* & lands in and vpon the 12th day of December next.

The condition of this obligation is such that if the above bound Ioshua Barnes shall and doe commence a suite, against

PAGE 76. Thomas Osburne of East Hampton vpon the next quarter court to be held in this towne being to be vpon the first

* Housidge—houses. The word houses as a plural of house, is even now heard occasionally.
tuesday in december next or vyon composition release and discharge the Attachment granted vnto him vpon the 9th day of this present month, of November leaning harmless the said Edward Howell Gentleman for his grant of the saide Attachment then this obligation to be void and of none effect, or else to stand in full power & force. Witness my hand this 10th of November 1650.

Witnes

RICHARD MILLS
RICHARD SMITH

[Note] The attachment released the bond cancelled on the 12th of November 1650.

A town meeting warned vpon the 10th of November 1650, the persons absent vpon those second call of constable, Mr Thruston Raynor, Joseph Raynor, John White, Goodman Barrett, Thomas Barnet, Thomas Hildreth, John Howell,

At a Generall Court held vpon the 25th of November 1650 were absent at the second call, Richard Smith John Howell John Cooper Richard Barrett.

An action of trespass in the case entered yo 27th of November 1650 for Isaac Willmans plaintive against Thomas Cooper & John White defendants, to be traversed the next quarter Court. being ye first tuesday in December next.

PAGE 77. No. 41 is for the towne & is on the Island an 100 pound lott, by the seders on the beach [The above seems to be a fragment of some division of land the rest of which is lost. W. S. P.]

At the Generall Court holden the 23d of July 1650 it is ordered that Robert Marvins and Mary his wife daughter of William Browne gent, deceased, shall have full power and authority to administer on all the goods cattle and chattells of ye said Mr Browne deceased and to have a let of Administrations granted vnto them beareing date with this order.

An action of the case entered the 20th of October 1650 by William Rogers of this town plaintive, against Thomas Halsey of the same defendant to be tryed at the Court next holden the
23d of October 1650 for the damage of twenty pounds sterling.

The 21st of October 1650 An attachment granted to Jonas Wood of this town; upon the corner of John Stratton of East Hampton now in the barn of Ellis Cooke of Southampton upon an action of debt upon the case in which he is bound to prosecute the said action, Richard Barret bound that that the suit shall he answered

Wm Rogers plaintiff & Thomas Halsey defendant, he desires to have the action tried by the General Court held this present 23d of October 1650 which is granted.

The Generall Court held upon ye 23d of October, 1650 is removed to the 15th of October 1650 to be kept at Goodman Barrets house,* beginning at an hour before sun set, at which time Wm Rogers his action is to be agitated,

Page 78. It was voated by the maior part of the General Court held the 25th of October 1650 that Wm Rogers against Thomas Halsey for the towne defendant [2 words gone] five pounds, for the damage of his uot having his land in season [Rest of this page illegible.]

Page 79. [The first part of this page is illegible, excepting a few words denoting that the General Court should appoint Administrators of estates.]

At the same General Court it is ordered that Mr Gosmer shall have the administration of the goods belonging to Richard Gosmer deceased.

At the same Court it is ordered that Mr [Word gone] shall have the administration of the goods and chattells of Richard Lawson deceased. The day above said March 5 1640 Thomas Burnet of this towne laborner doth acknowledge himselfe to owe to the body of this towne the sum of ten pounds to be levied on his goods chattels lands tenements under the condition that he the said Thomas Burnet doe appeare at the next quarter Court to answer why he [rest gone.]

Page 80. June 27 1646 at the Court it isordered that it any

* Richard Barret's stand upon the lot now owned by the heirs of John Allen, on the East side of main street, and on the North side of toilsomelane.
hath corne or hay they shall set a sufficient fence about the
same or else stand to the hazzard of any spoil thereof by cat-
tle, Thomas Burnet is to set a sufficient fence about his hay
within three days after this date.

At the said Court it is ordered that if any tryal of any cause
bee, wherein the damage doth not exceed 20Lb that 6 men
shall bee a sufficient jury to try all such actions that the mar-
shall shall return of the best able, and most impartial for all
such tryalls, the jury men shall make this appear for every ac-
tion they shall see try,

At the same Court it is ordered that if our neighbor planta-
tion shall be willing to fence one part, to part the bounds be-
tween us, that then the town speedily set upon the fencing of
the other part, each man according to his proportions.

At the same court it is ordered that Henry Pierson shall have
full power as clarke of the baunder to see that all the solders bring
their armes to the meeting every sabath day and to gather sixe
pence upon every default and alsoe to examine when bee see
good how every soldier is provided with powder and shot.

Page 81. Vpon the 7th of October 1650 being the day of
election, Jonas Wood & Richard Mills were made freemen of
Southampton.

Vpon the 7th day of October 1650 being the day of Election
Mr Edward Howell was chosen magistrate of Southampton
primus, alsoe Mr Thomas Topping secundus, Mr IoIm Ogdentertius

Vpon the 7th day of October 1650 being the day of Election
Richard Mills school master was chosen Secretary Register and
Towne Clarke of Southampton.

Vpon the 7th day of October 1650 Richard Smith was by
the general court chosen Constable for this yeare.

It was ordered at the said court of Election the 7th of Oc-
tober 1650 that fine men (shall for the present yeare) being
chosen by the said court, to act and order all towne affaires,
whatsoever, excepting matters of admitting of Inhabitants or
giving of land, by the said court was chosen Mr Thomas Top-
ping, Mr Thurston Raynor Ionas Wood Thomas Halsey, Mr Iosiah Stanborough,

It was ordered yt the said court of Election that every soldier in the towne of Southampton shall [word gone] in the morning before eight of the clock bring in [2 words gone] fairly written upon paper * who shall upon occasion call them forth in their armes, and to whom the soldiers and all that beare Page 82. armes shall reaipre for their conduct & government, and the said party see chosen to traine & teach to handle their armes. & to call them forth to exercise, or in case to be guided in defencive warr, the said voates are to be brought in to Mr Edward Howell at the time appointed: by soldiers we understand all the male inhabitants from 16 yeares of age to 60, vpon any one failing of the performance hereof he shall forfeit time shillings for his default to the court.

It is ordered the 8th of October 1650 that the quarter court next shall be holden by the said town the 23d day of the same month and that at the said quarter court Thomas Veale and Sarah his wife shall appeare and answer for their misdemeanor in what shall then be laid to their charge.

The * of October 1650 at the general court Thomas Topping being vpon the 8thday of October appointed by the souldiers to be capitaine and leader of the bande of soldiers of the towne, was by the said court confirmed in the same manner as by the souldiers at the general muster. Richard Post waschossed Sergeant of the band, Thomas Halsey Clerke of the band, John Howell and Robert Mervin Corporals, and were confirmed in the said offices by the general court then holden.

Page 83. An inventory of all the goods [words gone] of Mr William Browne late of Southampton Long Island, Gentleman deceased, taken the 24th day of Inly by Thomas Topping Gentleman, and Iosiah Stanborough planter being appointed and deputed by the general Court holden the 23d of July at Southampton afore said 1650.

<table>
<thead>
<tr>
<th>Imprimis</th>
<th>3 kine and 2 score and 2 calves,</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>£ 32, s. 5, d. 6</td>
</tr>
<tr>
<td>Item</td>
<td>Value</td>
</tr>
<tr>
<td>-------------------------------</td>
<td>---------</td>
</tr>
<tr>
<td>Sheep</td>
<td></td>
</tr>
<tr>
<td>Pig</td>
<td></td>
</tr>
<tr>
<td>A quarter share of a small ship in the return of a quarter part of 19 hogsheads of Sugar from England, come to our hands in goods at their cost in England to the value of</td>
<td>14, 11, 6</td>
</tr>
<tr>
<td>3 remnants of narrow cloth 22 yards at 7 shillings</td>
<td>07, 14, 0</td>
</tr>
<tr>
<td>19 yards of house linnen</td>
<td>01, 05, 0</td>
</tr>
<tr>
<td>more 2 small remnants of linnen</td>
<td>0, 16, 6</td>
</tr>
<tr>
<td>3 yards and ¼ of tradeing cloth at 8s per yard</td>
<td>1, 07, 0</td>
</tr>
<tr>
<td>Bedding blankets coverlids and pillows, a greene rugg, and curtaine and 5 striped stuffed car-pitts, and a yard and quarter of linsey woolsey</td>
<td>23, 12, 0</td>
</tr>
<tr>
<td>Item in pewter 134 bb at.</td>
<td>05, 0, 0</td>
</tr>
<tr>
<td>Item in brass vessels</td>
<td>05, 0, 0</td>
</tr>
<tr>
<td>Item in steele table cloth and napkins, pillow cases and touells and 1 paiere of boote hose tops</td>
<td>13, 0, 0</td>
</tr>
<tr>
<td>Item in bookees</td>
<td>05, 0, 0</td>
</tr>
<tr>
<td>Item 1 warming pan 3 candle sticks and 2 skimmers, 1 fryng dish, 2 skillets, 1 pestle and 1 great [word gone] and other implements</td>
<td>8, 0, 0</td>
</tr>
<tr>
<td>Item more 1 couerlid, and 2 old blankets</td>
<td>1, 0, 0</td>
</tr>
<tr>
<td>Item in mayles 400, buttons elasps and other trade</td>
<td>0, 13, 0</td>
</tr>
<tr>
<td>Item in galls, alum, sheeps wool an old pillion, cloth, sackes bagges and measures,</td>
<td>0, 15, 0</td>
</tr>
<tr>
<td>Item five dozen and five sickles, and 4 small bars of iron</td>
<td></td>
</tr>
<tr>
<td>Item iron bolts, [1 line gone]</td>
<td></td>
</tr>
<tr>
<td>Page 84. [2 lines at top of page gone.]</td>
<td></td>
</tr>
<tr>
<td>1 firkin of soap and a churne 1 bushell of salt, and grind stone.</td>
<td>0, 18, 0</td>
</tr>
<tr>
<td>Item 2 sækkes, 4 spitts, 1 dripping pan 1 baker, and 3 paiere of pot hangers, and 1 morter and pestile</td>
<td>1, 05, 0</td>
</tr>
<tr>
<td>Item 1 still, 2 pair of plow irones, chaine and hookes, and other implements,</td>
<td>2, 00, 0</td>
</tr>
<tr>
<td>Item 3 mattocks, 2 beetle rings, 4 wedges 1 saw and two scale beams, and other small things</td>
<td>1, 13, 0</td>
</tr>
</tbody>
</table>
Item 1 matchlock musket, a barrel for a gun 01, 0, 0
Item 2 glass bottles, and 2 earthen pots, and 2 old short scythes, and a small parcel of sugar, and 12 tubbs 2, 16, 0
Item 3 old pans, & 3 wooden bowls, 1 basket, half a bushel of wheat, and 1/2 bushel of malt, and 1/2 bushel of peas, a little bacon, pork, butter cheese, and spice. 3, 0, 0
1 balance with lead, and leaden weights, 0, 12, 0
Item in gold, and silver in his purse, 0, 15, 0
Item in debts whereof some desperate, 9, 13, 0
Item his apparel 1, 0, 0
Item 200 of iron 2, 0, 0
a remnant of cloth, 4 barrels, a sword, an old broad axe 2, 0, 0

Total* 160, 0, 8

THOMAS TOPPING,
IOSIAH STANBOROUGH.

Transcribed per me RICHARD MILLS, Secretary.

Page 85. At ye genl court held the 19th of June 1650, yt it is ordered that leventennant Budd shall pay for ye mill and land after the rate of a 50 lb lott, vntil such tyme as the court shall otherwise order it, provided that bee the said Mr Budd shall forthwith order his mill soe in saving the water, and other things thereto belonging, as the covenants between him and ye towne are performed, that is to grind sufficient meal for ye town use, the which if the said Mr Budd shall not forthwith effect at least in the space of 14 days then it is ordered yt the town shall speedily sett vp another mill

WILLIAM BROWNE, Secretary.

10 September 1650 John Howell, Richard Howell, Mr Rainor, Thomas Vayle, Joseph Rainor, Thomas Burnet, Thomas Cooper, Henry Pierson. Ellis Cook, John Halby, and are to have for their paines 3s per day at the seapoose †

* In the above inventory of the estate of Wm. Browne, the values attached to some of the items are illegible and not given, which will account for the discrepancy between the amount as found above, and the sum of the numbers actually given.

† "Seapoose" is an Indian word and signifies "little river" as found in these records it almost always refers to the inlet connecting Magoquay bay with the ocean.
[The above seems to be a fragment of some more extended notice. W. S. 1p.]

Page 86. [1 line illegible] and in consideration of their pains the Court doth promise 2s 6d better, Richard Smith plaintiff against Thomas Doxy in an action of [word gone] The jury find for the plaintiff and doe assess fifteen pounds six shillings and two pence damage & cost 2s.

Agreed with Goodman Halsey, Goodman Sayre and Goodman Post to keep the dry herd at Sagaponack for 4 weekes, and to have for their paines 14s a pence.

Page 87. A generall Court warned to be upon 30th day of January 1650, at the second call were absent Mr Edward Howell Mr Edward Iolmes, Jonas Wood. It is ordered at the said General Court that every acre of land laid out to any whom lott, shall pay for every acer proportionable to two acers on the plains, & everyone may shall find himself to be aggrieved at that rateing in the said manner he shall then be freed from the saide rate, upon this condition that he doe resigne vp into the town his land belonging to his whom lott, or se much as he shall please, moreover anyone person or persons soe doeing shall in writing a bill of resig[men]t, with his or their hands to the same, deliver it [to] the secretary who shall forthwith record the same in the town booke, and the secretary at the next general court shall publish the same.

[Note added.] The above written order was repealed the 5 of March 1651 by the generall court Richard Mills Secretary.

Southampton 30 Jan. 1650 It is ordered at the saide generall court that Mr Iolm Ogden Senior of Northampton* shall have free liberty without interruption from the Inhabitants of Southampton to kill whales upon the South sea at or within any part of the bounds of the saide towne for the space of seaven yeares next ensuing the date hereof & that in that space noe liberty shall be granted to any by the said inhabitants to any other person or persons to kill or strike any within the bounds.

* North Sea is sometimes called Northampton in the early records. The Ocean is here termed the south sea in distinction from Peconic bay. The above is probably the first whaling company organized on Long Island.
of the saide towne, this liberty & privilege is given to the said Mr John Ogden provided that he or his company doe proceed in the same design and do not delay but do some what effectual in the business within a yeare after this present day, as alsoe the saide Mr John Ogden nor his company shall not deny the townes inhabitants claiming privilege formerly belonging to them in the dead whales yt shall be accidentally cast upon the shoares, but yt the said John Ogden or his company doe not kill in the design a whale or whales within the space of two yeares after the date hereof then his liberty is annulled and to return againe to the towne.

Witness RICHARD MILLS
Secretary.

[Note added] August 21 1654 the above said liberty of striking whales is given to Mr Odell and Mr Ogden and their company vpon the same termes with the exceptions following, 1st yt any whale come within Shinecock bay yet they the said company are not to medle with them, nor any other whale or whales wherein there is noe sign of their killing them at sea, but they shall belong unto the town as formerly, By the said signes of said company their killing any whale is to be understand to be by harping irons vpon them or [two words gone.]

Page 88. It was ordered at the saide general court that yt the miller shall grind any corne in the mill after an houre past sunne set then for the same he shall vpon every such defect pay ten shillings to be levied on his goods & chattells, lands and tenements according to the way of exaction, & the same to be improved to the use of the town, [note] repealed the * * 1650,

It was ordered by the voate of the said general court that Jonas Wood shall pay six shillings to the use of the towne which shall be in full satisfaction for ye rate of 24s which he was rated in the last rate made in the yeare in which John Howell was constable.

Upon the 4th of March 1651, at a court then held John Kelly was fined to pay 5s for lying.
Upon the 4th day of March 1650 at a generall court then holden it was graunted that Christopher Foster should pay his 2s which he was fined unto Thomas Pope allsoe that the fine of 5s of Iohn Kelly shall be payd unto the said Thomas Pope, allsoe that Thomas Burnet shall pay his 12s due for rent for goodman Mulford's house and barne unto the said Thomas Pope, which was a free gift unto him by the generall court, and the same to be paid by every person in days works about the said Thomas Popes house.

It was ordered at the same generall court that Henry Pierson and Richard Barret shall lay out the land due to Joseph Rainier, in quality and quantity so neere as well they can.

It is ordered that Mr Edward Howell shall have four acres of land, and two acres to Mr Iohn Howell both in great plaine for their consideration for that they have payd rates for the same, and took up a fifty pound lott more than they received, (note) which land they have in possession.

It is ordered upon the 5th day of March 1651 at a generall court that the order made upon the 27th of the first month 1647 concerning the whome lotts is repealed.

Page 89. It is ordered at the saido court that the 5 men chosen for towne affaires shall forthwith make and gather in a leavy for to pay the charges about the meeting house, & seapoose and other charges.

It is ordered at the saido court that the little plaine shall be fenced in with a sufficient fence by the 10th day of Aprill next ensuing, with four and five railes, and that Mr Richard Odell & Thomas Halsey shall proportion & ay out the same to every man and this to be done by the day above specified upon the penalty of forfeiting two shillings and sixpence for every poole that is not done, and the water fence to be made by the whole town in generall according to each his proportion, to be done by carpenters and meete men for that purpose, for reasonable wages at three dayes warning, upon the penalty of five shillings a man for every day that he doth refuse the same and this water work to beginne to be done vpon the 10th of May next.
It is ordered by the said general court that every home lott of every quarter shall fence in the front and reere of the whome lotts, and that the general fence vpon the highway by the said quarter shall be made vp by all the said lotts in that quarter this to be done by the 20th day of April next vpon the penalty of forfeiting 3s per poale for every poale that is not sufficiently performed by the said time, Henry Pierson and William Rogers are to doe their side fence for their particular fence.*

It is ordered by the said generall court that Richard Mills recorder of the lands of this town shall have two pence for every paper drawne for any lott, or lots in this towne, and to rate for the recording of the same, and soe alsoe for the lotts in the little plaine.

Ye 4th day of April 1661 Edward Howell junior drew for his vpland lott (one hundred pounds) marked 10th (word gone) number 5, number 7, and the said Edward is to take his lott on the north side yf they run east and west, Ioshua Barnes is to succeed next him southward, with a 50 lb lott which is marked as Edward Howell as aforesaid.

Page: 90. It is ordered by the generall court held vpon the 5th day of March 1651, that the land in the whome lotts as for all other land that is now taken up, & shall be taken up in this plantation shall pay equall in all rates for ever acre for acre, that is or shall be possessed and this order to stand in force from time to time and at all times for perpetuity excepting the mill lot and the lotts at the Northsea.

It is ordered by the said generall court that the plaine called the little plaine shall be laid out in suitable proportions to every planter in Southampton.

The order made vpon ye 27 day of the first 1647 about the quantity of land in the whome lotts was nullified & repealed by the generall court held vpon the 5th day of March 1651.

It is ordered by the foresaid generall court that William

* Henry Pierson's home lot was the one now owned by Mrs. Esther Herrick, the heirs of Lewis Hildreth and the Presbyterian church. William Rogers's homestead is in the possession of his descendants in the present day.
Rogers of this town shall have paid unto him five pounds out of the next general rate that is levied upon this town according to the verdict of the general court held upon the 25th of October 1650.

A general court held upon the 20th day of March 1651 absent at the second call, Mr Thomas Topping Mr Joanes, remitted by the Court, Mr Iosias Stanborough absent at the second call in the afternoon.

It was ordered by the saide General Court that Richard Post & Ellis Cook shall be freed from their bargain of building a meeting house for the town, which (?) agreement they made with the five men upon this condition that the said Ellis Cook and Richard Post shall sett vp a (word gone) for a meeting house for the town, tho said Richard Post and Ellis Cooke is to have at two days notice given by either of the two said carpenters either carpenters or laborers to help about the same, & they to have two shillings apiece pr day each man that is to say Richard Post and Ellis Cooke, and the other carpenters, the length of the house is to be 30 foot, the breadth 24 foote, the postes to be set in the ground and to be 8 foot and a halfo long in the (Word gone) from ye ground to the plate, the laborers are to hano 2s pr day, tho pay to be in merchantable wampum strung or unstrung.

Page 91. John Loome being granted by the town an hundred pound lot, the same lyes in manner following Number 3, number 12, No. 8.

At a general Court held 13 day of August 1651, ye any person befond or it can be proved that by them any fruit be stolen or taken away uninstly off from any unna land or ground, ye the person or persons be under the age of sixteene yeares of age tho parents of tho said child or children shall severely correct them by whipping of them and that to be done before some sufficient spectator, ye the parent or parents of the said children, doe refuse too to doe, then the said person or persons are to be convicted before the magistrates, and the parents for their neglect of the children to undergo such penalty as the magistrate
shall lay upon them, as also the offending persons shall pay for the fruit stolen, and by them double of the value of the fruits stolen shall be paid to the owners of the said fruit, and one sufficient witness shall serve for conviction, alsoe any person or persons that is above the age of sixteene yeares shall for any fruit stolen by them pay unto the owners of the said goods foure fold as for other stolen goods.

At the said generall court, it is ordered that Mr Howell shall have twenty five shillings for the yeare ensuing for his sounding the drum on the sabath day, twice before the meetings on the sabath day, that is to say half an hour or thereabouts before both morning and evening exercise, as alsoe presently before the beginning of the meeting, and that at every time of his first drumming he goe from Thomas Sayre's corner fence unto, Mr Fordham's door, at the second drumming he is only to drum at the meeting house or the door thereof.

PAGE 92. At a towne meeting held in and upon the 22 day of September 1651, absent at the second call Jonas Wood, Thomas Burnet Ellis Cooke John Jessup, remitted by ye town at ye same.

At the day of Election in October 1651 absent at the second call in the afternoon Joshua Barnes Thomas Pope remitted by the said court.

Upon the 6th day of Octob 1651 being the day of election were chosen by the freemen at the general Court for magistrates Imprimis Mr Edward Howell, secundus Capt. Thomas Topping, tertius Mr John Ogden.

At the same court Richard Mills was chosen secretary register and towne clerk.

At the same court was chosen for constable Jonas Wood called Halifax* who refused to serve in the office [and] submitted to the fine of five pounds, [note] fine remitted.

At the same court was chosen for constable and marshall

* There were two persons named Jonas Wood in the town at that time, one from Halifax, the other came from a place called Orim, they are distinguished in the records by the letters H. and O. affixed to their names, they were probably not related, as one was upon a jury to try the other, see page 132 of original.
Richard Post who was sworne to his office the 9th of Octob 1651. At the saide generall court were chosen five men for gouerninge of town affairs, William Rogers Henry Pierson Ellis Cooke Thomas Sayre Richard Barrett who had by the saide Courte the same power given unto them, as those which bore the said office the yeare 1650.

Page 93. Feb. 28 1651, An action of trespass vpon the case of Mr Richard Smith of this plantation plaintiff, against Thomas Sayre of the same defendant to be tried next court, [note] this said action is put to reference by consent of the defendant.

March 3 1651. An action of Tresspass vpon the case of Mr Richard Mills of this towne plaintiff, against Thomas Thorpe defendant. The said action is to bee tryed by the magistrates, and Mr Mills plff produceth his booke proving the said Thorpe to bee indebted to him a certaine some of money, But the said Thorpe refused to pay him in regard of a pretended assignment to Mr Talman, Mr Mills deponeth hee made noe assignment, whereupon the Magistrates conclude Thorpe is to pay the saide Mr Mills.

March 3 1651 It is ordered by the general court that whereas there was a former order made that Mr Odell, Thomas Hal­sey and Henry Pierson shall lay out the lots of late granted seefarre as the land would extend and they being hindered hitherto in regard that in the furlong lying in the great playne commonly called the acre furlong there are several persons that have land therein, & each person seems to desire it to lye in their own land, It is therefore ordered by this present general court that the said layers out shall speedily goe about the worke and lay out the said land according to the said fame or­der made Octob. 27 1651, And if any difference shall be be­tweene any neighbours in respect of the laying of the said land in the said furlong the said difference shall be ended by the said layers out who are thereby injoyed to doe their utmost to lay every person in his own ground, and this to be done by the said layers out within ten days next, vpon the penalty of 20s each of them to pay to the town, and for every day after the
expiration of the said 10 days, if the said worke bee not done they shall pay 10s, moreoner every person that hath land in the said furlong, (upon due warning given by any of the said layers out) shall meet according to appointment and goe and shew them their ground that the said layers on't may proceed as aforesaid.

It is ordered that noe Hoggs or piggssshall be suffered to bee let within the libertiae of the Indians, mentioned in the cove-
nant betweene the towne and them, nor in the plains, whereby damage may accrue to the meadows or corne and if any hoggs be taken therein within 4 days hereafter that then those that are owners of such hoggs shall pay 6d per hogg, for every such hogg soe taken, which some is to bee paid vnto those that bring them home, & if the owners of such hoggs shall refuse to pay, Page 94. then by virtue of a warrant from one of the magis-
trate the said some shall bee recovered as by way of execution.

March 3 1651. It is ordered that when the Miller calleth at 3 dayes warneing, the towne shall gratuitously* afford him 20 men
to goe to lett in the water of the seaven ponds into the mill pond, whose are to bee paid 10s by the towne,

It is ordered that noe Inhabitant of this towne and planta-
tion whatsoever shall within the limits of this towne trust any Indian or Indians from the 4th: day next ensuing, upon the penalty of paying vnto the towne so much as the value is which is soe trusted, the same to be leyed uppon his goods who so trysteth, and soe much as the said value is to bee paid vnto any person that makes proof of any such goods soe trusted and the same to bee levued as aforesaid.

It is ordered that noe inhabitant shall sell any bread to the Indians finer than as it comes from the mill,† and noe more
than after the rate of 3 lb ½ of dough for 6d, or 3½ lb baked, for 6d, and likewise noe inhabitant shall sell to the Indians, Indian corne under 6s 6d per bushel, and 1 yard ¾ of cloth and noe

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* Gratuitously.
† In this way our worthy ancestors could accomplish the double purpose of selling bran at the price of flour, and conferring upon the benighted savages the benefits of Graham bread, long before Graham.
more for 20s, and whosoever shall goe contrary unto this order in any of the said particulars shall forfeit as in the former order concerning trusting.

It is ordered that every inhabitant that hath sett vp fence against any part of the plaine shall look to & make sufficient his said fence by the tenth day next ensuie vppon the penalty of 12d per pole for every poole, that at the end of the said days shall be found insufficient.

It is ordered that noe cattell shall be suffered to bee left vppon the plains to sfeede beyond the 20th day of this instant march.

It is ordered that Mr. Mills shall have liberty to sell his lott which was granted him by the towne, provided hee sell it vnto such a one as the towne shall like and accept as a neighbor.

It is ordered that Hugh Griffin shall have for his home lott his portion lying southward from or by Thomas Cooper his home lott.

It is ordered that for this present year men have liberty to burn their meadows, at any time henceforward not with standing any former order to the contrary.

Page 95. At the town meeting before specified were absent and gone away before the meeting was finished Thomas Sayre Richard Baraett Thomas Gouldsmith, not at the meeting at all, William Rogers Thomas Burnet, those that come somewhat too short in the morning but were present at the agitating of the affaires of the towne, all the fines were remitted by the inhabitants, William Rogers his fine remitted by the generall court held vppon the 23d day of June 1651.

At the same time it was ordered that two men shall every sabbath day keepe the herd, and that yt any doe loose them on the Sabbath day they shall the next day looke out them.

At a generall court warned and held in an vpupon the 23d day June 1651 absent at the second call Richard Smith, alsoe Thomas Sayre departed before the meeting ended.

It is ordered by the general court above specified that noe common ground shall be mowed vppon the plains untill the land
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granted be equally divided according to grant nor until the overplus be divided.

It is ordered by the general court that no person within the bounds and limits of Southampton shall retail any wines or liquors but Richard Mills, the which is properly conferred upon him during his time of keeping the ordinary for this town, from this order is excepted the North sea, but in case the said Richard Mills doe not supply the town with wine or liquor, during his neglect of not having any to retail it is lawfull for any to retayle to the town, but if any person or persons shall retayle any wine or liquors when the said Richard Mills hath to supply the town, shall forfeit and pay unto the said Richard Mills ten shillings per quart for every quart of wine or liquor retayled, and soe proportionate for all retayled.

It is ordered by the general court above dated that Mr John Gosmer have power and authority to hire men or teams for the accomplishing of the water fence of the little plaine, and have the oversight of the performing of the same work untill all the fence be finished.

PAGE: 96. At a general court warned and held in & vpon the 15th of July 1651 absent at call Thomas Sayre.

At a town meeting held vpon the 3d of August 1651 by the inhabitants of this town it was granted that Bartholomew Smith, shall have and enjoy the whome lot lying about the house or seller which he bought of John Kelly.

At the town meeting the day and yeare above written the inhabitants did all consent and agree yt they will within the space of two months after the date hereof pay the some of ten pounds to Richard Odell in good strung merchantable wampum for gratuity of his resigning vp his title of land at quaganantuck, hethesaid Mr Richard Odell is alsoe over and above the said ten pounds, to have thisagreement and pay from the men of the town that before the resignement had agreed with him vpon these tearmes, to cut grass there this yeare; Richard Odell himselfe is to his share of meadow according to proportion with others but is not to pay any part of the said ten pounds above specified.
Christopher Foster had granted unto him an hundred and fifty pound lott, being appointed for him in manner following Number 15 Number 8 Number 14, Thomas Pope hath a 50 lb share out of the same, alsoe the other 50 lb lott for Christopher Foster lies with John Loomes hundred pound lott being number 3 and Number 12, and number 3 hath on both sides John Cooper 4 acres and 2 acres.

Page 97. An action of trespass upon the case entered by John Budd against John Hubbard upon the 1st day of June 1651, an attachment taken for his appearance at the quarter court to be held on ye 4th day of June 1651. John Hubbard three times called to answer the suite, he appeared not nor his attorney at the said quarter court held upon the 4th day of June 1651.

An action of trespass upon the case entered by John Gosner against John Hubbard defendant upon the 1st day of June 1651 an attachment taken by distress for his appearance at the next quarter court to be held in and upon the 4th day of June 1651.

John Hubbard at the saido quarter court by the constable three times called, he himselfe appeared not nor any attorney for him.

An action of trespass upon the case entered by Thomas Veale plaintiff in behalf of his wife against George Wood defendant entered on the 3rd day of June 1651 to be tried at the the next quarter court to be held in and upon the 4th day of June 1651.

At the quarter court held upon the 4th day of June 1651. The sentence of the magistrates upon the cross action of George Wood against the wife of Thomas Veale defendant, and Thomas Veale against George Wood, are acquitted and the one set against the other as equivalent in bad language each to other.

Sarah Veale the wife Thomas Veale was at the quarter court held upon the 4th day of June 1651 sentenced by the magistrates for exorbitant words of imprecations to stand with her tongue in a cleft stick soe long as the offence committed by her was read and declared.
Edward Howell & Captain Thomas Topping was sworn magistrates by the oath appointed for them, by Mr John Gosmer the 16th day of June 1651 in the presence of Mr. Josias Stanborough Thirstan Raynor Richard Mills.

At a town meeting held in and vpon the 17th day June 1651 it was granted by the Inhabitants of this town of Southampton that Jeremy Veale blacksmith of Salem, shall have an hundred pound lott provided that he do come and settle heere before January next & that to his power he in readiness doe all the blacksmith work that the inhabitants doe stand in need of.

It was granted by the Inhabitants at the saide towne meeting that Christopher fıoster shall have an hundred and fifty pound lott.

It was at the same time granted that Iohn Loome, shall have 100 pound lott.

It was at the same time granted that Iohn Cooper Junior shall have a fifty pound lott.

It was at the same time granted that Simon Searing shall have a fifty pound lott.

It is at the same town meeting granted that Bartholemew Smith, Iohn Ouldfield Iohn Jagger & Jonas Bower shall have each particular person of them a fifty pound lot provided, that these said persons have their lotts granted upon the condition that each of them shall make use of his trade to the best of his power for the use of the inhabitants and to enter vpon the same within thirty days after the date hereof, • • lott vpon the same terms and conditions • • • also it is intended at the • • • lotts shall returne [1 line illegible.]

March 3 1651 It is ordered by the general court that in consideration of Robert Mervin his care and pains about killing of wolves by setting of guns, or watching or otherwise he shall have 30s per woolfe for every one it appeares hee kill-eth, provided that if any beast bee killed in probability by the wolves, and hee the said Robert have notice therof that he re-

* The house lot of John Jagger is the one now owned by Capt. George White. Jonas Bower's home lot is the present residence of Mr. William Huntting.
paire vnto the place where the sd beast is slaine, whether at Meacocks or Sagaponach or elsewhere, within such a compass and use his best endeavour to kill the said destroyer, alsoe if it happen at any time hee the sd Robert bee warned to any Court or meeting during the time he is vpon the foresaid design, that hee shall bee discharged and acquitted from such said meeting, hee is not to sett his gun within half a mile of the towne, & if his gun kill any beast hee shall doe his best to find it, and the whole towne to beare the losse,

March 10, 1651, an action of trespass upon the case entered by Mr. Richard Mills of this town plaintiff, against Mr John Ogden senr, defendant

March 10 1651 An action of trespass upon the case entered by Mr John Ogden of the North Sea plaintiff against Richard Mills of Southampton defendant.

March 11 1651, at the court purchased* the jury sworn to try the action of Mr Mills he being plaintiff, were Mr Richard Odell John Howell, Thomas Goldsmith Rob. Mervin, Joshua Barnes, Isack Willman, alsoe to try the action of Mr John Ogden against Mr Richard Mills defendant, The jury find for Mr John Ogden in both ye actions, assessing upon Mr Mills 40s damage with increase of court charges.

March 11 1651 An action of trespass upon the case entered by Mr John Ogden of Northampton, sea against John Cooper of Southampton defendant.

March 11 1651 at the said purchased court the jury sworn to try the actions of Mr John Ogden plaintiff against John Cooper defendant were Thomas Halsey senr. Mr Richard Odell Josiah Stanborough Mr John Howell, Tho. Pope and Robert Marvine the jury finde for ye plaintiff assessing two pence damage with the increase of court charges.

John Cooper junior appeals from the verdict to the next Gen. Court.

* The term "purchased court," which is occasionally found in these records, seems to be applied to courts held to try some particular case which for any reason could not be postponed until the setting of the regular quarter court, see page 132 (of original) for an instance in which Jonas Wood has a purchased court on account of his being about to remove from the town. W. S. P.
Page 100. March 12 1651. At a general court holden to attend an appeal of Iohn Cooper junior made from the verdict of the jury impanelled upon the complaint of Mr Iohn Ogden plaintiff Iohn Cooper defendant, the appeal being fully debated and duly considered, at length it was voated and the major* concluded and determined ye said Mr Iohn Ogden had and hath the true right title and interest in all & every part of the premises in difference, in his evidence mentioned bearing date Nov. the 3d 1651.

March 12 1651 at ye General Court it was fully concluded and determined that Capt. Thomas Topping shall have and take vp the land in difference between him & Thomas Hildreth in all paynts as the byers out did dispose the same to the lott the said Capt possetheth, and a full end of that busines between them, namely for the Elaine of land.

April 2d 1651

Mr Iosiah Stanbrough plff against Iohn Coopr senior defendant in an action of trespass vpon ye case, ye jury find for the plff eleven pounds thirteen shillings vpon a bill, and the court charges, the defendant appeales to the court at Hartford, and cloth by these presents ingage himselfe in ye some of thirty pounds sterling to prosecute the suite there, within a month after the date hereof if opportunity serve.

Iohn White and Iohn Cooper doe ingage ourselves in the aforesaid sum of thirty pounds that Iohn Coopr shall at the time appointed prosecute the suite between him & Mr Stanborough in Hartford.

Page 101. May 1st 1651. At a towne meeting Hugh Griffin desiring to lay down his lott formerly granted him, and by the major part of the towne it was accepted hee beeing to have paid unto him about 16s which hee hath expended about it,

The said lott is disposed & granted (vpon Mr Fordham his request vnto Elizebeth Briggs shee being to pay the aforesaid some of about 16s,

* Majority. W. S. P.
May 10 1652. It is concluded by the major part of the town that the calf herd shall he kept for the ensuing year att Sagaparack where they were kept the year last past.

May the 10 1652. It was granted by the inhabitants of this towne that John Robinson late of Salem shall have as his own propriety the lottment in the towne which was made and taken out of those parcelss of land commonly called by the name of farringtons land the same being formerly intended for a smith and it being of the denomination of an hundred pound lott.

May 28 1652. An action of trespass vpon the case entered by Robert Mervin plf against Iohn Hubby defendant, this action is not tryped but ye Cort forbear yet because of ye defendants absence.

Inne 1 1652. An action of trespass entered by Mr Iohn Gosmer plf against Thomas Burnet deft. [Note] the verdict given on page 135.

An action of trespass vpon the case entered by Ionas Wood II plf against Robert Mervin deft. The verdict is given in page 135.

An action of trespass vpon the case entered by Ionas Wood II against Henry Pierson dett. [Note] withdrawn by consent.

Page 102. Southampton June 1, 1652. at a quarter court the jury impanelled to try the action of trespass vpon the case entered by Ionas Wood against Robt Marvin, Mr Raynor Thomas Sayre Iohn Howell Iohn Cooper sen Mr Smith Richard Barrett, the jury finde for the plf. 2£ 5s damage with increase of court charges.

Also the said Jury try the action entered by Mr Gosmer plf against Tho. Burnet defendant, The jury finde for the plf 5£ 10s damage, with increase of Court charges: Tho. Burnet ye plf Appeals to the General Cort and hath liberty granted by the present Cort see to doe.

Alsoe Robert Mervin defendant hath liberty to appeale vnto the next generall Court.

June 14 1652 by the general Cort then held it was concluded that William Rodgers his fine of 2s for non appearance at a former meeting or cort is remitted,
Records: Town of Southampton.

Att the sd court Thomas Burnet was called to prosecute his above said appeal.

But in respect it was questioned whether the said Court had power to take into their cognizance the said appeal, & see to end the suite or not. It is therefore thought meets that this present Court be adiorned vntill some convenient time wherein the said questions may bee absolutely resolved.

June 14 1652. It was voated & concluded by the generall Court that whereas the Treas. at Hartford sent a warrant to this present constable of Southampton to levy vpon the town a certaine rate of twenty pounds & odd mone, and alsoe It being expressed in the said warrant that pt. of the sd some is to be paid in wheat & part in pease both being scarce in the town, the constable is taken off by the town from his engagement for collecting the said rate at present and forthwith a letter is [Rest gone.]

Page 103. October 6, 1652. It was granted vnto Thomas Pope that hee should have 3 acres of land lying next to Mr Stamborough his home lot, which 3 acres the said Tho. is to possess as his owne right from this time.

It is ordered that whosoever makes it appeare hee killeth a wooll within the bounds of this Towne shall have paid vnto him by the town the same of twenty shilling, and hee that lyke­wise shall kill a wooll at quaquanantuck shall have 10s in like manner.

October 15 1652. At a town meeting Jonas Wood H. being chosen last 6th of october to bee constable & marshall and now called to take his oath did refuse soe to doe.

At the said meeting it was concluded that all working oxen & milch cows & calves shall have liberty to goe vpon the plaines,

At a town meeting November 2, 1652 Isack Willman in a passionate manner said that some of them that voated for the raising of the mill knew noe more what belonged to these pooset than a dogge. [Note] he hath given satisfaction.

* Treasurer.
† Seapooce was the inlet connecting Menox bay with the ocean, opened by digging, but soon closed up again.
The inhabitants by the major voat concluded that the mill shall bee raised at the Townes charge provided it bee raised 10 inches at least and the charges exceed not 10£.

Page 104. November the 2. 1652 At a town meeting It was granted vnto Iohn Bishop That his home lot of three acres shall run halfe the depth of other home lotts of lyke denominations, and double breadth, the same to lye from Joshua Barnes his home lott northward.

November 5, 1652. At a Generall Court Chosen for 5 men Mr Gosmer, Christopher Foster Thomas Halsey Mr Rayner and Iohn Howell, who shall see to and doe all towne affaires as the dividing or causing to bee divided all the meddows to bee divided, according to former orders, or alsoe to dispose of a new division of land and to see to the causing to bee fenced the ox pasture, and what soever other matter doth or may concern the welfare of this place & plantation according to their best understanding and discretion, provided that they observe the limitations given former 5 men, which they must alsoe observe, namely the giving of land to any particular person.

November 29 1652. It was granted by the towne vnto Mr Henry Eason, that hee should have to the quantity of 3 acres any parcell of land hee shall find fitt for his use near vnto Mr Odell his 4 acres in Cobs pound provided that hee the said Mr Eason doe resign the same vnto the towne agane when hee shal depart the towne, and not make use of it himself and alsoe that hee seoure the same for his use by fencing it for the time hee makes use thereof.

Page 105. It is agreed at the forsaid meeting Iune the—, That Thomas Halsey Sen & his partner whoe are appointed to lay out the former mentioned meadow shall lay out Sagapon aek & Seponack mowing ground for a present supply of the

* The home lot of John Bishop is the one now owned by the heirs of Jonathan Litian. Joshua Barnes home lot is now the homestead of William S. Pelgerieux.

† It will be seen by this that the office of townsman embraced the duties now performed by Supervisors and Assessors, and to some extent those of Overseers of poor and Commissioners of highways.

‡ This is the place now called by the approposum name of "Cobb," probably the title given above is a corruption of some Indian name.
Inhabitants of this towne for this yeare, according as they in their discretion shall think may bee most convenient for the whole, provided that they make the said divissions, & then cast lotts for the same as before is mentioned concerning Quaquantantuck meadow.

Inne the 27 1652. At a town meeting it was concluded that if any goats bee found without a keeper, and any person see finding them bring them home vnto the owners they the owners of said goats shall pay a penny per goat for them vnto those whose doe bring them home, and alsoe pay for the harme which it shall appeare is done by them.

August 18 1652. It is ordered by the generall court that Inasmuch as Tho. Goldsmith hath mowed ye most considerable pt of the ground granted to Iohn Robinson, hee shall pay towards the rate for capt. Mason, 3s 1d, And the other 3s Thomas Halsey pays at present & is to bee paid againe by them that shall come to possess the said land.

It was concluded by the voat of the Generall Court that there shall bee yet another attempt made for the letting out of Shinecock water, for the regaining of the salt marsh meadow.

Whereas there was an appeale made by Thomas Burnet June the 1st 1652 vnto the General Court from the verdict of the Jury that then was passed concerning an action of trespass depending betwenee Mr Gosmer plf & the said Tho. defendant it is determined by this present general court that Thomas Burnet shall pay vnto the said Mr Gosmer 35s and James Till being interested in the cause of the said Mr Gosmer his loss, & hee the said James leaving himself vnto the determination of this Page 106. Cour. It is concluded by this Cour that the said James shall alsoe pay vnto the said Mr Gosmer 35s both which somes are to bee paid in current pay within one month after the date hereof; lykewise the said Tho. and James are to pay the costs of the said Cour, for the tryall of the said action each their equall share.

At a towne meeting September 11 1652 It was concluded by the maior pt. that according to the order made august 18 1652
concerning an attempt to regaine Shenecock meadow, the said attempt or tryall shall bee by cutting a trench between Shenecock water & quaquanantuck water, to which end 8 men shall goe with the first convieniency and are to have 2s 6d a man per day for every day they are upon the said business.

Octbr the 6th 1652 being the day of Election was chosen for magistrates Mr John Gosmer primus, Captain Thomas Topping secundus, and Mr Edward Howell tertius.

October 6, 1652 Henry Pierson chosen Secretary.

October 6, 1652 Ionas Wood H chosen constable and marshall for this year ensuing.

October 6, 1652 Mr Alexander Fields, Christopher Foster Thomas Goldsmith John Cooper Juar were all and each of them chosen freemen of this towne.

It is ordered by the general Cort that upon any Cort day or towne meeting day, if upon appearance according to warning there be present but 6 men and either of the magistrates, they shall have power to proceed to call all that were warned, and they that answer not at the second call shall pay 6d into the Towne or Cort, and if any party stay two howres after, hee shall pay 12d in like manner, and if any stay away the whole day he shall pay as aforesaid two shillings, and the company that are metas aforesaid upon such occasions shall judge of the aforesaid time, or howres in case any differenc bee concerning the same, and those whoe then are present as aforesaid shall have power to proceed in any matter what soever, which concernes such said Cort or meeting) as it all the warned were present.

Page 107. Feb. 25 1652 Mr Iosiah Stanborogh plaintiff in an action of trespass upon the case against Elisabeth Wood the wife of Ionas Wood at the North sea defendant.*

The said Mr Stanborogh plaintiff in an action of debt in the behalf of Mr Robert Scott of Boston merchant, against Mr John Ogden defendant.

* This is the Ionas Wood of Oram.
The said Mr Stanborough plf in an action of Trespass upon the case in the behalfe of Mr Robert Scott of Boston merchant against Ionas Wood ii. defendant.

March 1st 1652  At a quarter Cort, The Jury impanelled to try the action depending betweene Mr Stanborough plf, and Elisebeth Wood defendant are as followeth Richard Barrett Mr fields Richard Post John Jessup Edward Howell Ellis Cooke Isaac Willman Rob. Mervin Tho. Halsey. The jury hauing heard the witnesses examined, and they find for the defendant, costs and Cort charges.

Concerning the action depending between Mr Stanborough plf and Mr John Ogden & Ionas Wood defendants as above said, it is concluded by the said parties to put the said business to the Arbitration of Mr John Gosner, Mr Richard Odell, Thomas Halsey, and Richard Barrett, who are to end the same and all matter of difference betweene the said Mr Ogden & Ionas Wood defendants and the said Mr Scott, oe farre as wherein the said Mr Stanborough plf is impowered by the said Mr Scott, And if the said Arbitrators disagree in any particular they shall chuse an umpire and they are to end the said business by the last of this instant, and the said Mr Stanborough plf and Mr Ogden & Ionas Wood defendants doe bind themselves in the assumpset of 10£ a piece to stand to their Arbitrements.

Page 108. At a general Cort held the 14 of March 1652 It is concluded that noe inhabitant in this town shall sell any corn or meale or bread to any Indian or any dwelling out of this plantation, vpon the penalty of paying after the rate of 20s per bushel vnto the towne vpon sufficient conviction, but it is provided that any may impart either of the aforesaid provisions vnto any for his worke or labor, this is to stand in force till this Cort shall see cause to the contrary.

Aprill 14 1653  At a general Cort it is ordered that all, and only those men in this towne that are of 16 years of age and under 60 shall keep watch & ward as occasion is, those onely excepted whoe are exempted by office.

William Rogers chosen clerk of the band.
April 25 1653 At a generall Cort, Liberty is given to any Inhabitant to sell unto ye Sachem any manner of vietuals for the supply of his family for a months time from the date hereof, Mr Odell having promised to use his best endeavors to see that the said Sachem buy not for other Indians but for his particular use as aforesaid.

John Cooper Ian. hath liberty to sell what corne hee can procure from the maine unto any English upon such price hec can afford it, or unto the Indians provided bee not betwecn the English here and the Indians which enforceeth reason to the contrary, alseoe any other that shall bring in corne they have hereby granted them the same liberty.

Page 109. The 4th day of April 1651 ye aforesaid Thomas Pope drew a 50 pound lot marked with the number 15, Number 8, Number 4, to begin and to be layd out on the north side of the three lots drawn by the said parties and to be fenced[gone]

A towne meeting warned to be vpon [words gone]

April 1651 absent at ye second call [two or three words gone] It is granted by the inhabitants of this towne at the saide towne meeting that Thomas Goldsmith shall have a hundred pound lott in this towne of that which is now to spare and is to be that which was granted to Daniel * [rest gone]

It is granted by the towne at the said towne meeting, that Richard Mills shall have the old meeting house with the apurt- nances to help to enlarge his house for which said gift the said Richard Mills doth ingage himself to the towne to keep an or- dinary for strangers for diet and lodging & to begin vpon the 5 day of May next, and soe to continue in the same for the space of four years, & yf sooner hee doe refuse to performe the same he doth ingage himself to pay 5s for every year that he shall not in the saide towne keep the ordinary

RICHARD MILLS.

The 11th day of April 1651 at a towne meeting Whereas in the proportioning of the great and little plaines the five men was ordered to have some to sell on the north side of the great plaine to those that come lately and had noe fence there at all,
it is now by the towne ordered that those that have fenc'd the space on the north side of the great plains shall keep and maintain the same, and the said men shall make up their proportion of fence* [rest gone]

Page 110. [The 110th page of original is illegible; from a few words that can be deciphered the record seems to be an order about fence on the plains.]

Page 111. At the aforesaid general conrt Ian 9 1653 It is ordered the east end fence of the little plaine shall be taken up & removed further east ward, and more land taken in according to the present townes mens discretion to supply divers who want of their complement of land in the plaines, as alsoe to supply an Indian (if need bee) that hee may keep the plaines instead of the ginsence, according as such Indian may be agreed with by the said townes men.

Feb. 2 1653 At a towne meeting. It is ordered that according to former order those that bring home hoggs from Shenecock or Seponach or the plaines shall hane 6d per hogg paid them by the owners & upon their refusall to pay they that bring them home shall reipare to John Cooper Sen. & Thomas Saire who shall prise part of such hoggs that soe therein and thereont they the said bringers home may be satisfied as aforesaid, & if the said two men to prize bee troubled therein they allsoe shall bee likewise paid ov of such hoggs 12d per piece.

It is ordered that in as much as the Indians will fence their share of fencing betwenee them and us with 5 railes or that which shall bee answerable thereunto the towne alsew ill shall fence their proportion in like manner which may bee fence sufficient against hoggs and all sorts of cattell.

March 8 1653 It is ordered that there shall bee a conclusion made by the Cort (if it may be) concerning a settled way for cutting out of what whales shall be cast up. Whereupon it is ordered that according to a former order December 5 1648

* It may be well here to remark that the 109th page of original was when the records were copied by the editor in 1862, so utterly illegible that no attempt was made to copy it. In 1871 the faded writing was treated with prussiate of potash by Rev. G. R. Howell, which so far restored it that the foregoing copy was made.

W. S. P.
what whales shall be east up, shall be cut out by the squadrons which are divided by the last 5 men chosen, and to have a third pt of what they cut for their paines besides their share with the towne, and what soever whale or parts of whales shall be gained by any whom it may concern as aforesaid they shall lay it above high water mark, and not meddle with deviding, or diminishing it, or any part thereof until it be brought to towne at the townees charge, and laid in or about the towne pound, and the said cutters to pay a third pt of the said charge, besides their share with the towne,

The Squadrons are divided as followeth,

<table>
<thead>
<tr>
<th>Fifties</th>
<th>Third Squadron</th>
<th>Fourth Squadron</th>
</tr>
</thead>
<tbody>
<tr>
<td>3 Mr Richard Smith</td>
<td>1 John Lagger</td>
<td>4 John Howell</td>
</tr>
<tr>
<td>4 Mr Rainer</td>
<td>1 Ionas Bower</td>
<td>3 Ionas Wood</td>
</tr>
<tr>
<td>3 Mr Odell</td>
<td>2 Joseph Rainer</td>
<td>1 Bartholemew Smith</td>
</tr>
<tr>
<td>2 John Lum</td>
<td>3 Thomas Halsey</td>
<td>2 Christopher Foster</td>
</tr>
<tr>
<td>Second Squadron</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4 Mr Howell</td>
<td>3 Captaine Topping</td>
<td>1 Mr Topping</td>
</tr>
<tr>
<td>2 Mr Gosmer</td>
<td>3 Mr Fordham</td>
<td>3 Edward Howell</td>
</tr>
<tr>
<td>2 Ri. Post</td>
<td>2 Ellis Cook</td>
<td>2 Iohn Jessow</td>
</tr>
<tr>
<td>2 Wm Rogers</td>
<td>3 Iohn White</td>
<td></td>
</tr>
<tr>
<td>1 Geo. Wood</td>
<td>3 Henry Pierson</td>
<td>3 Richard Barrett</td>
</tr>
<tr>
<td>2 Sam Dayton</td>
<td>1 Iohn Cooper I</td>
<td>3 Mr Gosmer</td>
</tr>
<tr>
<td>2 Rob Mervin</td>
<td>3 Mr Howell</td>
<td>3 Mr Topping</td>
</tr>
<tr>
<td>3 Mr Iohnes</td>
<td>4 Thomas Sayre</td>
<td>3 Mr Fordham</td>
</tr>
<tr>
<td>3 Tho. Cooper</td>
<td>3 Mr Gosner</td>
<td>4 Mr fields</td>
</tr>
<tr>
<td>3 Mr Stanborough</td>
<td>5 Obadiah Rogers</td>
<td>2 Isaac Willman</td>
</tr>
<tr>
<td>2 Joshua Barnes</td>
<td>2 Tho. Burnet</td>
<td>3 Iohn Cooper Sen</td>
</tr>
<tr>
<td>1 Iohn Bishop</td>
<td>1 Tho. Pope</td>
<td>1 Widow Briggs</td>
</tr>
<tr>
<td>2 Tho Hildreth</td>
<td>Memorandum that after ye squadrons had gone round not orderly, the town began according to order. Mr Smiths Squadron cutt next Mr Iohnes at Spring 1655, next Iohn White his Squadron cut Aprill 26 1655, Richard Barrets squadron cut</td>
<td></td>
</tr>
</tbody>
</table>
may 1655, Mr Smiths squadron cut may 9 1655, Richard Pos
cutt in April ,56.

It is left to the care and discretion of the townes men to pro-
vide earts to fetch home what whales shall be cutt out as afore-
said from time to time, " order of the 5 men namely Mr
Gosmer Mr Rainer Thomas Halsey Christopher ffoster & John
Howell, Mr Smith his squadron was to cut first, Mr Iohnes his
squadron second [rest gone.]

Page 113. Sept 12 1653 At a general Cort, It is ordered
that no cattell whatsoever shall be put to or kept at Seponach
or shinecock, and if any be found there they shall be fetched
off, upon penalty of ten shillings a day tobee paid by the heards-
man or any other person belonging to the towne or the north
sea that shall herein transgress vntill the 5th of October next
ensuing.

Sept 12, 1653 An action of trespass vpon the case entered
by the towne against Robert Mervin.

An action of Slander entered by Tho. Vale against the wife
of Samuel Dayton to 40£ damage.

Sept 16, 1653 At a purchased cort, the said action of Slan-
der entered per Tho. Vale plf against Sam. Dayton defendant.
tried by 12 men namely Mr Richard Smith Mr Thurston Ray-
ner Mr Richard Odell Thomas Halsey, John Howell Richard
Cooper Iohn Jessup Isack Willman.

The said Jury finde for the plf three pound damage, with in-
crease of Cort charges.

Sept 28 1653 An action of bloodshed & battery entered by
James Till plf against James Herrick defendant the same to be
tried the next quarter Cort, [note] The said parties are agreed
without a tryall.

Page 114. Octobr 6 1653 At a generall Cort was chosen
for magistrates first Mr John Gosmer, Second Captaine Thoms-
as Topping, third Mr Edward Howell. Henry Pierson chosen
Secretary Mr Alexander fieldes Cunstable & marshall

It is concluded that Tho. Saire shal have paid vnto him by
the towne the sum of ten shillings as an allowance vnto him for some pitts that hee imparted to the highway for which hee was to have allowance by order made formerly when Mr Wells & Mr Gibbons were here.

It is concluded that the miller shall have given vnto him a full & direct answer concerning a seeming difference at present between the Towne & him about his covenant with the towne concerning opening the sepoose, and ye said answer to be given him within 10 dayes after the returne of Mr Gosmer.

October 24 1653 At a towne meeting it was concuued that Captaine Topping Mr Rayner & Iohn White are appointed & left to agree (if they can) with the miller concerning the alteration of his mill to ease the towne of the burthen of opening the sepoose and what bargaine they make the towne for their part will stand to.

It is concluded alsoe that Iohn Cooper Sen shall send forth men to seeke vp and bring to the towne what cattell they can meete with beyond the cannoo place, & the charge thereof is to bee leyed vpon the dry heard.

Page 115. Sept 16 1653 by apoyntment of ye 5 men as followeth, Mr Gosmer being chosen treasurer had delivered vnto him by the 5 men, for the townes use as followeth.

23 lb of gun powder which was brought in by Ionas Wood H.
10 lb of gun powder & 175 of lead which was bought by himself.

1st of October 1655 At a town meeting the abceue said ac­compt being considered noe person or persons appearing to wit­ness the delivery aforesaid of the powder & lead. It is not dis­cerned but that thereis a mistake in the said account of what is abone said to bee delivered, vnto Mr Gosmer and hee hath received, and there was delivered vnto him insted of the 23 lb of powder by or from H Wood onely a barell with powder in it, both which contain barely 26 lb, * * powder above said and hnt 60 lb of lead, [rest of this page gone.]

Page 116. February 4 1656. At a towne meeting it was agreed
that the likequor that was taken from Goodman Gouldsmith, 
he shall have his money returned namely the towns part of it 
Also at the meeting there was a contribution to Goodman 
Gouldsmith because of his loss by fire.* 
Mr Topping one bushell of wheate. 
Mr Gosmer two bushels. 
Mr field three peeks of wheat. 
Thomas Sayre one bushell. 
Henry Pierson the value of half a bushell of wheate. 
William Ludlam half a bushel of wheate. 
Isaake Willman half a bushell of wheate. 
Thomas Halsey ljunior 2s, 6d. 
Joseph Rainer hal! a bushel of wheate. 
[Rest of this page gone.]

PAGE 117. at the aforesaid Cort Aprill the 4, 1654 It is or-
dered that Mr John Ogden Sen & Jonas Wood H. shall bee 
the prizers of the goods and ehrttells belonging to Wm Paine 
of late deceased. 

May 23, 1654 At a town meeting it is concluded that Thom-
as Goldsmith for vp at present sufficiently and maintaing ye 
portion of fenceing belonging to the widdow Briggs, hee shall 
hane commoining in the ox pasture for a payre of oxen. 
Whereas Mr Richard Smith had a grant of some addition of 
land unto his home lott and the condition wherupon ye said ad-
dition was granted cannot bee at present produced, either by 
him or by the town, and the said Mr Smith referring himself 
to the towns conclusion concerning the premises. It is or-
dered by this town as followeth, that Mr Smith shall have the 
said addition of land at his home lott still as his owne propri-
ety, and shall from time to time secure the little plaine by fence-
ing sufficiently between his said home lott and the little plaine;†

* It appears that in the Spring of 1657 an attack was made upon the town by the Indians. 
Several houses were burned, among them was the house of Mrs. Howell (widow of Edward 
Howell). Probably Thomas Goldsmith was another of the sufferers. (See Howell's History. 
page 165.)

† Mr. Richard Smith’s home lott was the one now owned by Capt. Edward Sayre on the west 
side of mm in street and next to the lane leading to the pond.
leaving a sufficient watering place for all sorts of cattell against
the lane end, betwene hissaid lott & the little plaine, thesame
to bee finished within six days after the date here of vpon pen-
ality of paying what it shall cost making or repairing the said
fence against the said watering place to secure the plaine as aforesaid.

It is ordered that if any mans lott in this towne hee in the
judgement of men sufficiently fenced, and little piggs bee per-
mitted by the owners (notwithstanding warning) to come with-
in such lottments, then vpon the oath of the trespassed before
one of the Magistrates the owners of such piggs shall pay 6d
per pigg for every time any such piggs doe trespass as afore-
said,

It is granted vnto Bartholemew Smith that hee laying down
about a acre of land in the little plaine he shall have ye acre
in ye acre division in the little plaine that was laid out to thar-
ringtons land,

It is granted vnto Tho. Vale that hee [words gone] vaecant in
the plaines or else where [words gone] home lott hee hath
bought a [gone] as the town is capable a fifty [gone] 6 acres in
the plains.

Page 118. March 1653 At a general Cort Edmond Shaw
was censured for his excesse in drinke to pay vnto the towne
the some of tenn shillings the same to be exacted at the discre-
tion of the magistrates according to his future behaviour.

It is ordered that whereas Tho. Goldsmith is prevailed by
the town to keep an ordinary in this towne, there is noe person
shall retaile any liquors or wines or strong drink within the
bounds of this plantation but hee the said The said Thomas
Goldsmith vpon penalty of ten shillings per quart.

It is ordered that if any psone above the age of fourteene shall
be convicted of lying by two sufficient witnesses, such psone soe
offending shall pay 5s for every such default, & if hee have not
to pay hee shall sit in the stox 5 howres.

It is ordered that for preventing of evill which is subject to
all out by reason of excessive drinking of strong drinke, that
whoever shall bee convicted of drunkeness shall for the first time pay 10s the second time 20s the third time 30s.

Thomas Sayre and Joshua Barnes for speaking vnseemly and vn savory words in the court or concerning the court were fined to pay 10s n piece, [note] ye fines remitted upon their acknowledgement March 6 1654.

March 26 1654 An action of Battery entered per Thomas Burnet plf against John Cooper defendi to bee tryed at a pruchased cort April 2d next being the next third day of the week.

November 21 1653 At a towne meeting It is concluded that if the miller goe forward with his covenant with the towne hee shall have 6 men allowed him by the Towne to help him,

By the maior voat it was concluded that there should bee 3 men chosen to order towne affaires, the 3 men chosen are Tho. Goldsmith John Jessup and Henry Pierson who have committed vnto them the same power which was granted & committed vnto the 5 men chosen for the last year.

It is granted vnto Henry Pierson that hee shall haue as his propriety 3 acres of land at the out side southward of John White his fence, in the same forme that his lyeth, (in liew of 3 acres which hee imparteth to the towne) both which are & doe lie by ye pond commonly called harringtons pond* ranging with the old side of the towne.

It is ordered that Mr Iosiah Stanborough Christopher foster and Henry Pierson shall lay out a new devission or devissions of land for the towne where they shall think meete as alsoe the meadow which is yet undevided, and of both for quantity and for manner according as may bee most conducive to the townes conveniencie, in their the said layers out best discretion whoe are to bee paid as they and the townes 3 men shall agree.

The censure of the Court concerning Geo Milner That the said Geo. Milner shall pay vnto the towne 5s because of his misdemeanor in excess in drinking, ye which alsoe hee shall acknowledge & his evil therein, at some towne meeting hee being called thereunto.

* This is now called old town pond.

W.S. P.
RECORDS: TOWN OF SOUTHAMPTON.

Iau 9 1653 At a general court, It is concluded that if the Indians will suitably fence one half betwenee them & us that then ye towne will fence with 3 rails or that which is answerable thereunto, the other balfe, and what soever else may bee thought necessary to bee done about or concerning the said fencing, as treating & concluding with the Indians about it, & disposing of the fence in regard ot placing it, is referred to 4 men namely Ionas Wood at North sea, Iolm Jessup Tho. Goldsmith & henry Pierson.

It is granted to Tho Halsey that bee shall have in lieu of 28s paid for the towne formerly a 2 acres of land if there bee so much lying at the head of the ox pasture by the head of the long creek at the west end of the plaine.

PAGE 119. The Division of lande called Sagaponack, division laid out in January 1653 by men appointed by the towne, and by their apoyntment divided, & disposed into 41, hundred and 50£ lotments, and lying as followeth,

No. 1} 24 acres at tho wigwam & pond lying neare the extent 2} of the towne boundes toward East Hampton and to be laid out by them yt they shall belong to.

3 6 acres more or less lying on ye east side of Sagaponack little pond, : from the west side of the said little pond to the east side of Sagaponack pond is22 lotments and are eastward of the numbered stake as followeth.

<table>
<thead>
<tr>
<th>Poles wide</th>
<th>No. 15</th>
<th>Poles wide</th>
</tr>
</thead>
<tbody>
<tr>
<td>4</td>
<td>12</td>
<td>8</td>
</tr>
<tr>
<td>5</td>
<td>11 8</td>
<td>8</td>
</tr>
<tr>
<td>6</td>
<td>11 1</td>
<td>8</td>
</tr>
<tr>
<td>7</td>
<td>11 1</td>
<td>8</td>
</tr>
<tr>
<td>8</td>
<td>11</td>
<td>8</td>
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<tr>
<td>9</td>
<td>11</td>
<td>8</td>
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<td>10</td>
<td>11</td>
<td>10</td>
</tr>
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<td>11</td>
<td>11</td>
<td>10</td>
</tr>
<tr>
<td>12</td>
<td>11</td>
<td>10</td>
</tr>
<tr>
<td>13 on both sides the little creek angular)</td>
<td>24</td>
<td>12</td>
</tr>
<tr>
<td>14</td>
<td>8</td>
<td>16</td>
</tr>
</tbody>
</table>
26 31 poles wide on the skirt of the little plaine eastward of meacox water running from the beach to the creek toward the woods and lyeth on the east side the numbered stake, from the bounds of No. 26 to meacox water.

27 on the end of the neck northward, or meacox ward, of tho last said creek, and bounded by marked trees, and else-

where by pond creek & water,

Page 120. 31 bounding no 30 and is the next little neck Northward bounded towards the woods by marked trees. Meacox old ground.

Rods wide

32 northward of the pond
33 northward
northward towne land
34 northward
35 northward
36 eastward of the millers land 60 poles in length, and is 6 acres,

37 on the south side of Davis his neck,*

38 farringtons piece on farringtons neck† 5 acres more or less,
41 5 acres with out the gin fence,

Feb 2 1653 At a towne meeting It is concluded that the afoe said 41 lotments laid out and a fifty to bee laid out at Sagapon-ack, or elsewhere, they shall be accompted in all fencing and rates at two acres per lotment, the lotts being as aforesaid, And that what ever company of men in this towne fall together in any parcell if land of the possessors of the maior pt of any par- cell conclude to fence, the other pt shall fence with them or else give their interest therein vnto the said maior pt, if they fence, But it is provided that there shall bee noe such forfeiture taken in any of the aforesaid divisions vntil the 1st of March 1654.

The above said conclusions premised the lotts are cast and they fall as followeth,

* Davis neck is probably the tract of land on the east side of Watermill Creek.
† Farrington’s neck is probably the tract of land East of Old town pond.
No 1  Tho Goldsmith 100
   and John Oldfield 50
2  Sam Dayton
3  Tho. Burnet 100
   John Howell 50
4  Thomas Sayre
5  Mr Edward Howell
6  Mr Odell
7  Captaine Topping
8  Mr fields 100
   Isack Willman 50
9  Tho. Godsmill 100
10 George Wood 100
11 Henry Pierson
12 John Howell
13 Richard Post 100
   Tho. Sayre 50
14 Obadiah Rogers
15 William Rogers 100
   Bartho Smith 50
16 Mr Fordham
17 Captaine Topping
18 John Lams 100
   Mr Howell 50
19 Mr Gosmer 100
   John Cooper Inn 50
20 Christopher ffoster
21 Mr Rianer
22 Joseph Rainer 100
   Mr Rainer 50
23 Tho Halsey
24 Ellis Cook 100
25 Mr Richard Smith
26 Tho Hildreth 100
   Mr Hampton 50
27 Mr Fordham
28 Thomas Cooper
29 Joshua Barnes 100
   John Bishop 50
30 Mr Edward Howell
31 John White
32 Isack Willman 50
   Wm Paine 100
33 Mr Edward Iohnes
34 Mr John Gosmer
35 John Jessup 100
   Jonas Bower 50
36 Mr Josiah Stanborough
37 Mr John Gosmer
38 Richard Barret
39 Edward Howell 100
   Mr Stanborough to Pope 50
40 Jonas Wood
41 Tho Halsey

It is ordered and concluded that the 23£ lotments in Sagaponack field the first of them being No 3 butting upon the marked tree a little above the head of the little pond, the head line running from the said tree unto another marked tree near a little hollow coming out of Sagaponack pond which is neere to a parcell of reeds.
**RECORDS: TOWN OF SOUTHAMPTON.**

**PAGE 122. Seaponack Division feb 1654.**

<table>
<thead>
<tr>
<th>No.</th>
<th>Name</th>
<th>Acres</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Richard Barret</td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>Tho Sayre</td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>Mr Fordham</td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>Mr Odell</td>
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Page 123. May 30 1654 At a general Court the covenant between the town and the miller being considered and all matters concerning the same well weighed, the conclusion of the Court by major voat is that the town doe and will stand unto the said covenant between the town and the miller, namely William Ludlam, and doe resolve to prosecute the said covenant for the attaining supply of sufficient grinding according unto the said covenant, and the townes necessity or else to have their money and land unto their hands againe.

It is ordered that Thomas Halsey and Henry Pierson shall layout the land granted unto Thomas Vale to make up his fifty pound lotment, hee satisfying them for their paines.

Edward Howoll & Isaack Willman are chosen to view the fences and they are to goe about the said business on second day next and to have 2s 6d a piece per day the same to be paid out of the fines arising for defect in fencing.

June 3 1654 At a general court by the major voat it is concluded that the miller should have liberty to lower the mill, and the said miller namely William Ludlam ingageth to grind, notwithstanding the back water, soe long as the mill will goe, the Towne being at therire liberty for opening the sepose.

At the said court there being a great disorder by reason of ye departure of some of the members thereof before the adjournment or dissolution of the saide Court the major part of the Court being left, and troubled at the said disorderly carriage especially considering that the said departure was before the full consumption of what then was agitated and acted, the said major part left determine ye court shall be called, and all absent that departed as aforesaid shall pay according to former orders, and that Thomas Halsey shall pay moreover 5s for his contaminations carriage unto ye Court, at his departure.

Mr Gosmer was chosen to voat in the premises and in absence of others aforesaid and what else necessary.

Page 124. July 3 1654 At a towne meeting, A letter from ye deputy Governor to Mr Howell concerning the towne beeing read, and it beeing inserted in the said letter that instructions
shall be sent when & where our soldiers shall meet the soldiers that goe from the maine, & there yet being no instruction sent, the Towne doe ingage to beare in the general what penalty may come by reason of our soldiers not being sent at present.

It is ordered that the 3 men shall take notice of mens occasions that are prest to goe for soldiers and in their absence shall give in to the magistrates what they conceivo is fitt to be done for the absent, and whoe vpon accountt should doe, what is to be done, & when.

July 18th 1654. An action of blood shed & battery entered by Thomas Burnet against John Cooper Jr.

An action of Battery entered by Thomas Burnet against John Cooper Ir. both to be tryed next quarter Cort.

July 20 1654. An action of slander and defamation entered by Mr Henuy Eason plf against Wm Rogers defendant.

At a town meeting Aug, 21 1654 It is ordered that Tho. Cooper shall have power to call forth those that are behind hand to work at the highway & to mend the bridge & making watering for cattle, & to call forth what other help, hee shall see necessary to effect the same in yt manner which bee in his discretion and what else he shall advize which he shall think meete, the same to be gone about within 10 days here of, whoever refuseth to doe as aforesaid having warning shall pay 3s per day, and another forth with to be hired in his room

It is concluded that ye towne refer ye answer to be given to the two handes of Indians yt came vp this day concerninge their present distrc.S abovt the Naragansets, vnto Mr Howell Mr Topping & Mr Gosmer,

Page 125. Sept. 5 1654. An action entered by John Cooper Ir plf against Jonas Wood Ir. defendant concerning a bill,

An action of yo case alsoe entered by John Cooper against Jonas Wood defendant concerning 4 pounds worth of beaver due vnto the plf,

An action of trespass vp in the case entered by John Cooper
In an action entered for Jonas Wood H against Iolm Cooper Ir of tresspass upon the case for slanderous words, the Jury men to try the said actions are Mr Rainer Christopher Foster Richard Barret Iohn Issap Mr Odell Richard Post.

The Jury finde for the plaintiff in the first action entered for Iolm Cooper, damage 5s for detainment of the bill by the defendant, & Court charges, and to deliver in the said bill or else forthwith to give the plaintiff an acquittance.

In the second action the said jury finde for the plaintiff four pounds worth of beaver, as shall bee judged by 2 indifferent men worth 9s per lb as aliooe 10s damage with increase of Court charges.

In the third action entered by Iolm Cooper plaintiff, the jury finde for the plaintiff, that the defendant shall satisfe the byll due to Ioseph Garlick, with 2 pence damage and increase of Court charges.

As concernin the action wherein Jonas Wood is plaintiff upon the request of the Jury of 3 months time to bring in their verdict. It is allowed by the magistrates vnless they shall see cause to call them forth to issue it before.

Jonas Wood hath liberty upon his request to the Court of a review of the aforesaid cases & actions to be tryed within 2 months of the date hereof.

This court adjourned vntil the 14th of this instant month.

Page 126. Jonas Wood October 5th 1654 entereth his revise concerning the foresaid 3 actions the former jury sworn to try it, in the first and in the second actions, the jury finde for the defendant namely Iolm Cooper, Court charges to be payd by the plaintiff namely Jonas Wood.

The next day beeing Oct. 6th, In the action concerning Ioseph Garlick the jury finde for the plaintiff 30s damage and charges of the Court.
Concerning the action of defamation they finde for the plf namely Ionas Wood 50s damage, and acknowledgement, with Cort charges or ten pounds and no acknowledgement, with cort charges. And the acknowledgement to bee made the next towne meeting, and the acknowledgement to be that John Cooper hath done him wrong in saying that Ionas Wood lyed against knowledge and conscience, [Note] the defendant is granted an appende.

Octob. 6 1654 At the general Cort chosen for magistrates Mr John Gosmer first, Captaine Topping second, Mr Rainer third.

Henry Pierson chosen Secretary.
Ellis Cooke chosen Custable and marshall & sworn.
Thomas Sayre Joseph Rainer Edward Howell chosen for townsmen.

It is ordered that Captaine Topping Mr John Gosmer Mr Tbirston Rainer, being attended by Henry Pierson are to write a letter to the cort at Hartford by way of request concerning easing the towne in respect of rates.

Whereas Mr fields the last custable could not give a ready account of about 20s it was remitted by the Cort.

That there shall be a committee to peruse the Court papers and to regulate the Cort books, to reserve what is of use and to cashier the rest, the said committee is Captaine Topping Mr Gosmer, Mr Rainer, Thomas Halsey, Mr Odell and Henry Pierson.

Henry Pierson hath allowed him for his yeares services at the Cort 10s.

Octob 20 1654 At a towne meeting It is granted that any Inhabitant shall have liberty to digg pitt or pitts to catch wolves provided that such pitt or pitts are not digg within one mile of the towne, nor within 2 miles one of another, And provided that the owners of such pitts view them every 3 days, and maintaine their fence about them according to the wanted manner of them, The Towne doe agree that whatever damage come to Page 127. any in particular by reason of the said pitts the
same shall bee satisfied and discharge[d] by the whole towne, and for every wolfe [that] is killed by meanes of such pitt or pitts, the towne iugage to pay 30s. And those that make any such pit shall within 24 howres give public notice to the towne of the same where it is, and also it is provided that what pitts are digged as aforesaid, shall be finished within 20 days of the date hereof, and the course now settled to be continued for the terme of 3 years hereafter, except only that if any such pitt prove offensive to the towne it shall he stopped or blockt v p at the expiration of 12 months, and if the owner of the pitt hath not ere then killed 3 wolves the towne shall and will allow him or them 30s towards their charge which they have expended about it,

November the 5th 1624. At a general court, John Cooper [ill legible] entereth his revise against Ionas Wood. The jurymen to try the said revise are those within said to try the action between Mr Fordham and Thomas Halsey, and they bring in a special verdict or in effect they leave the thing as they found it.

At a Cort Ian, 3 1654 the revise still or againo called vpon 13 men warned, but the jury to try the said revise are Mr Smith Sam Cleeke Tho Weeks John Ogden Christopher Lupton John Lum Tho Hildreth. The verdict of the Jury brought in Ian 8 1654.

Wee of the Jury find for Ionas Wood 5s damage (in case hee make publick acknowledgment that hee that is John Cooper hath untruely accused Ionas Wood to lye against his conscience & knowledge,) if not, to pay to Ionas Wood 10lb sterling with increase of Cort charges which have been necessarily expended about the same.

John Cooper Apeales to the general Cort
At the general Court held January 3t 1654 It is orde[ed] that vpon every special general Court that is called to decide any matter betwene particular parties that doe appeale thereunto, the members of the said Cort shall have paid vnto them 18d a peecce for every day.

Page 128. December 22 1654. at a particular Cort, Mr Rob-
cert Fordham plf in action of trespass upon the case against Thomas Halsey Sen defendant, The Jury men to try the said action, Mr Odell Tho Sayre Mr field Richard Post John Howell Edward Howell, Christopher Foster, Wm Rogers, and Tho. Goldsmith, whose finde for the plaintiff for the trespass in taking vp the horse illegally two shillings damage with increase of Cort charges And the Jury meddle not with determining whose the horse is.

The defendant The. Halsey Sen Appeales to Hartford and is bound in the sunset of 40£ to prosecute there.

December 29 1654. Joseph Rayner entreteth an action of slander & detemnation against Ionas Wood H. 100£ damage, The action called upon Iam 3, 54 but Ionas Wood making his plea to the cort that hee was not prepared to answer to the suite, until the 15 of Aprill next, At which time the said Ionas Wood is ingaged to answer.

At a general Court Iam. 31 and feb. 1st 1654 The Appeale of John Cooper made & heard, by the Cort, and the cause considered, the first conclusion by the major voat (there being but 2 persons or voats in accompt difference,) Is this that it is found Ionas Wood had paid for the boat, the major voat being 17 persons, the other 15,

It is concluded by the major voat that John Cooper should pay noe damage.

That for costs each should pay & beare his owne charges and Cort charges to bee borne equally betweene them.

Ionas Wood Appeales to Hartford, hee the said Ionas is bound in the some of 30£ to prosecute the said appeale at a particular Customary Court in may next, John Cooper bound in like bond to answer.

It is ordered that all depositions taken before any of our magistrates at any time, shall bee entered into the Cort booke, and they to pay for the entering of them that desire them.

Page 129. At the Court held June 12 1655, Hugh Griffin is called and hee appeared not wheretoe the distress taken of his goods, ye distress being a heifer and a calf is forfeited, the which
said distress is adjudged by the Court to be a prized and then to be committed unto the hands of Christopher Foster to satisfy him for such particulars as followeth, which he declareth the said Griffin oweth unto him for wintering his cattle 30s which the plaintiff ingaged should be paid to Tho. Vale, more 25s which the plaintiff paid to Jonas Wood for wintering the said Hugh Griffin his cattle more ye plaintiff ingaged for him to John Oldfield 20s, more due from him vnto ye plaintiff upon his own account 34s 4d court charges is 5s 10d.

Whereupon the plaintiff namely Christopher Foster doth bind himself in the sum of twenty pounds upon condition that if the said Hugh Griffin or his assigns shall heretofore desire to appear to the said action that then the said distress or the full value of it shall be returned into the hands of the Court vntill the said tryall shall have passed in the case, witness my hande.

October 5 1653    Mark Meggs entereth an action of trespass vpon the case for slanderous words against John Miller.

Page 130. October 6 1655    At ye Court of Election chosen Magistrates first Mr Gosmer, Second Captaine Topping 3d Mr Ogden.

Henry Pierson chosen Secretary.

Thomas Cooper chosen for esquire and marshall.

Chosen for townsmen William Rogers, Isaac Willman and John Cooper Sen, who shall have like power which former 3 men and five men had.

It is ordered that whatever cattle or hogs come into the great or little plaines, and come to be impounded, or if any of the said creatures doe harme any manner of way in the said plaines, they that impound them shall have punishment, and they that have harme done shall have damage of the owner.
of the said creature. And hee or they that are the owners of the said cattle if they can find where the said cattle broke in, or if not yet if there bee feneeing where they that hee appointed for that purpose shall esteem they might come in, they the owners of such fence where they did come in, or where they might come, shall repay vnto the owners of such cattell what ever hee or they are constrained by any order of this court to pay for such cattell, aforesaid, And whose sooner is to receive for damage shall chuse one man and hee yt is to pay shall chuse another, to view and conclude the damage, but vpon his refusall, hee that is to receive for damage shall have liberty to chuse another, to view and conclude the damage, but vpon his refusal, hee that is to receive for damage shall have liberty to chuse two men who shall conclude what such person or persons are damnified. And the said impounding or damage shall be levied by the cunstable by way of execution and paid vnto the persons to whom it belongs, & they yt pay the said impounding or damage shall pay allsoe vnto the cunstable as for an execution.

At the said Court it was granted vnto Mrs Ellinor Howell that she should have the administration of all the goods belonging vnto Mr Edward Howell deceased.

PAGE 131. October 23, 1655 - At a town meeting John Issup chosen to bee ye man to lead out the company to the seepoose.

Whereas Thomas Halsey hath occasioned a difference betweene the towne and him concerning his two closes whereby disturbance hath arose in the towne hee the said Thomas Halsey acknowledgeth himself sorry for his fault therein and desireth of the towne their curtesy therein, whereupon the town doe consent vnto the said Thomas Halsey that hee shall have his said closes in particular to himself vpon this consideration that hee shall keepe vp his said fences in that manner that through his said ground noectcattle nor hoggs shall come at any time into the plaine, and for what feneeing stanes against his eastward close which was set vp by any other than himself hee
shall pay for the same unto the towne upon demand according as some of the said fenceing cost the towne, or hee shall sett vp soc much sufficient fenceing where the town shall appoynt him, and if the town demand of him the fenceing then they yt now are owners of ye said fence are to maintain it, And alsoe the said Tho. Halsey shall pay those men forthwith who of late were imploied to put the cattell into his inclosure.

Page 132. October 30 1655 at a particular Cort Captaine Silvester entereth an action of tresspass upon the case against Jonas Wood H of Southampton, the jury to try the sd action Christopher Froster Jonas Wood J O. Edmond Shaw Iohn Lum Ri Howell Joseph Rainer Mr Field Iohn White, Tho. Sayre, Ri Post Mr Hampton Ellis Cooke.

Autograph of Thomas Sayre.

The verdict of the jury Wee of the inry finde for the plaintiff a mare and her increase since the time of the first covenant, as allsoe 1£ 5s cost and allsoe Cort charges, the cort give judgement accordingly.

December 1st 1655. An action in the case entered by Jonas Wood H. against Joseph Rainer to be tryed at ye next quarter Cort, [note] ye plf nonsnited.

An action of tresspass entered per Ionas Wood against Tho. Cooper & Iohn Cooper Jr.

The jury to try the action of tresspass against Tho. & Iohn Cooper were [the list is not in the original.] The jury finde for the plaintiff Cort charges with the mare and her increase, ye defendant appeales to the general Cort that is to bee tomorrow [note] judgement is awarded according to the said verdict

In respect of Joseph Rainers suite the Cort doe answer vnto Ionas Wood that if hee haue occasions to remove from the towne before next quarter Cort then rather than the said Ionas shall be damuified hee shall hane a purchased Cort to cause Joseph Rainer then to answer him.
But Ionas moveing yt hee is shortly to remove the Cortgrant to him yt if he please hee shall haue a Cort 6 weeks hence.

Page 133. At a general Cort January 25 1655. To prevent abuse by drinking liquors. It is ordered that noe liquor whatsoever that is distilled shall bee sold within the limits of this towne by any but byonr neighbor Iohn Cooper who shall have liberty to sell it to all people as necessity or [word gone] in his judgement requires, whomc this courtdoe trust that the boundes of moderation & sobriety bee not exceeded by any in his presence, or at his house. And that hee will carefully observe the quantities hee doth sell to any out of his house, yt so hee may prevent this great disorder at present in respect of the Indians their having liquors and abuseing themselves there with, and that to his best skill or understanding hee may prevent any from buying liquors of his that will or may sell to the Indians, And as for himselfe hee will willingly depose that directly or indirectly he will not sell or put to be sold, any such said liquors vnto any Indian or Indians. Alseoe it is ordered that if any doe bring in such liquors within the bounds of this towne and sell them to any but vnto him the said Iohn Cooper, or put them a shore excepting only cases of necessity such said liquors shall be forfeit, one half to him yt seizeth them and the other half to the towne. Alseoe it is concluded, that hee ye said Iohn Cooper shall not exceed the quantity of nine ankers* by the yeare to sell to the Inhabitants, or at the towne, and the price thereof to be reasonable.

And the north sea men findeing a man that shall ingage as the said Iohn Cooper doth, they shall haue ye allowance alsoe of three ankers by the yeare and not to exceed. And it any defect hee in this aforesaid order so that it reach not the end the magistrates have power to supply any deficiency herein according to their discretion.

Page 134. At the aforesaid General Cort, Jan. 25, 1655. It is ordered that noe Inhabitant within the boundes of this towne shall sell his house and land or any part thereof vnto any per-

* About ninety gallons.
son yt is a forrainer, at any time hence forward except the person bee such as the town do like of.

March 1, 1655. Joseph Rainer entereth an action of trespass upon the case against Jonas Wood H. to bee tryed next quarter Cort, ye damage 19£ 19s the defendant answers to ye action.

March 4 1655 Jonas Wood H. entereth an action of trespass upon the case against Joseph Rainer, the defendant answers to the action.

March 4 1655 Tho. Sayre Edward Johes, Alexander field, Wm. Rogers, Jonas Bower jury men doe give in our verdict as followeth, first that wee finde for Jonas Wood plf against Joseph Rainer defendant to pay as ye Arbitrators did award with Cort charges. 2nd we finde for Jonas Wood defendant against pc aforesaid Joseph Rainer with Cort charges.

Joseph Rainer appeales to the general Cort which is to be to morrow, being March 5 1655.

March 5 1655 at the general Cort, The major voat was not to take Ioseph Rainer his appeale into their cognisance.

Know all men that Ich John Cooper Iun of the townne of Southampton doe hereby binde myself in the some of thirty pounds to appeare by myself or my attorney at the General Cort at Hartford which is to be the first thirsday in October next, then and there to make answer vnto the complaint of Jonas Wood H.

Witness my hand this 27th day of September 1656.

JOHN COOPER, JUN.

Know all men that I Joseph Rainer of this townne of Southampton, doe hereby binde myself in the some of twenty pounds to appeare by myself or my attorney at the general Cort att Hartford, which is to bee the first nay in October next and there to make answer vnto the complaint of Jonas Wood H.

Witness my hand this 17 day of September 1656.

JOSEPH RAINER.

It is ordered by the general Court that Richard Smith for his un Reverend curiage towards the magistrates contrary to the
order was adindged to bee bannished out of the towne and hee
is to have a weekes liberty to prepare himself to depart, and if
at any time hee bee found after this limited week within the
towne or the bounds thereof hee shall forfeit twenty shillings.

It is ordered by the general court that Richard Smith for his
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December 3d 1656. And action of of trespass upon the ease
entered by John Cooper Jun plaintiff, against Samuel Dayton
defendant.

Page 136. December the 2 1656. An action of trespass en-
tered by Mr John Gosner against John Cooper Junior.

As alsoe an action for equity to be tried upon the 9th day
of this present month being the 3 day of the weeke against John
Cooper Junior defendant. The Court is adiorned until the
6th day of January being the 3d day of the weeke commonly
called Tursday, 1656.

At a court this 6 January 1656 An action of trespass upon
the ease entered by Henry Pierson plaintiff against Richard
Smith defendant, the jury men impanelled to try the case above
mentioned are as followeth Richard Barret Christo fforster
Thomas Syre John Issup Richard Post Edward Howell Thom-
as Halsey, the verdict of the jury and they finde for the plain-
tif 2s charge with increase of Court charges and to have his
writings of Mr Smith forthwith. The Court gives judgment
according to the verdict.

March the 3 1656. the Court is adiorned until the 3d day
of this present month.

March 17 1656. Tho Halsey Sen, entereth an action of
trespass against Tho. Cooper as a townes man of Southampton
in regard of the said Tho. Cooper his taking yo goods of him
the said Thomas Halsey upon a rate (not just) as hee concer-
teth, and aliose for a debt of 15s the towne oweth him whereof
he hath received part.
An action of trespass entered by Tho Halsey against Thomas Cooper. In the first action the jury finde for the defendant, in the second action the jury finde for the plaintiff 6d damage and Court charges. Concerning the first action the plf appeals to Hartford.

PAGE 137. June 19 1657. At a town meeting when most of the inhabitants were together at the meeting house there came vp an Indian whom the sachem had appointed chief among our Indians with his squa, and being asked by the English how farr Shinecock Indians bounds went when the english bought the land of them hee and his squa answered that it went to george cake or wainscot at the least, or there abouts. In the presence of us

John Howell
Richard Howell
Obadiah Rogers

Joseph Rainer
Samuel Clark
Witnesses.

At a court held for the town of Southampton there were chosen five men to lay out the most convenient wayses to the land that formerly was Thomas Halseys and Mr Smiths, and also to view and proportion the fence according to the land there allotted viz at [word gone] the said five men are Thomas Halsey Christopher Foster, Henry Pierson Joseph Raynor Tho, Sayre. The ways layed out to be for perpetnity, and the fence to be proportioned according to the [word gone] of former lyers owt namely each lot to fence alike.

The verdict of the maior part of the jury is they finde the horse in controversy to bee a stray belonging to the towne, the jury [word gone] of finding a right owner for it.

PAGE 138. May 20 1657. At a town meeting it was concluded that there shall bee chosen 4 Indians who shall have liberty to [word gone] bread or corne or any thing that is provision at the [word gone] for this present yeare, the names of the Indians who are at this time chosen for the busines are first Wapeacom, powcowwanflick, Suretrust, and the Indian called James, and none else shall have liberty to come vp to the towne, upon any occasion, and if any person of the English
shall trade any thing at the town with any except the above mentioned they shall pay for every shilling that is proved, ten shillings to bee taken by way of executions forthwith,*

It was concluded and voted by the inhabitants that the old way of rateing viz by land should stand.

September 1657 an action of trespas upon the case entered by Thomas Topping plaintiff against Josiah Stanborough defendant for detaining [word gone] landes [words illegible] ways to go to it at Sagaponack, to the prejudice and damage of the plaintiff. Josiah will answer ye plaintiffs.

Page 139. March 17 1656. At a quarter Court Jonas Wood being called forth & examined the judgment of the Court is that hee shall pay vnto the towne 5s for his miscarriage in goeing into a house where was bnt an alone woman & her small children at unseasonable time of night vnto the said woman her a frightenement, as was apparent vnto the said Court.

June the 2 1657 an action of debt and an damage entered by Vinsent Meggs of Northampton plaintiff against Phileman Dickerson of South old defendant The jurymen impanilled to try the case

Christopher Nestor Henry Pierson
John lessup John Ogden
Joshua Barnes Richard Howell
Edward Howell

Vinsent Meggs not appearing to his actions nor any legally for him is non suited and ordered to pay the charges of the Court and the defendant Samuel Clark appearing according to his bond the bond is ordered to be cancelled

The Court is adiourned until the next quarter Court.

Page: 140. June 2 1657. At a towne meeting it was voted and agreed by the major that eight cow kind shall goo for a fifty pound lot, and 6 sheepe against a cow and one horse or mare against a cow, and these only to goo upon the commons.

*The reason of this enactment, and of the order made against trusting Indians on page 94, (in original) was probably to prevent disputes arising which might be made an excusa for an attack upon the town.

W. S. P.

† North Sea.
as mens just stint, this is intended alsoe for goats, viz 6 goats against a cow.

At the same meeting it was voted and concluded that this stint shall begin at this present instant for this present yeare.

It is generally concluded that every person or persons that hace cattle aboue their stint shall pay for every head as aforesaid 1s 6d pr head for this present year into the town untill march next ensuing.

It is agreed by the major part of the towne that every inhaobilant of this towne shall give in a just tale of all cattle they had in the winter and horse kind that belongs to then to. Thomas Hallsey Edward Howell and Joseph Raynor, who are deputed by the towne to see there be an exact account given, and if any man shall give in short of his number if any party or parties shall finde them the owners of such cattle shall pay 20s per head, half to them that finde them and the other half to the towne and this penalty to be levied vpon the goods and cattle of such men by way of such executions and this acount to be given within 3 days after the date hereof, further it is voted and concluded that if any man shall neglecte to give in this just account of cattle as aforesaid into the said three men shall pay 20s [3 lines gone.]

Page 141. Southampton March 9, 58. At a towne meeting Mr Josiah Stambrow brought in his grievance about a small tract of land containing about 12 acres in liev of 4 acres which was taken from him. by the towne, by reason of a controversy that did arise between Southampton and East Hampton concerning their bounds, and vpon mutual agreement this sayd land fell out to fall in East hampton bounds, and so by that means the sayd Mr Stambrow come to bee disposed of the sayd land, the town being desirous to make him satisfaction tendered him pay 20s more than hee payed for this land, or else to give him twelve acres of plaine land a mile neearer his dwelling than the aforesaid land, but the sayd Mr Stambrow would
not accept of the townes proposition but propounded for his satisfaction for the above mentioned laud, the above mentioned 12 acres and 14 acres of wood land lying neare his house with out which hee would not be satisfied.

The reason why it was layed out 24 acres was because it was farr remote and bad to fence, and the 12 acres the towne tendered him for satisfaction was acording to the quantity of other allotments then laid out.

March 9, 58. It was concluded by the maior part at a towne meeting that Christopher foster, and Iohn Howell shall view the feneeing belonging to the plaines that it bee sufficient.

Page 142. September 1, 1657. an action of the case entered by Josiah Stambrow plaintiff against Thomas Topping defendant.

At a quarter Court December 1st 1657 The jury impanelled to try the case betweene Mr Thomas Topping and Josiah Stambrow defendant,

Richard Barret      Joshua Barnes
John Iessup         Tho Sayre
Isack Willman       Iohn Ogden
Obadiah Rogers      Iohn lagger
Ionas Bower

The jury impanelled finde for the defendant, judgement is granted by the magistrate acording to the verdict of the jury.

Whereas there hath been some controversy betweene Mr Thomas Topping and Josiah Stanboro about a parcel or parcells of land at Sagaponack, viz Number 9 and half number 13, bounded by the creek north ward, being clearly to bee the sayd Thomas Toppings by lawfull purchase, and by verdict of the jury holden at the time above specified, and alsoe declared by an acquittance given by the said Josiah Stanboro to the said Thomas Topping which standeth upon record in this booke.

Per me Iohn Howell Sect.

Page 143. Jan. 5 1657. at a towne meeting it is voted and concluded by the maior part of the inhabitants that 7 men were chosen viz Christopher fostor Samuel Clark Iohn Scot Henry
Pierson, John Jessup and John Howell and Edward Howell, to bee with two of the townes men viz John White and Joshua Barnes, who being met together are impowered and enioined to settle and establish the way of making all rates for this town and to make a rate at present to defray the townes charges, and whatever the maior part of the said 9 men conclude of shall stand authentick.

At the same meeting it was voted and concluded by ye maior part that the numbers and ages of the cattle shall bee brought in, the north end of the Towne to Henry Pierson, the south end to John Howell, and the Northsea to Samnel Clark, or John Scot, within one week after the date hereof, viz all such cattle that are to pay in rates, and whosoever shall not bring in his inst sum in the time specified they shall pay according to the determinations of the abone sayd nine men that are to make the rate.

Alsoe it was voted that whosoever shall bring in short of his number shall forfeit twenty shillings.

March 6 1657 At a towne meeting it was voted and concluded by the maior, that there should be 6 men chosen. namely Mr Ogden Joshua Barnes Tho Sayre Samuell Clark Christopher Roster and John Howell which were deputed and impower'd to act and conclude concerning a difference that both arise concerning a claime of land which East Hampton men make within our bounds.

Page 144. At the same meeting it was concluded that Joseph Pierson and Richard Howell are to receave the hundred pounds for the townes use of the Indians.

March 6 1657 At a towne meeting it was voted and coneluded that two men shall bee chosen for the towne viz Thomas Sayre and Isaack Willman. which weare at the same time appointed to see that all conflicts that are to bee marked shall suck the mare* before they bee marked: and in case that both these men bee absent then the magistrate or secretary shall chuse 2 men to supply their place for that purpose, but if there be but

* To prevent all mistakes as to ownership.
one of them [word illegible] hee that is then present shall have
liberty to choose another to him, also it is ordered that Samuel
Clarke and Samuel Barker for the north sea shall see as afore-
said if any bee brought thither, but the sayd parties shall send
up the markes and give them in to be recorded by the secreta-
ry and the parties so taking notis of such coults marked shall
have 8d per head and the Secretary 4d for recording.

At the same meeting it was voted and concluded by the major
part that Mrs Howell shall have 20s allowed her for the present
supply in consideration of her loss until that they can see how
things will arise, and further as according the towne sees cause
and Edward Howell with the assistance of one of the towns
men to tell it out."

At the same meeting it was voted and concluded by all the
inhabitants that wee there present that major Mason shall have
10£ given him as a gratuity.†

An action of the case entered by John Scot plaintiff against
Ellis Cook defendant March 11, 157

Page 145. March the 6, 1657 At a towne meeting there
was voted and chosen 2 men that should goe oner to the gen-
eral Court at Hartford.

Sept 22 1658 The court of Magistrates doe sentence Mr
Stanboro to pay into the court for his wives abusing the officer
and the two men that did assist him 0£, 15s, 0d.

Page 146. May 5 1658 At a town meeting it was voted and
concluded by the major part that all the money that is now in
the constables hands shall be sent over by Mr Ogden to dis-
charge the towne debts, and also to act there in the towns be-
half in any thing bee conceaves may redownd to the good of
the towne.

At the same meeting it was granted that Richard Howell
should have one acre of land in the ten acres, ye 3d lot in lieu
of the meadow that belongs to Bartho. Smith.

* Mrs. Howell was one of those whose houses were burned by the Indians in 1657. See
Howell's History of Southampton. Page 165.

† Major Mason was in command of the soldiers sent from Connecticut to protect the town at
that time.
further at the same time it was granted to Thomas Cooper that hee should have 3 acres 3 roodcs at the rearre of his home lot only leaving a highway betwixt.

further it was granted that John Iagger and Jonas Bower shall have the gore piece of marsh lieing at the side of John Iaggers lot by the beach.

June 22 1658 At a court it was determined with the consent of avis the wife of Mark Meggs that the estate that is attached shall be sold at an entry and committed into the custody of Mr Ogden and Samel Clarke to answer those that have attached it, which is all except only his household stuff which is allowed her by the Court.
The bay mare sould for 7£, 1s, 0d.
Mr Ogden the 4 shotes (?) 2, 4, 0.
Mr Ogden two yearling bulls and a calf 5, 10, 0.
John Scot the half of a 3 year old 6, 0, 0.
and half of a two year old
Mr Ogden two ewes and 2 lambs 5, 16, 0.
and half of a calf
John Scot the house and lott 43, 10, 0.

Page 147. May the 5 1658. At a town meeting it was voated and concluded that John Cooper shall keape ordinary for this present yeare for victual and liquor and shall have liberty to draw liquors provided hee sell upon the same order that the ordinary of the northsea is bonn., his victuals and lodging is only for strangers except it bee for town dwellers upon court days and training days.

May the last 1658 the quarter court which was to be the first Tewesday in Inne is adjourned till the eighth day of Inne next.

June 22 1658 A record of the debts of Mark Meggs which amounts to the some of 77£, 08s, 11d.
The verdict of the cort is that they find for the plaintiff (they find costs and charges) the heifer and 3s, and concerning the hoggs they are proved to be fellowiously taken, but not yet
clearly proved whose they were also with increase of court charges. 2£, 0s, 0d.

Sept 22 1658 Be it knowne unto all men by these presents that whereas there hath beene difference betwixt Mr Stanboro and Iohn Scot and his partners viz. Joseph Rayner and Richard Howell, now they have mutually concluded jointly and severally to put all differences from the beginning of the world to this day, for any cause or reason what soever to the determination and full conclusion of two men namely Thomas Thomson, and Iohn Jessup, and do hereby engage themselves into the hands of the magistrates to stand to award.

Per me JOHN HOWELL Sect.

Page 148. Septem, 7, 58 The court is adjourned untill the 3d Tewsdlay of this instant month, the quarter court,

Sept 10 | 58 An action of tresspass vpon the case entered by Iohn Scot plaintit against Mr Josiah Stanboro defendant.

An action of slander entered by Iohn Scott plaintiff against Thomas Diament defendant.

An action of trespass vpon the case for Slanderous words entered by Steeven hand against Iohn Woolly defendant.

A jury impanell to try the above mentioned actions, Christopher Foster Thomas Halsey Iun. Iohn Jessup Joshua Barnes Iohn Iagger Thomas Sayre Joseph Raynor Iohn Topping Richard Howell.

The jury finde for the plaintit Steeven Hand 3£ with increase of court charges. Ieremie Vale becomes engaged acording to the verdict of the jury to Satisfie.

At a court holden June 22, 58 It was then ordered that the estate of mark Meggs that was then sold at an outcry should bee committed into the hands of Mr Iohn Ogden and Samuel Clark for the payment of meggs debt, but nothing hath been done acording to that order untill this day, therefore the court now sees cause that execution should bee done vpon the estate according to the former order, (viz those that bought it at an outcry and have not payed it,) The court being occasioned by Iohn Scot not paying acording to former order made by the court, it is determined by the court that hee shall pay into
the handes of the Marshall 2£ for contempt of the court order, and this court charge.

Page 149. Sept 21, 1658 At the quarter court it is concluded that two men should be chosen, one from this towne, and another from East-Hampton, the party from East Hampton to bee chosen by Mr Stanboro to goe to Sagapamouch to prize of the goods and catrel of Mr Stanboro, to the value of an hundred and thirty pounds, for and in the behalf of the children of the late deceased Thomas Wheeler and the said hundred and thirty pound to bee standing security for the childrens portions and this to be performed this day month.

Page 150. [This page blank in original book.]


An action of tresspass upon the case entered by Richard Post against Thomas Pope defendant.

The jury find for John Cooper plaintiff the horse and court charges with all damages, the court granted judgement according to this verdict.

The defendant viz Samuel Dayton appeales to the court at Hartford.

Sept 22 1658 Bee it known unto all men by these presents yt I Samuel Dayton of the north sea, and Thomas Barker of East Hampton and Robert Dayton of the same, doe by these presents engage our selves mutually in the sum of thirty pounds for to prosecute the appeale with effect the next quarter Court at Hartford.

Per me JOHN HOWELL Sec.

Bee it known unto all men by these presents that I John Cooper Jun. of Southampton do by these presents bind myself with my father John Cooper Sen in the sum of thirty pounds to answer Samuel Dayton according to his recognisance in his appeale to the quarter court at Hartford.

Per me JOHN HOWELL Sec.

[Signature]

Autograph of John Cooper, Sen., 1649.
Per me JOHN HOWELL Sec.
June 8. 59 an account taken of the goods that were taken from the Dutchman 12£ 10s. and an acre of liquors.

The men viz Joseph Raynor and Samuel Dayton and John Woodruff doe acknowledge that they proceeded to take the vessel without any comission or power from any, only from information as they say the Dutchman would prohibited goods.

June 8. 59 bee it knowne unto all men that wee Joseph Rayner Samuel Dayton and John Wendall, doe acknowledge ourselves to bee indebted to the authority of this town the sum of thirty pounds sterling. under this condition that wee doe personally appeare at the next court to be holden for Southampton which is adjourned until the 24 day of this present month, then and there to answer to such matters, as shall be brought in against us, Joseph Raynor and Samuel Dayton and John Wendall subscribed to these recognisances.

Page 152. Sept 22, 1658. At a quarterecourt the will of the late deceased Ralf Dayton was brought into the Court and approved of by the magistrates, and the 10£ that Robert Dayton owed to his father bee hath put it into the estate.

It is ordered by this court that Mary Cleare shall live no longer wandering to and fro from house to house, but that she shall live againe in a place except she change her condition by marriage.

At a Court June ye 21, 1655 The Court having considered and weighed the miscarriage of the men who were bound over to this court, viz. Joseph Raynor Samuel Dayton and their associates viz. Thomas Diament, John Wendal Edmond Shaw they finde them deeply guiltie in the matter of acting in or about taking the vessel. in several particulars. first for content of authority, manifest breach of the peace in many mutinous expressions, whereby some were afeard, and many grieved, at such vile expressions, and actions, for which miscarriages and others the court doth sentence them to pay 20s peace, viz Edmond Shaw Joseph Rayner and Thomas Diament, the other two viz Samuel Dayton and John Wendal 50s apiece for their presumption proceedings 2 times after they had covenanted and engaged
to the contrary, making further molestation and disturbance in
the place, further the court sees just cause to fine Samuel Day-
ton 50s for aspersing the town with an unjust accusation in
saying, what should we yield for to have a triall in this town
that never did good.

Page 153. December 9, 58 At a town meeting Thomas
Sayre was chosen to be overseer for mending the bridge.

At the same meeting it was granted to John Topping that
hee shall have six acres adjoining to the east end of his fathers
field.

At the same meeting it was granted unto John Scott that hee
should have 3 acres for a house lot and 5 acres changed that lies
at the reare of Mr Raynors lot to bee added to this 3 acres
which lies next John laggers adjoining to it. Allso hee engages
to build and live vpon that land 3 years or else it returns to
the town again.

Jan 10, 58 It is ordered by this town that whosoever shall
specke disorderly in the time of the meeting, or if any shall in-
terrupt another whilst hee is speeking for every such default
shall pay 6d.

May 24, 1659 An action of debt entered by Thomas Foster
plaintif against Richard Howell defendant.

An action of trespass vpon the case entered by Edward How-
ell plaintiff against Thomas Diament defendant.

The jury impannelled to try the above sayd actions Richard
Barret Richard Post Joseph Rayner Obadiah Rogers Jonas
Bower Johnagger.

Page 154. December 15, 58 at a court Tho Diament was
censured for these miscariages following first for saying the
magistrate viz Mr Gosner had gone beyond his power, 2 for
saying the constable had done that hee could not doe, and did
that hee could not justify, 3 that he would have resisted those
that were commanded by the constable to lay hold on his wife
to the spending of his blood, 5 for calling Joseph Rayner and
John Scott dogg and hound.

The sentence of the court concindeth that Thomas Diament
shall make a publick acknowledgement of his evil in the premises and he be bound to his good behaviour until the next quarter court and so forwards until there be a reformation.

I Thomas Diament of Southampton do acknowledge my self to be indebted unto the authority of this towne in the some of 10£ sterling under this condition, that I Tho Diament and mary my wife shall and will appear at the next quarter court then and there to answer unto all such matters that may be objected against them, and in the mean time to bee of good behaviour towards all lawful people.

At a court March 1, 1658 I Thomas Diament of Southampt

ton doe acknowledge myself to bee indebted unto the authority of this towne in the sure of 10£ sterling to bee leaved of my goods and chattles lands and tenants under this condition, that I Thomas Diament and mary my wife shall and will appear at the next court then and there to answer unto all such matters that shall be objected against us, and in the mean time to bee of good behaviour towards all lawfull people.

At the same court Edmond Shaw was censured by the magistrates [words gone] for his miscarriage in drinking.

Page 155. At a quarter court March 1, 1658 It is ordered by the court that the estate of Mark Meggs shall bee forthwith delivered into the handes of Mr Ogden and Samuel Clark, and they are to make payment of all such debts that can be proved due from Mark Meggs, and they are to make proclamation that all claiming any debts shall make their debts appeare at or before the 20th day of this present instant March.

At a quarter court September 6 1659. An action of trespass upon the case entered by Richard Post plaitif against Thomas Sayre defendant.

An action of trespass upon the case entered by Henry Pier

son plaitif against Thomas Pope defendant. The jury impan-nielled to try the above said actions Richard Barrit John Issup Edward Howell Iashua Barnes. Mr Hampton, Ioas Bower, the jury find for the plaitif viz Henry Pierson the bond and increase of cort charges.
The jury find for the plaintiff viz Richard Post, the meadow which was Mr Gosmers and all just damage with increase of court charges.

The court granteth judgement according to the verdict for the plaintiff, Henry Pierson.

Page 156. December 9, 58

1 The first thing that I shall propose to you whether wee shall have liberty to bring the whales that we strike ashore or your land, and make them out into oyle without molestation.

2 Whether you will grant the dead whales that shall come ashore within your limits that have our marks by lance or harping iron upon them wee not meddling with such as come ashore without these marks.

3 That you shall suffer no others besides your town and our company to [word gone] up the design within your limits for seaven years, and that wee may have these proposition granted us for seven years.

4 That wee may have the use of any harbor within your lim- its, and liberty to cutt wood to try out such fish or fishes that shall be by us taken.

These propositions being granted and concluded, and concluded, and confirmed by your hands, wee intend to sett upon the designe the next spring.

These proportions are granted by the towne with these limitations following,

Imprimis that after the three years be expired that the company are engaged to the merchants that then they shall not any further agree with the merchants nor any others without the townes consent concerning this designe.

2 That the dead whales that shall come ashore or that they shall find at sea, that have not their marks shall be none of theirs.*

Page 157. At a quarter court there was allowed unto 3 men

* As there are no names of the contracting parties given in these propositions, it is unknown what company is alluded to, but as Mr. John Ogden is mentioned in 1661 as being the head of a whaling company with similar privileges he was probably its leader. W. S. P.
viz Joseph Rainer John Scot and Richard Howell for 3 days works each of them 1s, 6d per day.

March 11, 59 Whereas I John Cooper of Southampton on Long Island hath defamed and slandered Jonas Wood II. of Huntington in charging of him of forging of writings and bringing in false testimonies or witnesses, these are to certify my sorrow for the same and also that I have wronged him in so saying and doe ingage myself by this my acknowledgement to bee delivered at Hartford or Southampton betweene this and the last of lune next following the date hereof, and herunto I bind myself in the some of two hundred pounds to be payed unto Jonas Wood in case of failing hereof witness my hand.

JOHN COOPER.

PAGE 158. October the 6, 1657 At a court of Election, nominated for magistrates, Imprimus Mr John Gosmer, 2 Mr John Ogden 3 Mr Kaynor.

At the court of Election it was voted and concluded by the major part that Richard Post and John Howell should stand officers according as they were chosen by the soldiery.

At the same time it was voted and concluded by the major part of the freemen that Mr Gosmer and John Jessup and Joshua Barnes, to consider the complaint of Thomas Halsey and to at their best endeavor to right him.

At the same court Thomas Halsey and John White Joshua Barnes, were chosen townes men to order the ataires of the town for this ensuing year, and to have the same power the three men had the present yeare.

PAGE 159. June 2, 1657 At a town meeting it was voted and concluded by the major part that all unlawful cattle or horses (that shall bee adjudged to) by Edward Howell and John Ogden shall be turned out of the ox pasture, and also the above said men shall have power to judge of the fence of the ox pasture whether it bee sufficient, and whosoeuer is found defective in their fence shall make the same sufficient by this day serit*
they having notice by the third day next at night, upon forfeiture of 5s a pole for every neglect, and if also any such cattle shall be found in the up pasture after they have been turned out by the said two men they shall forfeit 2s a beast to be levied by way of execution.

Feb 26, 1657 An action of trespass upon the case entered by Henry Pierson plaintiff, against Richard Howell defendant.

An action upon the case entered by John Scott plaintiff against Ellis Cook defendant.

Iury impanelled to try above written actions, Christopher Frost Thomas Sayre John Jessup, Jonas Bower Joshua Barnes John lagger.

The jury findeth for the plaintiff, the defendants part of the mare making such pay as [word gone] should have had, we find for the defendant to pay Court charges and 2s damage judgement is granted according to the verdict of the jury.

Page 160. Octob 6 1657 At a court of election it was voted and concluded by the major that Mr John Ogden Mr Gosmer Henry Pierson Isaac Willman, should take it into consideration and conclude concerning the inventory of the estate of the late deceased Thomas Hildreth, to set down and apoint what shall be to the woman, and how much to the children.

Jan. 5 1657, at a towne meeting it was voted and concluded by the major part of the inhabitants that John Jessup and Thomas Halsey are appointed to view the fenceing about the great and little plaine, and what they shall finde to bee sufficient shall bee accounted sufficient and what defective shall bee accounted so, these men are chosen for this present yeare and to goe at the apointment of the three men.

At the same time it was also voted and concluded that every inhabitant of this towne that hath fenceing in or about the great and little plaines and expasture, shall at both ends of his fence put his railes in his owne posts, and this to be done this present month, within sayd month.

At the same meeting it was voted and concluded by the major that hee that keeps an ordinary at Southampton or north-
Southampton shall sell his drink viz liquors at 3s a quart which is not drunk in his house and that no other party or parties shall sell any drink or liquor either directly or indirectly to any in the bounds of Southampton but only to the ordinary man or men, upon the penalty of 10s a quart, one half to him that discovers it, and the other half to the town.

Page 161. These Presents doe witness that Robert Mervin doth acknowledge to have received in full payment for his house and land with the privileges thereof in Southampton, of Samuel Dayton in whose possession the said house and land is in at present, And that there is a full and final end of all debts, dues and demands whatsoever for any cause what soever, from first to this present date, that hath or might have been from either of the said parties to the other, and they doe hereby free each other from all dues or demands what soever that may bee made by any in the name of either the said parties unto the other.

Witness their hands the seconday of June 1654.

In presence of

Ralph Dayton

Henry Pierson Sec.

March 9, 58 At a towne meeting the complaints of the miller were weighed and considered, and it was concluded by the major that bee the sayd William Ldollam had no right to any privilege but only to pay as a fifty in consideration to his forty acres of land, and 4 acres of meadow, and his mill

At the same meeting it was ordered that the fence between the Indians and us shall be sufficiently sett up against hoggis and all other cattle, by the 15th day of Aprill next ensuing upon penalty of 12d a pole for every day that it shall bee found defective, the overseers of this fence are the three men.

At the same meeting it was concluded that all tences about the plaines shall bee made sufficient by the 17 day of this present month upon penalty of 12d per pole, and if hoggis doe any damage they that are the owners of such hoggis shall pay the damage.

Page 162. March 7 1651. Mr Richard Mills of this towne
hath sold and delivered unto John Cooper Inn of the same the home lot, with all and every other allotment and proportions of lots upland and meadow ground belonging unto the said Mr Richard Mills. The said allotment in all being of the denomination of an hundred pound lott, all the said parts of the said lottment lying and being in the same form, acording as they fell by lott to him the said Mr Mills, without alteration or alienation, except his proportions of late laid out on the little plaine, insted of which land hee doth assure unto the said John Cooper No 10 in the second division and the arxend allowed to Ionas Wood lying betwecne Mr Fordham on the South side, Tho Sayre on the north.

Witness my hand

Witness Henry Pierson Sec. RICHARD MILLS.

May 15, 1652 William Barnes of this towne, hath sold unto Mr James Hampton of Salem the said Wm his house and lott* with all the apurtances thereto of right belongeing, or may thereto of right belong, from town &c., for which he hath in hand now received 5s as earnest of this said present bargain, and as in part of payment for the said purchase, and hee is to have thirteen pounds fifteen shillings more paid unto him or his assigns by the said Mr Hampton or his assigns in lawfull money, or English commodities at a reasonable rate, at about the latter end of October next when he the said Mr Hampton comes to take possesion of the said purchase. Alsoe in consideration of the said some to him paid as aforesaid hee the said Mr Hampton is to have 2 acres of wheatt on the ground as his proper goods, which wheatt is on soe much of ye ground belonging to the said lott, and the said wheatt Mr Hampton is to own at harvest without molestation, by the Said William or any trom or by him.

In witnes the said parties have hereto set their hands

* This is the three acre lot belonging to Albert Post, and south of the homestead of William S. Pelletteau.

James Hampton, William \\
Barnes.

Page 163. 5d of May 1651 Richard Post and Thomas Pope exchanged and agreed upon their deviding their lotts by the
little plaine, in manner following, Thomas Pope is to have the first half acre in the first dividence numb 40, which is for his 50 share, all proper his owne; Richard Post hath for his hundred pound numb. 32 in the second dividence, numb. 14, in the third dividence all proper his owne.

Thomas Hildreth & George Wood exchanged and agreed dividing upon theird lots in the little plain in manner following, George Wood hath the halfe acre in the first dividence numb. 3, which is for his 50£ share all proper his owne.

Thomas Hildreth hath ye second dividence numb 13, and the 3d dividence Numb 33 all proper his owne.

An exchange of land betweene Mr Josiah Stanborough, and Thomas Halsey February the 25th 1657, as followeth, the said Mr Stanborough is to have two acres of land belonging unto the said The. Halsey lying on that pt. of the plaine comonly called Halseys neck and the said two acres to be of the south side of his land and next to Richard Barrett his land there, And in exchange as aforesaid, the said Tho. Halsey is to have all and every the three divisions of land lying and beeing in the little plaine (oflate laid out) which belongeth unto the said Mr Stanborough, and this the firme agreement of the said parties the day above said, they having the said day given full possession each to other of the said proportions of land.

In presence of

Hen Pierson

THOMAS HALSEY

IOSIAH STANBOROUGH.

October 6, 1659 Edward Howell exchangeth and imparteth to Iohn Woodruff ½ acres of land & ¼ lying in ye plaine, by ye side of ye pond at ye west of the home lots, and Iohn Woodruff imparteth & exchangeth unto him ye said Edward Howell 2 acres ½ of land on ye Captains neck lying next to his owne land, and allsoe his meadow by ye long tongue in Shinecock neck.

Page 164 November 15, 1652 Mr Josiah Stanborough exchangeth with Thomas Pope, and passeth over vnto him the home lott of two acres (less or more) which hee the said Thomas Pope
now dwells on. In consideration of the 3 acres given, and
granted by this town October the 6th last past unto the said
Thomas Pope, which 3 acres lying next unto the said Mr Stan-
borough's his home lot, the said Thomas doth exchange with
and passeth over in lyke manner afore said unto the said Mr
Stanborough.

Witness

Henry Pierson (signature)

[Autograph of Henry Pierson.]

Received of Thomas Topping fifty and five shillings this
tenth of June 1657 and is the full and just sum that was owed
to me by his father, for any cause or reason whatsoever to the
day of the date hereof

per me IOSIAH STANBOROUGH

A true copy by mee John Howell.

feb 12 1657. John Ouldfield acknowledgeth that hee hath
exchanged a 5£ allotment at Sagaponack with Mr Stanborough
for two halfe acres in the little plaine.

Jan, 10 1658 at a towne meeting it was granted by the
towne that Mr Raynor and John Issup shall have 6 acres
granted them ye it bee to be bad in the ten acre lotts,† instead
of the meadow which was digged vp for the west sepouse.

At the same meeting it was granted to Daniel Sayre that
hee should have 3 acres for a home lot beyondef John Bishops,
and the five acres of his fathers exchangeed to lay to it.‡

At the same meeting it was granted to Goodman Barret,
heshould have his 2 acres come down to the pond side, lyke-
wise Joseph Raynors that lies in the same furlong to come to
the pond side.

* "Thomas Pope's home lot" lies between the house of Alber J. Post and the house late
owned by John Rogers deceased.

† The "ten acre allotment" or the "ten acre furlong," as it was sometimes called, is the tract of
land lying both of Captain's neck lane, and west of the homestead of Augustus Reeve. W. S. P.
‡ Daniel Sayre's home lot is the one now owned by Mrs. Fithian, north of Caleb Halley's
homestead.
Page 165. At the same meeting it was granted to William Ludlam yt hee should have 13 acres of his fathers 40 that lies on the other side of the mill, to ly on this side of the mill, providing upon viewing it prove unprejudicial unto the townne, further it was granted to John Ogden that hee should have that part of the swamp that lies against his lot in Coopers lott.

October 6 1659. At a court it was granted to William Ludlam to have 4 acres lying on that side the mill to set his house upon, and this land to be layed out at the discretion of two men appointed by the townne.

March the 21 1658. Thomas Diament acknowledgeth that hee hath bought of Isaak Willman 30 acres of ground in the Captains neck, which was formerly Mr Richard Smiths in ye ten acre lots and there is belonging to the sayd ground, five poles offenceing at the corner next Tho. Coopers.

October 8, 1659 Richard Baret Joh Howell & Tho. Halsey chosen townsmen.

Page 166. Alienations and exchanges of Land.

Jan. 6 1653 Thomas Burnet purchasethe and possessthe of and from Mr John Gosmer his 5 acres of land lying in the ten acre lott furloque, within the ox pasture fence, as appears by an Indenture recored in this hooke.

February 10, 1653 Thomas Burnet vpon exchange imparteth unto George Wood his portions already laid out at scuttle hole, being about 4 acres, for 5 acres in the plaine belonging to the said George which hee bought of Samuel Dayton.

John Lum posseth in the right of Thomas Burnet, 1 acre of land in the little plain.

Christopher fluster imparteth his lot No. 20 at Sagaponack unto Mr Gosmer for his lot in the same deivation no. 37 lying in Davis his neck.

Mr Josiah Stanborogh hath in the right of Wm Rogers (which hee had in the right of Tho. Vale) his 100lb lottment at Sagaponack bseeing in No 15. Mr Stanborogh in the right of Mr Fields 100 lb lottment of Sagaponack in No 8.
Mr Stanborough in the right of Mr Rainer and Joseph Rainer No 21 and 22 at Sagaponack.

Mr Rainer hath in exchange of Mr Stanborough 3 acres lying west on his ten acre lot, and two acres of his lot called his 8 acre lot and lying South of Ellis Cooke's his 2 acres on Harrington neck turlong.

Mr fields hath in the right of Mr Stanborough 2 acres on the east side of his 10 acre lot.

Tho. Halsey imparteth his allotment at Sagaponack No 23 unto Mr Smith for his 4 acres at the head of the creek at the end of the great plain.

Page 167. March 17 1653. Mr Stanborough hath in the right of Obadiah Rogers No. 14 at Sagaponack in exchange for 2 acres in the plaine lying Southward of the 2 acres which Mr Stanborough exchanged to Mr Raynor on Harringtons neck furlong, Mr Stanborough to have the crop that shall be thereof this ensuing year.

March 23 1653 Mr Josiah Stanborough hath by purchase of Thomas Burnet his right being 100 lb allotment in No. 3 at Sagaponack and also his right being 100 lb allotment in No. 18 at Sagaponack, which hee hought of John Lum.

Mr Stanborough hath in the right of Richard Post 100 lb allotment in No 13 at Sagaponack, in exchange for an acre of marsh with what belongeth there unto, which the said Mr Stanborough had in shinnecock neck, of Trestrum Hedges.

April 26 1654 Mr Stanborough hath in the right of Ellis Cooke 100 lb allotment in No. 24 at Sagaponack in exchange for 1 acre of meadow lying above the salt marsh in Halseys neck next the west creek and one acre ¼ of land lying westward of John Coopers sen. his land in the 10 acre lott furlong.

October 3, 1654 entered an exchange formerly made in Mr Josiah Stanborough hath of John Tagger one fifty poundlotment of No 24 at Sagaponack.

* Farrington's neck was probly the tract now known as Wickapogue.

W. S. P.
Mr Stanborogh hath of Mr Fordham No 16 at Sagaponack for No 26 in the same division.

Mr Stanborogh hath of Bartholomew Smith a fifty pound allotment in No 15 at Sagaponack for 10 acres in Halseys neck lying on the north side of Richard Barret his acre.

March 26 1655. Mr Stanborogh imparteth to John Cooper Sen his 2 acres of land sometimes in the use of Trestram Hedges and lying southward of an acre belonging to Hen. Pierson, next to Joseph Rainer, in Halseys neck on ye great plaine, and the said John Cooper imparteth to the said Mr Stanborogh his 150 lb allotment No 9 at Sagaponack, which is in exchange for said 2 acres.

Oct. 1 1655 Christopher Foster hath bought of Obadiah Rogers 2 acres of his in the little plaine.

April 15, 1656. Richard Barret hath put of his allotment in Sagaponack division to Tho Halsey Inn.

Mr Odell acknowledgeth yt Mr Odell his allotment in Sagaponack division belongeth to him.

May 1656. Mr Edward Lohnes acknowledgeth to have bought of Mr Stanborogh his housing and fencinge vpon 3 acres of his town home lot with the said 3 acres of land, Mr Stanborogh also acknowledgeth ye said bargain.

December 12 1656 John Howell hath bought of Medlin Dayton ye wife of Samuel Dayton with his consent 4 acres of ground in the great plains being next to the 4 acres comonly called by the name of Harreses lot and the meadow belonging to it.

Feb 28 1656. Isack Willman hath bought of Mr Smith 3 acres vpon the ten acre lots, and 3 acres joining to Mr Rainers back lot, and one acre lying on the west side of John Whites about the middle of the little plain, (2 words illegible.) a 50 pound lot formerly.

June 5 1657. John Howell sould to his father Mr Edward Howell* one acre and a roode lying in (word gone.)

* According to the notice on page 130 of original, Mr. Edward Howell must have died be fore Oct. 6th, 1655, the date given above must refer to date of entering on record. W. S. P.
Octob. 20 1657. Mr Rainer hath bought of Ionas Bower an acre next unto John Jagger for 10s, also two acres that he exchanged with Richard Howell for two acres that was Mr Stanbroughs in the ten acre lots.

June 5 1657. John Ogden hath bought of Samuel Dayton his house and home lot and five acres in the ten acre lots, and 4 in cooper's neck, and two acres more in another place also he bought the meadow belonging to it.

June 20 1657 Samuel Dayton doth acknowledge yet hee hath bought of Mr Edward Ioanes, 3 acres that was formerly Mr Stanbroughs with a house upon it,

June 20 1657 At a town meeting it was voted and concluded by the major part, to accept of and receive all the lawes of the Jurisdiction of connectient, not crossing nor contradicting the limitations of our combinations bearing date may -30 1645,

Also it was at the same time voted and concluded, that the way of stating and voting by land shall be altered, and all men rated by estates and land according to the law of the Jurisdiction of connectient,

Sept. 17, 1657 Mr John Gosmer hath bought an hundred pound lot of John Topping with the housing and fences and all his accommodations with all the privileges thereunto belonging in Southampton.

Octobr the 20 1657, Mr Raynor hath bought a house lot of Ionas Bower, and at the same time another home lot of John Jagger lying at the south side of the home lot that was formerly given to John Lam,

Also he hath in lieu of eight acres thrown up in the ten acres in the great plain, eight acres of ground at the rear of the two lots of Jonas Bower and John Jagger, also an acre in way of exchange of John Jagger lying on the north side of the above sayd eigh t acres, for an acre of land in the great playne that was Mr Stanbroughs,

* Mr. John Gosmer's home lot is probably the old Pelletreau place. John Topping probably lived on the lot now occupied by Mr. Frederick Howell, and the heirs of Daniel Fortham. w.s.p.
Page 170 This Indenture made the 6th day of January in
the yeare of the nativity of Christ according to the English
account 1653, Between John Gosner of Southampton upon the
Long Island in America Gent, of the one part, and Thomas
Burnet of Southampton afforesaid husbandman, of the other
part, Witnesseth that the said John Gosner for and in consider-
eration of twenty shillings, to be paid hereafter in worke unto
the said John or to his assignes have bargained sold and sett
over unto the said Thomas Burnett, all that his parcel of land
lying in the great plaine in a place there commonly called the
tenacre lots, viz all that part which lyeth without the ox-pas-
ture fence, containing by estimation five acres of land be there
more or less, to have and to hold the said five acres of land to him
the said Thomas Burnet his heirs & assigns for ever, togethr
with all the wayes easements and Improves what so euer
thereunto belonging, without any lett hindrances or molestation
what soever done by the said John Gosner at any clayning un-
der him, his heyrres or assigns for euer. And the said Thomas
Burnet doth by these present bind himself his executors and
assigns well and truly to py the above specified 20s to the said
John Gosner or to his assigns in manner followeth, that is to
say four dayes work betweene this and the last of March next at
2s the day, and two dayes work in mowing seasons at 2s, 6d the
day, and the residue to make up the said 20s to be paid in the
mouths of Octobr next, all which work is to be paid unto the
the said John Gosner at thee or four days warning. In seale,
wrtes where of the said parties have set to their hands and

Signed sealed and delivered
In presence of vs
JOHN JESSUP
HENRY PIERSOX
THOMAS his x mark GOLDSMITH

Page 171 April 30 1656. Mr John Hoecell doth acknowledge that last winter he sold a young mare at two yeares old at
present, unto Mr Josiah Stambrourgh; and John Ogden Innr
doth acknowledge he did through mistake took up the said mare
and marked her, with a hot Iron vpon ye nacre shoulde, with
his brand marked which is this signe O.

Witness HENRY PIERSON, Sect,

May 25 1659  John Ould field acknowledgeth that he hath
sold unto Ellis Cook his home lot lying betwixt Thomas Hal-
seys Sen, and Thomas Cooper also the halfacres lying in the
little plains, and an acre more in lieu of that he trow up in the
ox-pasture, also he acknowledgeth hee hath sold the sayd Ellis
all the comonage and privileges of a 50 pound lot belonging to
that land,

May 25 1659, Mr Ogden acknowledgeth that hee hath sold
unto Ellis Cooke and Isaac Willman the division of Sagapon
ack at meeox that was formerly Goodman Whites, which lieth
for two acres,

At the same time Mr John Ogden acknowledgeth hee hath
sold vnto Ellis Cook and Isaac Willman one allotment of
Sagaponack division numb 32. that was formerly Isaac Will-
man also hee acknowledgeth hee hath sold vnto Ellis and the
said Isaac another lott that was formerly in the hands of Mr.
Ioanes at mee oxs. in numb 33, also another lot lately in the
hands of John Issup & Jonas Bonr Numb 35, also an acre and
half lately in the hands of John White and Jonas Bonr lying
between Edward Ioanes and Isaac Willman,

172 Be it knowne vnto all men vnto whome this present
wrighting shall come, that I Thomas Topping gentleman of
Southampton doe bind my selfe my heires executors and assigns,
to pay or cause to be paid all such damages that shall come to
any person or persons of John Kelly doe not otkeare at the
court to be held in and vpon tuesday next in this towne of
Southampton, witnesses my hand the 11 day of January 1650

(Kelly makes his appearance according to,) 

[Signature]

Autograph of Thomas Topping.

* The home lot of John Oldfield was probably the lot next north of the homestead of Nicholas White.
October the 6th 1659 an action of trespass upon the case to be tryed at ye adjourned quarter Court the 7th of this instant, Ellis Cook plt; and Isaac Willman defendant,

October 7, 59 an action of trespass upon ye case to be tryed at the said Cort, Capt Topping plt; and Mr Stanburogh, defendant

October the 7th at the said adjourned Cort, The jurymen Richard Barret Tho. Sayre Joshua Barnes, Samuel Barker John Jessup Edmond Shaw, whereof Tho. Sayre and Joshua Barnes are excepted against, instead of them is impanelled Sam. Clark and Thomas Goldsmith.

Page 173. The great plaine fence beginning at the creeke at the west end of the plaine, and every mans proportion lying westward of the number, on ye marked stake.

<table>
<thead>
<tr>
<th>No.</th>
<th>Description</th>
<th>Poles</th>
<th>Feet</th>
</tr>
</thead>
<tbody>
<tr>
<td>0</td>
<td>Thomas Vale cross the water,</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>1</td>
<td>Thomas Halsey next the ox pasture end fence 43</td>
<td>34</td>
<td>02</td>
</tr>
<tr>
<td>2</td>
<td>Mr Robert Fordham</td>
<td>14</td>
<td>00</td>
</tr>
<tr>
<td>3</td>
<td>William Payne</td>
<td>22</td>
<td>6</td>
</tr>
<tr>
<td>4</td>
<td>Richard Bassett</td>
<td>08</td>
<td>1</td>
</tr>
<tr>
<td>5</td>
<td>Isaac Willman</td>
<td>06</td>
<td>14</td>
</tr>
<tr>
<td>6</td>
<td>John Iagger</td>
<td>06</td>
<td>14</td>
</tr>
<tr>
<td>7</td>
<td>Jonas Bower</td>
<td>06</td>
<td>14</td>
</tr>
<tr>
<td>8</td>
<td>Widow Briggs but now belonging to Tho. Goldsmith for eomoning of oxen</td>
<td>0</td>
<td>8</td>
</tr>
<tr>
<td>9</td>
<td>Obadiah Rogers</td>
<td>21</td>
<td>2</td>
</tr>
<tr>
<td>10</td>
<td>Tho. Burnet</td>
<td>34</td>
<td>07</td>
</tr>
<tr>
<td>11</td>
<td>Mr Gosmer</td>
<td>12</td>
<td>12</td>
</tr>
<tr>
<td>12</td>
<td>Rich. Post</td>
<td>12</td>
<td>7</td>
</tr>
<tr>
<td>13</td>
<td>Joshua Barnes</td>
<td>12</td>
<td>7</td>
</tr>
<tr>
<td>14</td>
<td>John Coopr Sen</td>
<td>16</td>
<td>16</td>
</tr>
<tr>
<td>15</td>
<td>Henry Person</td>
<td>17</td>
<td>6</td>
</tr>
<tr>
<td>16</td>
<td>William Rodgers</td>
<td>11</td>
<td>9</td>
</tr>
<tr>
<td>17</td>
<td>Mr Stanburogh</td>
<td>12</td>
<td>7</td>
</tr>
<tr>
<td>18</td>
<td>Sam Dayton</td>
<td>20</td>
<td>8</td>
</tr>
<tr>
<td>19</td>
<td>Mr Edward Howell</td>
<td>20</td>
<td>11</td>
</tr>
</tbody>
</table>
No. 20 George Wood 08 11 1/2
21 Ellis Cook 10 8
22 Mr. Edward Iones 16 2 1/2
23 Thomas Hildreth 08 4

PAGE 174: 24 John Howell 27 16
25 Mr. Richard Smith 08 08
26 John White 09 15
27 Thomas Sayre 15 15
28 Christopher Foster 17 6
29 John Bishop 09 15
30 with securing the water fence Tho. Halsey 10 12
31 Mr. Hampton 3 15

Memorandum that the cross fence at the east end of the ox pasture is not recored in the aforesaid accompt, but was sett up by those that have comonidge in the said pasture, with the foresaid west end fence, both upon one accompt, and comes to a length of rails to a payre of oxen.*

PAGE 175. A list of the meadow at the beach or pines No. 1 being the eastward lottment.

No. 1 John Jessup and Mr. Raynor 22 Mr Gosner
2 Sam. Dayton and Tho. Vale 23 Hemsted
3 John White 24 John Howell
4 Richard Barret 25 Henry Pierson
5 On the island 26 Hemsted
6 Mr. Houll 27 Mr. Browne & Roh. Mervin
7 Richard Post 28 Ellis Cook
8 Mr. Iolnes 29
9 Edd. Harrington 30 Hemsted
10 Mr. Fordham 31 Tho. Haisey
11 Mr. Topping 32
12 Mr. Smith 33 Mr. Topping
13 Hemsted 34 Iohn Cooper

*The fence here recorded began at what is now known as "Clark's Creek," upon the land owned by the heirs of Capt. Isaac Sayre, and ran on the north side of Captain's neck lane until it came to about the homestead of Augustus Reeve, it then turned north as far as the South west corner of the parsonage land (now the lot of Henry A. Fordham) and ran along the south side of this tract to the town pond, the parsonage land also included the lot of H. A. Fordham on the East side of first neck lane.
PERES: TOWN OF SOUTHAMPTON. 141

14 John Huell & Isaac Williams 35 Tho. Halsey
15 Tho. Hildreth & Tho. Sayre 36 Wm. Rogers
16 Iones Wood 37 Hemsted
17 Tho. Burnet 38 John Cooper
18 Mr Gosmer, Geo. Wood 39 Tho Sayre
19 Mr Raynor 40 Mr Howell
20 Mr Fordham 41 the town
21 Hemsted

PAGE 176. Sith, 10th 1657 It is agreed by the majority part of the nine men that Christopher Foster shall have 15s paid unto his hand, to that that hee is already indebted to the town and hee is to pay the soldiers when their year is up for carrying arms to the meeting,

At a particular court December 1, 1657 A Jury impanelled to try the case depending betwixt Ralph Dayton and John Cooper

Richard Barret Obadiah Rogers John Ogden
John Jessup Thos. Sayre John Jagger
Isaack Willman Jonas Bonen Joshua Barnes,

The Jury findeth fr the plaintiff ye horse and 2s 6d damages with increase of Court charges, Judgement is given by the magistrates according to the verdict of the jury.

PAGE 177. According to an order established by the general Court held in Southampton upon the 5th of March An. Dom. 1651 the Plaine called the Little Plaine was laid forth in divisions for the inhabitants of the said towne, Mr Richard Odell appointed for the same, who laid forth the said land in three several divisions, one of every three making two acres, which two acres lying in the three divisions aforesaid was laid out to an hundred and fifty pound lott, the said divisions being drawn by the inhabitants by lottery upon the 20th day of March 1651, The first division bounds with his front upon the pond at the west end of the said plaine, only a cart way being left betwixt the said front and the pond, the rear being butted by the side of the first lot of the third division along to the west of the plaine, every lott of the said first division facing
according to the mark at the stakes, to Mr. Smith's hom. lot northward of the said plaine, half an acre in this dividence was laid to every hundred and fifty pound lot.

Mr John Gosner 400 lb lots drew Number 17, number 22, out of this a 50 lb lot to be taken

Mr Robert Nordham 300 lb drew No. 3 No. 4

Mr Edward Howell senior 350, drew No. 11, No. 19, and is to have a 50, lot out of his son Edward Howells lot

Edward Howell Jr 100 drew No. 38

Wm Rogers 150 drew No. 16

Capt. Thomas Topping 300 drew No. 18 No. 27

Jonas Wood 150 drew No. 28

Joshua Barnes 150 drew No. 2

Ellis Cook 100 drew No. 26. Samuel Dayton is to have a 50 share out of the same.

Robert Mervin and Mr. Brown's lot in all 150 drew No. 21.

Thomas Hildreth 100 drew No. 37. George Wood to have a 50 share out of the same

John Cooper Sen 150 drew No. 9

Richard Post 100 drew No. 40. Thomas Pope to have a 50 share out of the same

Thomas Cooper 150 drew No. 12

Mr Thurstoon Raynor 200 drew No. 33, is to have a 50 share out of his son Joseph Raynor

Joseph Ryner 100 drew No. 5

Thomas Barret 100 drew umb 30, a 50 tisperare

Richard Barret 150 drew no. 22

PAGE 178. Mr Edward Howell 150 drew ne 34

Mr Josiah Stanborogh 150 drew no. 20

John White 150 drew no. 15

Thomas Nale 100 drew no. 13. Wm Barnes is to have a 50 out of the lot

John Howell 200 drew no. 24 is to have a 50 out of Isaac Willmas

Henry Pierson 150 drew no. 8

Thomas Halsey 300 drew no. 14 No. 23

Isaack Willman 100 drew no. 10 John Howell to have 50 out of it
Mr, Richard Odell 150 drew no 41
Thomas Sayre 200 drew no 25 and is to have a 50 out of Richard Mills lot
Richard Mills 100 drew no 29
John Lessup 100 drew no 29 a 50 to share
Mr Smith 150 drew no 36
Thomas Goldsmith 100 drew no 21 a 50 to spare
John Loome 100 drew no 6 a 50 to spare.

October 6, 1659, at a court it was granted to Mr Edward Ioanes to have 6 acres of ground at the end of Thomas Coopers house lot the north side at the rear of his home lot only a high-way six poles belwixt to be layd out by those the town shall appoint.

Page 179. The second dividence of the little plain fronting by the side of the lots of the first dividence being the north side of the said first dividence which is to the second dividence the south end, being the front, and recering to the north by the side of Mr Richard Smiths home lot, a high wy being lett by the side of first lot running by the pond, half an acre in this dividence was staked out to an hundred and fifty pound lot.

Page 180. [The list of names of the persons who drew the lots, is the same as that as page 177, 8 and is omitted.]

Page 181. The order of the fence for the little plaine,

<table>
<thead>
<tr>
<th>No</th>
<th>Poles feet</th>
<th>No</th>
<th>Poles feet</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mr Stanbrogh</td>
<td>3 4 1</td>
<td>Thomas Vale</td>
<td>15 5 2</td>
</tr>
<tr>
<td>Mr Barnes</td>
<td>24 2 9</td>
<td>Richard Post</td>
<td>12 5 2</td>
</tr>
<tr>
<td>Mr Jones</td>
<td>21 7 2</td>
<td>Thomas burnet</td>
<td>11 5 2</td>
</tr>
<tr>
<td>Mr Gosmer</td>
<td>25 18</td>
<td>Wm Rogers</td>
<td>18 7</td>
</tr>
<tr>
<td>Thomas Sayre</td>
<td>30 10</td>
<td>Henry Pierson</td>
<td>20 7</td>
</tr>
<tr>
<td>Mr. Edward Howell</td>
<td>14 19 9</td>
<td>John White</td>
<td>5 7</td>
</tr>
<tr>
<td>Father Cooper</td>
<td>4 7 7</td>
<td>Ellis Cooke</td>
<td>23 5 2</td>
</tr>
<tr>
<td>Mr lordham</td>
<td>2 15</td>
<td>Isaac Willman</td>
<td>£8 5 2</td>
</tr>
<tr>
<td>Jonas Wood</td>
<td>17 7</td>
<td>Richard Mills</td>
<td>22 5</td>
</tr>
<tr>
<td>John Howell</td>
<td>16 10</td>
<td>Capt. Topping</td>
<td>19 15</td>
</tr>
<tr>
<td>The. Halsey</td>
<td>6 13</td>
<td>Richard Barret</td>
<td>9 7</td>
</tr>
<tr>
<td>Mr Odell</td>
<td>8 7</td>
<td>John Lessup</td>
<td>33 5 1</td>
</tr>
</tbody>
</table>
Mr Thurston Rayner 31 10
Mr Smith 1 7
Joshua Barnes 9 7
Thomas Willard 34 5 2
Thom. Pope 27 2 9
Robt. Mervin 33 7
Samuel Dayton 10 2 9
George Wood 26 2 9

Edmd Howell 15 5 2
Ioseph Raynor 21 5
Thomas Cooper 35 7

Page 182. At a town meeting when most of the inhabitants were met to get the persons undernamed did engage to keep the oxen in the pasture as followeth
Obadiah Rogers one day, 1 John White one dy 11
Mr Royner & Ioseph one day, 2 Richard Post one dy 12
Tho. Halsey and Richard How-
ell one day, 3 Joshua Barnes and John Iag
John Howell one day 4 John Iag one dy 14
Christopher Foster one day 5 Thomas Sayre one dy 15
John Jessup and James Herrick one day 6 Edward Howell one dy 16
Mr Fordham one day 7
Ellis Cook one day 9
Isaac Willman and Jonas Bour one day 10

Page 183. Inne the 19 1657. At a town meeting it was voted and concluded by all the inhabitants of this town, that they will unanimously stand to maintain and defend all their lawful rights that they have in possession by purchase and patent right from Mr Harret as agent of the Earle of Sterling, or purchased from the Indians.

My the 5 1658. At a town meeting it was generally concluded that two men should be chosen for to goe to Montauk to make an agreement with the Indians about the horses, which was done, viz Christopher Foster and Richard Howell (or Thomas Halsey) and what agreement these men shall make, the payment shall be raised upon all horses that goe upon the commons, only such that are kept in hand.
At the same town meeting there was a stray hog that was supposed to be Mr Smiths, and by the town sold at an outcry for 17s, and that to goe us farr as it will goe for the payment of the damage dun by that hogg to the Indians.

The court adjourned until the next day after the court of election.

October ye 6 1659 At a court of election chosen for Magistrates Mr Topping, first. Richard Barret second, Mr Ogden the third, chosen for Secretary Henry Pierson, Christopher Foster constable.

Page 184. December 1 1657 an action of tresspass upon the case entered by Ralph Dayton plaintiff against John Cooper defendant.

June the 22 1658 An action of the case entered by John Cooper Ir plaintiff against avis the wife of Mark Meggs defendant.

A Jury impanelled to try the case Christopher Foster Joshua Barnes Ionas Bour Joseph Rainer John Jagger, Obadiah Rogers. The verdict of the jury they find for the defendant the steere with increase of court charges.

It is granted by the magistrate that John Cooper shall have a revise of the above sayd action, at the next court.

Page 185. Be it known unto all men whom this present writing shall come that I Richard Barret planter of Southampton doe bind my selfe, my heirs executors, administrators & assigns firmly and truly to pay or cause to be paid unto Ionas Wood planter of the above plantation the some of twenty pounds sterling, with this proviso that the after condition be not performed. The condition of this obligation is that yf John Stratton planter of Southampton, shall and doe make appearance, and traverse in suit assuring the said Ionas Wood in an action of debt & damage, upon the first tnesday in december next, then this obligation to be void, and of noe effect, or else to stand in full force & vertue witness my hand this 28 day of November 1650. RICHARD BARRET.

Witness Richard Mills.
this condition that he presents a suite against John Hubby at
the next quarter court to be held in and upon the first tuesday
in December, for the which an attachment is granted unto them,
on the goods [words gone] of saide John Hubby in the bonds
of Southampton.

Richard Pest acknowledged he hath bought of Thomas Burn-
et an acre and half in the ten acre lots.

Page 188. August 22d 1648 whereas Iasiah Stanbrough hath
made unto him a power of Attorney from Nathaniel Kirtland
of Lynn concerning what the said Nathaniel Kirtland deman-
ded of the town of Southampton for fencing or for any
other cause or reason whatsoever, that was due and payable to
ye said Nathaniel from the day of doing such work until the
day of the date hereof, I say I the said Iosiah Stanbrough have
compounded with the town of Southampton for four pounds
ten shillings sterling, to be paid in manner following viz, fifty
shillings in hand whereof I acknowledge ye receipt & do ac-
quit, and discharge the said town of Southampton in part, as
as alsoe I the said Iosiah Stanbrough by vertue ot the said
power of Attorney made to me as above said, do accept of John
Cooper Senior satisfaction for the other fifty shillings which is
behind and unpaid of the said four pounds & and ten shillings
which for the present the said John Cooper affirms he hath by
the said Nathaniel Kirtlands order to have paid to him the
said John Cooper, which if it appear upon due examination vpon
a returne from the said Nathaniel that the said fifty shil-
lings were duly payable to the said John Cooper from the said
Nathaniel Kirtland that then there be an end of this matter,
otherwise the said John Cooper engageth himself to pay to the
said Iosiah Stanbrough to the use of ye said Nathaniel the said
fifty shillings, and whatsoever else said Nathaniel shall make
appeare he is dammifyd in that he receied not ye said fifty
shillings at this time, and vpon the subscribing of the said
John Cooper, to all the above written to which he hath assented,
I say I have acqited and discharged ye towne of Southampton
of all debts, dues, and demands to the said Nathaniel Kirtland
Richard Smith have sold John Howell all my meadow land lying at Shinnecock, Seaponack, and have received satisfaction for them, & discharge all accounts between us.

RICHARD SMYTH.

Page 186. There was overplus fence upon the north side of the great plain which the new couers in were to doe, to equalize [word gone] the planters are these men following, which is to be bought by the new couers.

Mr Stanbrogh 8 poles
Goodman Mervin 9 "
John Cooper 12 "
Mr fordham 15 "
John Howell 11 "
Thomas Vale 5 "
Tho. Burnet 6 "
Goodman Rogers 10 "
Isaac Wilman 4 "
Goodman Barnes 10 "

sixteen poles of this above is to be bought by the new couers to an hundred and fifty pound lot.

Here follows the overplus fence that the town must buy, or else if the owners take away the towne must sett vp new fence in the roomc of the same.

Joshua Barnes 10 poles and
Mr Gosmer 5 [a halfe
Mr Smith 3
George Wood 4
Richard Post 7

Page 187. Robert Mervin Standoth bound vnto Thomas [word gone] & Capt. Thomas Topping of Southampton, gentleman in the sum of ten pounds to prosecute a suite against John Hubby in the next quarter court to be held in & vpon the first tuesday in december, for which the said Robert Mervin attacked a rapier in the hands of Samuel Dayton.

The 7th of November 1651 John Cooper Ir and Thomas Vale standeth bound vnto Edward Howell & Capt. Thomas Topping: gentleman, in the sum of ten pounds sterling, under
for work about fencing as above said & shall look to John Cooper according to this covenant. Per me

JOHN COOPER. IOSIAH STANBROUGH.
Witness J ohn Moor.

PAGE 189. At a purchase court April 30, 1660, John Scot Attorney for the whale company entered his action of trespass upon the case in behalf of ye said company plaintiffs, against Mr John Ogden, John Oldfield & Richard Shaw defendant.


Mr Thurstane Rayner enters an action of trespass in the case against the wife of Mr Josiah Stanbrough, Mr Stanbrough entereth an action of trespass upon the case against Iohn Miller & Roger Smith defendant.

PAGE 190. Mr Scot entreteth an action of trespass upon the case in behalf of Capt Iohn Taleot against Tho Diment defendant, Mr Scot against Caleb Corwithy in an action of trespass upon ye case.

Mr Baker & Rob. Dayton against Fullk Davis & his wife in an action of trespass upon the case.

Mrs Alee Stanbrough in an action of trespass upon the case against Clem Briggs, David Briggs, Mr Rainer. Tho. Sayre in action of trespass upon the case against Ionas Bour defendant, the Jury Iohn Houell Ed. Houell Richard Houell Obediah Rgers John Ogden, Iohn Iagger Iohn Bishop Tho chatfield Ier. Mechen,

Mr Scot and Caleb are reffered to the next quarter court Wm Ludlam binds himself for Caleb's appearance.

Ffullk Davis & his wife have liberty granted by the Court to anser next cort, & in ye meane time to [word gone] the bond to Mr Bakr & Robt. Dayton with such charges as they are [words gone] this court.

Mr Josiah Stanbrough plf aginst Iohn Bishop, defendant,
Theo Halsey Sen against Nat. Foster defendnt for unjustly molesting his cattle, in ye action concernig Mr Stanbrough & Bishop, the jury find to the defendant cost charges, and whereas the plf, complains of damage and molestation they finde not yet hee maketh it appear,

Page 191. Iohn Davis gives in his [ear] mark to bee a half eorp like an ell on ye fore side of both ears. May 24, 1662 My 25, 1663 Iohn Dickerson gives in his mark to bee two slitts on the upper side of the neare ear.

Iohn Woodruff Sen gives in his ear-mak to bee two half pen­nies under the near ear.

Iohn Woodruff Inn, viz the second son, his mark a halfe penny under the neare ear, Iune, 1666.

Iohn Wheeler gives in his his ear marke to bee a half pen yal on both sides the far ear and a half crop or L on ye neare eare, Iune 9 1668

Page 193. A proposall by ye neighborhood where they de­sire to have their present deivation to lye, which is agreed to be 10 acres to a fitty.

Christopher Foster 20 acres against Ben [word gone] and 10 acres in ye first neack,

Edward Howell on ye North side of Iohn Jessup's close.

1o, Jessup at ye end of his owne close,

Tho. Goldsmith at the end of his home lot, the rest by good­man Halseys at weequapang,

Tho. Topp ping as much as may be at rear of his lot,

James Herrick in like manner,

Isaack Willman against his home lot what may be, Ellis Cooke 20 acres at his house at meacox & 10 acres at Calt Creek,

Zorubbabel Phillips by Iohn Bishops close

Henry Pierson behind his home lot ye rest by Iohn Jessups close.*

Obadiah Rogers against his home lot, †

* Henry Pierson lived on the present home lot of Lewis Mildreth.
† Now the homestead of the heirs of Albert Rovers.
Luen, Post on Northside of Francis Sayre's\footnote{Francis Sayre's home lot is now owned by the heirs of Septer Jackson.}*  
Tho Burnet same by his own at Corne, Poynt, the rest to his at mill pond head,  
John Woodruff at rear of his lot as much as may be †  
Iohas Bower at rear of his lot, ‡  
Mr Loughton 3 acres north side Wm Russells ye rest at ye bottom of Ellis Cooks close §  
Rob. Woolley at rear of his lot *  
Daniel Halsey 150, between Mr Rainer & Joseph against ye little plaine,  
Tho, Halsey Sen, at ye bottom of ye mill neck next negro Peter's  
Francis Sayre at side of his lot,  
John Jagger west side of north sea path by Wm Rusells lot †  
Dan, Sayre at ye reare of his lot, ‡  
John Bishop at ye front of his home lot, or on the rear of his last division, ||  
Joshua Barnes at ye reare of his house lot §  
John Looper & Thomas, on the west of that last division,  
Isaac Halsey North side of Robert Woolley as ye west side North sea path,  
\textbf{PAGE 194}. Tho, Halsey Jr. \textit{50} acres adjoyning to ye reare of his lot at Cobs. pound, 8 acres at his land in mill neck  
Sam, Iohnes, to ye Northward of Rob, Woolley by North sea path,  
Wm Russell on ye south side of Sam, Iohnes former division  
Tho, Sayre at Seponack fence on the south side of Seponack path & on the east side ye fence,

\footnotetext[1]{John Woodruff lived on the old Pellatreau place, he was an adopted son of John Gozmer.}  
\footnotetext[2]{Jonas Bower's home lot is the present residence of William Hunting.}  
\footnotetext[3]{The 3 acres are now occupied by the houses of Wm. Fowler and Harriet Reuben Halsey.}  
\footnotetext[4]{Now the homestead of Albert J. Post.}  
\footnotetext[5]{This is the homestead largely owned by David Jagger, the house was built in 1707.}  
\footnotetext[6]{Daniel Sayre's home lot is the lot of Mrs. Fithian south of Mr. Jackson's.}  
\footnotetext[7]{Now the homestead of Jonathan Fithian.}  
\footnotetext[8]{This is the farm of Wm. S. Pellatreau, and was sold by Joshua Barnes in 1705 to Capt. Jec- 
thonah Scott; in 1757 Capt. Scott sold it to Nathaniel Smith of Moriches, grandfather of Dr. John Smith, from whose heirs it was purchased by Wm. S. Pellatreau.}
Mr John Howell as much as may be by his owne at Weequaquong.
Mr Fordham as much as may be adjoyning to his owne at taylsome on the north side, ye rest else where,
Arthur Howell next to Sagaponack pond on this side of it on meacox plaine,
Mr Fordham at the corner next Sagopanack pond,
Ricksrd Howell as much as my be to his owne at his the east ward close, the rest beginng at the hollow behind Io, Jessops close Northward & eastward,
Mr Jennings on the north side of Ellis Cookes house and cow yard, runnig to Eastward creek,
John Woodroff what hee wants against his home lot, to bee made up betwene the swamp runnig into the millstone brook & Saponack fence that was,

Page 195. December 4, laid out Anthony Ludlams land at his house, hee beeing to recieve 8 acres besides the 2 acres hee assigned to John Berwick, measured to his, of yt which hee had inclosed in pat of ye 8 acres, the south line of it 23 poles, ye North line 20 poles, the east and west lines is 32 poles that wee count at 4 acres,

men claiming quagqnanantuck,

<table>
<thead>
<tr>
<th>Name</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mr Raynor</td>
<td>£200</td>
</tr>
<tr>
<td>The, Halsey Jun</td>
<td>£150</td>
</tr>
<tr>
<td>Tho, Halsey Sen</td>
<td>£300</td>
</tr>
<tr>
<td>Mr John Howell</td>
<td>£200</td>
</tr>
<tr>
<td>Mr Fordham</td>
<td>£150</td>
</tr>
<tr>
<td>John Coopr</td>
<td>£150</td>
</tr>
<tr>
<td>Edw, Howell</td>
<td>£200</td>
</tr>
<tr>
<td>Tho, Sayre</td>
<td>£150</td>
</tr>
<tr>
<td>Isaack Halsey</td>
<td>£300</td>
</tr>
<tr>
<td>John Tagger</td>
<td>£150</td>
</tr>
<tr>
<td>Tho. Cooper</td>
<td>£150</td>
</tr>
<tr>
<td>Dan, Sayre</td>
<td>50</td>
</tr>
<tr>
<td>Lieut Post</td>
<td>£100</td>
</tr>
<tr>
<td>Obadiah Rogers</td>
<td>£150</td>
</tr>
<tr>
<td>Hen Pierson and Mrffordam</td>
<td>£150</td>
</tr>
<tr>
<td>Zer. Phillips</td>
<td>£50</td>
</tr>
<tr>
<td>Ellis Cook</td>
<td>£150</td>
</tr>
<tr>
<td>Isaack Willman</td>
<td>£300</td>
</tr>
<tr>
<td>Ias Herryck</td>
<td>£100</td>
</tr>
<tr>
<td>ThoTopping</td>
<td>£100</td>
</tr>
<tr>
<td>Tho Goldsmith</td>
<td>£150</td>
</tr>
<tr>
<td>John Jessup</td>
<td>£150</td>
</tr>
<tr>
<td>Edw Howell</td>
<td>£150</td>
</tr>
<tr>
<td>Christopher foster</td>
<td>£150</td>
</tr>
</tbody>
</table>
The aforesaid list is what men give in to have at quaqua, at a town meeting Dec. 18, 1665.

It was alsoe then determined by maior voot that the 70 £ for quaqua, should bee leviedon ye fifties and paid or tendered at present to those to whom it should concerne,

The men chosen to lay out ye premised [words gone] are Iosh-Barnes 10. Issup Mr Iohn Howell & Henry Pierson who have power conferred to them by the town to lay out to every man according to his portion as is by ye inhabitants desired in respect of place as ye land will bear, and according to their best understanding to regulate each mans devison & said portions both for quantity forme and place as in their judgement shall seem be most conducive to ye townes benefit and least prejudice to each particular man. [two line gone]

[End of the first hook of Records called Liber A, No. 1.]

**Records from the book of Town Accounts,**

May ye 2 1657 Att a towne meeting, there being divers apprehension what way or means was best to be taken for preservation of ye towne, It is concluded by the mayor voat of the towne yt 7 men namely, Capt, Topping, Mr Gosmer Mr Fordam Mr Rainer, Iohn Cooper Sen Tho. Sayre and Sergeant Post should have the managing of the present affaire of the towne concerning ye safety thereof, and yt all men did lay downe themselves
in respect of their persons & estates, to be disposed of by the said 7 men in a way of righteousness, to attend any means that may in their Judgement effect the said ends.

May 4, 1657 It is ordered by the 7 men impowered, that one half of yeinhabitants of this towne shall keepe eentinell or ward in the towne according as they shall be disposed by officers for that purpose, for one day, and the other half of the inhabitants shall have liberty to goe about their planting or occasions provided they goe together, and work see neere together, that in the Judgement of those appoynted a centinell the company yt soe goe forth, may come to gether before any danger in respect of assault as came vpon them the other day, and soe successively until farther order, in this respect. And all those that soe goe forth are to have their armes with them, and it is left to Sergeant Post to se to and to effect the aforesaid order.

It is further ordered that ye letting off of one gun shall bee sufficient Allarum in the night, and if there bee any allarum in the night, then all Inhabitants from ye North end of the towne to Tho Sayres shall repaire to about Mr Gosmer's, * and all southward of Tho, Sayres vnto the lane by Richard Barrets † shall repaire to the meeting house, and all from thence to the southend of the towne repaire to about Tho, Halseys Sen his house; ‡ none to make willfully a false allarum vpon penalty of being whipped. And in case there bee an Al arum and any man hearing it yet appeareth not to his appoynted place as aforesaid shall forfeit to the towne the some of 5s.

January 5, 1665 The overseers have agreed with James Herrick that hee shall have one acre of land at the reere of his home lot in consideration of a foot way for people vp his lott to the burying place where the towne have an acre for that vse; & James Herrick is to have the hearbridge of it,

January 5 65, James Herrick is agreed vith to beat the drum on ye Lords dayes according to custome, and to have 20s per year

* The late residence of Charles Pelletreau deceased.
† Toibome lane.
‡ The present residence of Nicholas White.
for the same soe long as hee dischargeth yt offifice the towne paying fr drum heads and cordidge,

Sept 4 1665 Leiftnt Post is agreed with to build a watch house of 15 foot square, 7 foot gice * over it, a chimney catred and fit for danbing, ye widenes of ye house; with rafters fit fr lathing for ssingle, the studs fit for 3 foot clapboard, posts in the ground of the ground of white oak, ye stuff to bee carted by ye town and sufficient help to reare it & to bee finished within 2 months. And hee is to have paid to him by the towne 4£ 12s 6d per bushel, ye rest in current pay,

Sept 4 1665 By ye overseers Ilen. Pierson is chosen to bee recorder and clarke for the towne and is to have 10s per An. as in formr yeares for his paynes.

June 30 1669 It is ordered by the eunstable and overseers together with ye inhabitaunts of ye town that if any person shall presume to make allarum shall fur his or ther default pay twenty shillings or he severely whipped, and that noe person pretend ignorance. It is concluded that one gun being fired off in the night after ye watch is set shall bee Accented an allarum, likewise three being suddenly fired one after another in ye day; and all persons are hereby required to be very circumspect herein upon there utmost peril, Allso that if any upon the watch shall at any tyme here alter bee by such persons as are upon oath, hereunto appointed sound sleeping or any way careless, shall pay unto the publick twenty shillings for any such default, as witnes our hands,

April 30 1657 half a pound of powder a peeece delivere.l unto ye undernamed persons out of ye magazen.

Nathanael Foster  
Thomas Halsey Jr  
Isaack Halsey  
John Howell  
John Coopr Jr  
Edward Houell  
John Oldfield  
John Iagger  
John Bishop  
Joshua Barnes  
The, Pope  
John Ogden  
John White  
Ellis Cooke  
Isaac Willman  
Tho. Topping  
Eluathan Topping  
John Hand

* Joists.
For an order bearing date March 1666 in relation to fences upon the plain the following entry is made] Lykewise it is concluded that the drumme being beat att the setting therupon the meeting house post shall bee sufficient publication thereof; as also any order that hereafter shall bee to be published.

[The plan of this book does not include printing the records in the book of town accounts of a later date than 1660, but as many names occur of persons who were evidently residents of the town for a greater or less length of time, and as the writing is much faded, we have concluded to give a list of such names, as it may be of service to future writers, or collectors of genealogies, W. S. P.]

<table>
<thead>
<tr>
<th>Name</th>
<th>Year</th>
<th>Name</th>
<th>Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nathaniel Dominy</td>
<td>1668</td>
<td>Robert Kellum</td>
<td>1666</td>
</tr>
<tr>
<td>Thomas Steevens</td>
<td>1668</td>
<td>James Redfield</td>
<td></td>
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<tr>
<td>Cornelius Vonck</td>
<td>1661</td>
<td>Wm Russell</td>
<td>1667</td>
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<tr>
<td>Charles Strong</td>
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<td>Arthur Crese</td>
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<td>Benjamin Haine</td>
<td>1668</td>
<td>John Tenison</td>
<td>1667</td>
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<tr>
<td>John Loughton</td>
<td>1668</td>
<td>Ionas Honldsworth clerk</td>
<td>1667</td>
</tr>
<tr>
<td>Josiah Loughton</td>
<td>1668</td>
<td>John Davis</td>
<td>1667</td>
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<td>Wm Salier</td>
<td>1668</td>
<td>John Wheeler</td>
<td>1665</td>
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<tr>
<td>Thomas Tailer</td>
<td></td>
<td>Samuel and Ioseph Davis</td>
<td></td>
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<tr>
<td>John Roe</td>
<td>1666</td>
<td>Ioseph Davis</td>
<td>1668</td>
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<tr>
<td>Christopher Learning 1867. *</td>
<td>Garret Travis</td>
<td>1666</td>
<td></td>
</tr>
<tr>
<td>Benjamin Davis</td>
<td>1666</td>
<td>John Franklin</td>
<td>1666</td>
</tr>
</tbody>
</table>

* Christopher Learning afterwards removed to Cape May, New Jersey, probably 1868. — W. S. P.
APPENDIX.

Copies of various Documents relating to the early History of Southampton. The originals being preserved in the large portfolio marked "Historical Documents."

[Papers Relating to Snit with Southold about Acquebogue meadows.]

Southampton March the 8, 1667. The depositions of Richard Woodhull aged about 60. This deponent saith that the tract of land which long agoe was by the Indians given or granted unto this deponent and Mr William Wells of Southold, began at ye end of the westward bounds of Southold land and contained Curchank, Mattatuck, Accabouk, and thence to Peaconnet River. And further saith that the deed which the Indians signed in contents were according to ye premises. Also saith that within a while after the said gifts or grant this deponent heard that Mr Youngs had made purchase of a parcell of land within the compass of the said land, given as aforesaid, and thereupon this deponent sent a letter of protest against ye said purchase unto Mr Youngs and Southold men, and after the said protest made Mr Wells and some other came to this deponent and bought of him his above said Interest.

This Deposition taken before me Jonas Wood.
Richard Howell and Joseph Rainer aged about forty yeares deposed this 15th of September 1667 Saith as followeth. That upon a time about the latter end of may, last Capt. John Youngs of Southold brought over to Southampton Thomas Stanton with some of the chiefe of Southampton Indians, meeting at the Schoolhouse, some of the chiefe of Southampton Indians, with the Sachem being there, Capt Youngs being asked the end of his coming saith, to finde out truth, viz whoe had the true right to ye land or meadow in controversy betweene the said two townes. And the debate thereupon grew on betweene the Indians, then being present some of the Southold Inhabitants, with divers of ye chiefe of the inhabitannts of Southampton, Thomas Stanton being ye interpreter. These deponents heard the said Thomas ask both partes of ye Indians whoe had the true right to the said land & meadow. And the said Indians (after long debate) loyntly answered, that ye young eagles that were taken in the nests, and the deere that were drowned or killed in the water, It was ye Indians customs to carry ye said eagles & thoskins of the Deere to those Sachems or Indians that were the true owners of ye land, thereupon Thomas Stanton presently replyed saying, indeed the eagles & the deere were something, but if there were a beare killed or drowned, that would put the matter out of controversy. And the deponent heard Southampton Indians affirme that there was a bear drowned or killed in ye same tract of land now in controversie between ye the said Townes, then Thomas Stanton asked to whom the skin was carried, and Southampton Indians answered To Sheneeock Indians, And Southold Indians alsoe acknowledged that ye said beare skin was carried to Sheneeock Indians by Southold Indians whoe tooke ye beare

Taken before me

[Signature]

Autograph of Thomas Topping.
I the subscribed namely Thomas Halsey doe witness, that at
the time of the trouble in this towne of Southampton by reason
of mutinerie committed by the Indians, At a great assembly of
the Indians for the settling of matters, in fine I saw Mandush
(who was a man reputed & acknowledged generally by all In-
dians in these parts to bee the great Sachems some of Shinee-
cock) cutt up a turf of ground in Southampton, and delivering
it to Wyandanceh gave up all his right and interest unto him,
And hee the said Mandush with many other of the cheife of
Shinecock Indians as ancient men, did manifest their consent
and that they were contented, by their ordinary signe of stroak-
ing Wyandanceh on the back, And since that time the said Wy-
andanceh (who was Sachem of Meantank) hath acted upon ye af-
foresaid Interest given to him as by letting and disposing of land
at Quaquananputuck and else where And I never heard any deny
Wyandanceh his right and propriety in the premies until of late,
And this I am ready to depose when there unto called,
Witnes my hand and this 19 of Sept. 1666,

THOMAS HALSEY,

I the subscribed namely Thomas Saire doe alsoe witnes all
that is above testifyed by Tho. Halsey except only the delivery
of the turfe, and father that when Mandush gave up his right
to Wyandanceh and stroaked him on the back, Mandush alsoe
told Wyandanceh that now hee would bee all one dogge, And
this I am ready to depose when I am thereunto called, witnes
my hand & this 19th of Sept 1666

THOMAS SAYER

New York the 7th of Novemb 1667 The depositions of Mr
John Ogden, This deponent testifyeth that about 5 or six years
agoe and after Mr Wm Wells and others of Southold pretended
that they would stand suite at law with this deponent about ye
meadow now in difference betweene Southamptoon and South-
old, the said Mr Wm Wells, Mr Tucker Joseph Horton & oth-
hers spoke to this deponent and would have bought of him part of those meadows.

JOHN OGDEN

Swore to before mee this 7th day of Nov. 1667

MATTHEW NICOLLS Sec.

To the constable of Mentaucket. These are in his majesties name to will and require you to gather together the ancientest and chiefest of the Indians at Mentaucket immediately upon sight hereof, to give in their testimony concerning the bounds of Sheneeock Indians before Mr Tho. James and Richard How- ell, hereof fail not at your perils. given under my hand this 16th day of October 1667

JOHN MULFORD

October ye 16 1667 Pawcatore being required to give in his testimony betweence Southold Indians bounds and Sheneeock Indians bounds affirmed, that in his tyme there was a war bet- tween the said Indians, and that yeanocock Indians were con- quered and fled to severall parts of the maine, and that after a certaine tyme, yeanocock Indians returned againe and Shinee- cock Indians said that they had been old friends and that they might sitt downe and plant there againe on the otherside of Pea- conect, and soe they did, And afterwards that there was a beare drowned in the meadows now in controversie and that the skin and the fatt of them said beare was brought to Shineecock Indians as due unto them. The X marke of

Taken before me

POCATONE

JOHN MULFORD.

October ye 17th 1667 The testimony of two Ancient wo- men that formerly had lived at Aecabonake, do affirme that all the land and marsh ground betweene Peaconnet and Niamocke did belong unto Shineecocke Indians and that there was a bear drowned in the meadows on the east side of Peaconocke and that the skins and fatt was brought to Sheneecock Indians, and
one of them doth further affirm that she eat part of the said bear, AQUABACACK whome squa her Z marke
In presence of mee IMPHAGWAM squa X her mark
THOMAS JAMES both living at Meantauket Interpreter,

October 22d 1667 The depositions of Joshua Barnes and Edward Howell. These deponents testify that about fourteen years agoe we went to those meadows now in controversie betwixt Southold and Southampton, and with us went Richard Post and Robert Merwin and Thomas Burnet and wee five mowed in those meadows part of two days
This taken in the presence of the Constable and overseers

OBADIAH ROGERS IOSEP FORDHAM
EDMUND HOWELL JOHN IESSUP

Southampton October ye 24th 1667 The depositions of John Jennings. This deponent saith that upon occasion hee was at Southold and discoursing with Mr Wells about the meadows in difference, between this town and Southold, hee this deponent told him yt hee & some others of this Towne intended to mow part of those meadows this yeare, and Mr Wells wished him not to doe for if hee did hee would take their tooles from them, and this he said divers times, and moreover Mr Wells said that if hee this deponent mowed there hee should bee the man that they would prosecute against at New Yorke for soe doing.
This taken before us the Constable and overseers

OBADIAH ROGERS EDWAD HOWELL
EDMUND HOUELL IOSEPH FORDHAM
Power of Attorney to John Howell and Henry Pierson.

Know all men by these presents that we the subscribers the constable and overseers of Southampton in New York on Long Island, doe hereby in ye name and behalf of our said town constitute and appoint our trusty friends Capt. John Howell & Henry Pierson our true and lawfull Attorneys in our Townes name & stead to prosecute a plaint or suit to bee heard or tryed at ye next Assizes neere approaching concerning or betwene our said townes plaintif, and ye town of Southold in ye same jurisdiction defendant, then and there to implead the said town of Southold (or those whoe shall answer in their name) in the said plaint or suite, and to sue for and recover our rightfull interstes of them with costs and damages, and vpon receipt thereof to give full & ample discharge, moreover we doe hereby impower our said Attorneys to make any agreement concerning the premises, as by composition Arbitration &e, or by any meane that shall present itself if they our said Attorneys shall see neede, or to follow the said suite or plaint at any other court or seat of Judgement until the said suite or difference be ended or issued, allsoe we doe impower them our said Attorneys to constitute and appoint any other Attorney or Attorneys under them in our said Townes name to prosecute the said plaint or suite, And whatever our said Attorneys doe lawfully, or cause to be done in the premises, our said town shall and will stand unto, and doe hereby ratify & confirm as if they themselves had personally and actually done the same, and what ever costs they our said Attorneys are at, or damage they may suffer in the prosecution of this said plaint our said town shall and will satisfy, further more if by any accident either of our said Attorneys be hindred from ye said court of Assizes then the other hath hereby ye sole and full powr which is communicated to them both as above said, Witness our hands this — day of October 1667

JOSEPH FORDHAM OBADIAH ROGERS
EDMUND HOWELL JOHN IPSSSUP

Witness

EDWARD HOUELL

John Cooper Robt Woolley,
Wyandanch's Deed to John Ogden.

May 12 1659  Be it knowne unto all men that by this present writing that I Wyandance Sachem of Paumanowcheon Long Island have upon deliberate consideration, and with my sonne Weenyacomhoune, both of us together, given and granted unto Mr John Ogden and his heirs for ever, I say freely given a certain tract of land, beginning at the westward end of Southampton bounds, which land is bounded, eastward with Southampton bounds, and with a small piece of meadow which I gave to Mr John Gosmer, which he is to enjoy, Northward to the water of the hay and to the creek of Accaboncke, Westward to the place called Peheeannache, and Southerly to Potumcke, three miles landward in from the high water marke, and creeke of Accaboncke, and see to the west.  But from this three miles breth of land southward all the land and meadows towards the south sea the beach only excepted which is sold to John Cooper, I say all the lands and meadows I have sold for a considerable price unto Mr. John Ogden for himself his heirs executors and assigns for ever upon conditions as followeth. first that Thomas Halsey and his associates shall have the privilege of the piece of meadow called Quaquamanck, the term of years formerly granted to him or them, but the land lying betweene Quaquamanck and three miles northward he shall or may possess and improve at present, but when the years of the aforesaid Thomas Halsey shall be expir'd, then shall the aforesaid Mr John Ogden or his assigns duly possess and improve all Quaquamanck meadow with the rest aforesaid, and then shall pay or cause to be paid unto me Wyandance my heirs and assigns the summe of twenty five shillings a yeare as a yearly acknowledgment or rent for ever, And it is also agreed that we shall keepe our privilege of fishing, fowling, or gathering of berries or any other thing for our use, and for the full and firme confirmation hereof we have both parties set too our hands markes and seals interchangably. The date and year above written

JOHN OGDEN  [i.s.]

In the presence of us

DAVID GARDINER

Autograph of Lion Gardiner.
Know all men by these presents that whereas I John Ogden of Elizabeth Towne in New Jersey take myself to have true right and title to one hundred acres of meadow ground or salt marsh lying on ye side of a bay commonly Peaconnet or Pelickoneck next or towards Southampton lands, and alsoe whereas formerly I have given and granted all my right in, and title to ye said meadows unto the said town of Southampton on Long Island (my said right being derived from Wyandance Sachem of Meantantket) I doe hereby assume and confirme unto the said townes my whole Interest in the premises, they and their assigns or successors to have to have & hold ye same for ever, from mee and my heirs or assigns or from what I have done or may doe or any in my name may eouse to bee done,

Witness my hand this 2 of November An Dom. 1667

In presence of

John Richbell
Jonas Houldsworth,

JOHN OGDEN

Capt John Youngson the behalf of the Inhabitants of Southold humbly proposeth these ensuing Reasons for his Appeals to Equity.

First Hee conceiveth that the Jury might not looke vpon their copy of the deed of purchase to Mr Eaton to be authentick by reason it was attested by Wells who is a party in the case as all so some testimony taken before him as a magistrate,

2ndly By reasons they had not full testimony from the Court of New Haven of all the transactions concerning this cause, as alsoe not pleading the considerations they gave to the Jurisdiction for their rights in the purchase aforesaid, As alsoe for divers other Reasons which would be too troublesome to relate to your Honours at present, Therefore in the behalf of the said Towne he humbly requested that he putting in security according to law may have the liberty till the next court of Assizes to prosecute this Appeale, where he shall produce the originall Records & many more substantial Testimonys, which may much
At the General Court of Assizes held in the city of New York by the Governor & Council & the Justices of the peace by his Majesties authority on the 30th and 31st days of October, and the 1 & 2d & 4th days of November in the 19th year of the Reigne of our sovereigne Lord Charles the 2nd by the grace of God of Great Brittan France and Ireland King, defender of the points &c, and in the yeare of our Lord God 1667

The Inhabitants of the Towne of Southampton plts, The Inhabitants of the towne of Southold defendants, The defendants having appealed from the verdict of the Jury to be heard in Equity, This Court upon consideration of the the reasons given therefore doth think fit to allow of the defendants Appeal to be heard at the next Generale Court of Assizes, to be held on the first Wednesday in Octobr, 1668 they giving security according to law, and doe order that as to the meadows in controversy betweene the plts & defts they shall both have liberty to mow thereupon each the one halfe thereof at the season of the yeare, & for their cattle to feed ther upon in the mean time until the title shall be decided in Equity unless they shall otherwise agree amongst themselves, which the Court doth recommend unto both parties. The Defts are to pay the charges of Court,

By order of the Governor and Court of Assizes,

MATTHIAS NICOLLS Sec,

Whereas There hath arisyon an unhappy difference Between ye T'we Towns of Southampton & Southold, Concerning Interest In a Parcell of meadow Lying on Shinnecock Side of Peaconnok River (vis) from Peaconuock Bay to a Crick Called to
young or ye Red Crick and som charg hath Bin expended at ye Last Court off assize & for as much as our Hon Govern Gen'll Nicolls Both sent and & Employed ye Hon Capt Needham & Capt Nicolls as meadiators to Reconcile ye sd Differance Who did present to ye sd Towns Their earnest ye sd desire off a final Neabourly Composition Between them. Whereupon ye said town of Southampton by thier Representitaries appointed these men namely Capt John Howell Henry Pierson & John Jessup and ye town of Southold Employed five men namely Capt John Youngs Capt Charles Glower Constable Thomas Mapes, Leifent Richard Terry & John Conklin Jr Each town giving these said friends as agents full and ample power to put a period unto & finally to conclude ye sd Deformance Now know all men by these present yt Wcc ye fornamed parties who was as aforesaid Impowered bein assembled together at ye town of Southampton this 11th of March 1667 do mutually agree and forever determine Between the said towns concerning ye whole matter of Deformance as followeth, That ye town of Southampton shall peaceably & quietly enjoy & possys ye full Latitude of their Land Bounds they sometime purchased of Capt Topping ye west Line was & is to run according to their Deed from a place called Seatuck on the South Side to ye head of a River or Bay called penconet on ye North Side to be to the said Southampton & ther Successors for ever with this Restriction or premission that Mr William Wells of Southold shall have and Retain eighteen acres off the above said meadows which are already appointed unto him ye same to be to ye only use & and behoof of him and his heirs for ever and all ye Rest of ye land or tract of meadow to Ly In Common for mowing for all ye Inhabitants of Both towns who have Interest according to their Property as they shall have occasion untill ye said towns Shall more fully agree to devise ye same in particular and whenever they shall com to be Devided ye said Eighteen acres belonging to Mr Wells shall be accounted as part of ye quantity which Southold are to have and for the further settlement and continuation of peace between
ye said towns it is further herein concluded by us In there behalf yet ye Creatures belonging to Southampton which shall at any time be found going on any part of ye said tract of land or meadows Shall not be molested but have freedom as formerly and Southold Inhabitants or any of them or any in their names shall not purposely put or place any of those Creatures at any time In any any part thereof But if any of these Creatures come within ye Limits of ye said meadows accidentally. It shall not be any trespass, finally it is determined yt ye charges which have Been Expedited by either of ye said towns concerning ye said meadows it shall be borne by themselves who have disbursed it; and for ye full Ratification hereof were the said parties who are intrusted & impowered as aforesaid have hereunto Interchangeably sett our hands this 11th of March Ano Domn 1667,

Signed & delivered in presence of
John youngs Charles Glover
Thomas Mapes Richaad Terry
Edward Petty John Conkellin
Jonathau More
Samuel Glover

A true copy by Mr John Howell Town Clark.

[The above seems to have been a final settlement of difference between the two towns, this agreement is referred to in the Patents granted by Gov. Andross 1675, and Gov. Dongan 1686 where it is stated that the North bounds of this town is Peconic River and bay “not contradicting the agreement made between them and the town of Southold, after their trial at te Court of Assizes.” The meadows in controversy are on the shores of Peconic bay near the village of Flanders. Aequebogue is an Indian name, signifying “land at the head of the bay, on the Cove place.”—w. s. p.]

Know all men by these presents that I John Ognen of Elisabeth Towne in New Jersey have truly and duly owing unto me the full and just sum of forty pounds from Shinecock Indians as in remaine of what became due to mee from them upon
the tax of tire money (as it hath been commonly called) and
the hon bl Governor of New York having appointed the Com-
missoners for the Indian affaires in ye East Riding, namely
Capt Iohn Howell and Mr Thomas Baker to take cause for
satisfaction, I doe hereby appoint and constitute my friends ye
said Capt Iohn Howell and Henry Pierson my true and law-
full attorneys in my name & stead, but for my owne use to de-
mand and receive the said 40£ or any part thereof from any
person yt shall bee appointed to pay it upon the aforesaid ac-
cept, and vpon receipt thereof to give full discharge or to make
any composition or agreement concerning the premises, And
whatever my said attorneyes doe or causo to be done lawfully in
ye premises I do hereby ratifTy and confirme as if I bad actually
done the same, Witness my hand this 7th of November 1667
allsoo I promise to defray ye charge my said attys are at in
and about the premises.
Signed and delivered in presence of
John Richbell
Ionas Honldsworth,
uck and soe to run westward to a place called and known by the name of Seatuck, and from thence to run northward across the said Island or neck of land unto a place called the head of the bay with all the meadow and pasture, arable land, easements profits benefits emoluments as is or may be contained within the limits and bounds before mentioned together with half the profits and benefit, of the beach on the south side the said Island in respect of fish whale or whales that shall by God's providence be cast up from time to time, and at all times, with all the herbage or feed that shall be, or grow thereon.

To have and To Hold, all the forementioned demised premises with all and singular the appurtenances thereto belonging or in any ways appertaining to him the said Thomas, his heirs executors, administrators, or assigns forever, without the lett trouble denial or molestation of us the said Weany, Anabaekus, and Jackanapes our heirs or assigns or any o her person or persons lawfully claiming from, by, or under us our heirs executors Administrators or assigns, for and in consideration of the four score fathoms, of wampum, or other pay, equivalent to be paid unto the said Weany, Anabaekus, and Jackanapes together with those other Indians interested whose names are under written, at or before the first day of December next ensuing the date hereof, by the said Thomas Topping or his assigns unto the true and faithful performance of all the premises we have hereunto interchangeably set our hands.

In presence of

THOMAS TOPPING,

James Herrick
John Topping
Elnathan Topping

WEANY X her marke
ANABACKUS X his marke
JACKANAPES X his marke
COBISH X his marke
TOP©BIN X his marke
WETAUGON X his marke
Indian Deed to the Town for Topping's Purchase.

Know all men by these presents, that whereas wee the underwritten whose are of the Indians of Shimecock, and understanding that some of our Indians have, namely Weeny Annobaceus Lackanapes & some others have sold unto Capt. Topping a tract of land westward from Southampton bounds, wee doe hereby make protest against the said sale, and doe affirme yt the said persons or Indians had noe right to make any such sale, but that ye interest and propriety unto the said land be longeth totally or principally unto us or some of us. And wee the true proprietors of the said lands, doe hereby assigne and make over, all our said Interest in the said tract of land, lying from a place called Niamuck or ye cane place, westward to a place called Sefatuck, and so to run cross ye Island (namely Long Island) unto a place called the head of the bay, or Peaconet, on the north, wee say wee doe impart and assigne all our said Interest in ye said lands, (whereof Quagwanauntuck is part) unto our ancient and loving friends the Townes men of Southampton to them and their successors for ever, with this proviso & consideration that it General Nicolls whom wee acknowledge the hon·ubr & discreet Governor of this Island doth upon examination finde us or part of us to bee the true proprietors of ye said lands before mentioned. And that the said Southampton men doe receive and possess the same upon our right or account, that then they shall pay unto us, as his said honor shall determine, Witness our hands this 17th of September, 1666.

The mark of X MANDUSH his daughter
The marke X of QUAAQUASHAW
The marke of X ANOINIGS
The mark of X PUNCH,
The mark X of Mandush his sonne,
The mark X of WEEETETOSEN,
The mark X of IONAQUID
The mark of X GOABES wife the relie of mandush the chief Sachem,
The mark X of SAWGUM
The mark X of HOAQUEMES,
The mark of X APUCKHOWBATK
The mark of X SOMWESSESEN
JOHN SMITH X his mark.
Indians' Agreement with Lion Gardiner.

Be it known unto all men by this present writing, that this Indenture covenant or Agreement was made the tenth of June in the yeare of our Lord 1638 between Wiandance Sachem of Pawmanack with his son Wiacombone and their Associates, that in Sasagataco, Checanon, & mananeto, on ye other side Lion Gardiner for himself his heirs executors and assigns, that is to say that the foresaid Sachem Wiandance hath sould for a considerable sum of money and goods, a certaine tract of beach land with all ye rest of ye grass that joynes to it not seperated from it by water, which beach begins eastward at the west end of Southampton hounds, and westward where it is separated by ye waters of ye sea coming in out of the ocean sea, being bounded, Southwards with the great sea, Northwards with the inland water, this land and the grass thereof for a range or run for to feed horses or cattle on I say I have sold to the foresaid Lion Gardiner his heirs executor and assigns for ever for the sum aforesaid and a yearly rent of twenty five shillings a year which yearly rent is to be paid to the foresaid Sachem his heirs executors and assigns for ever, in the eighth month called October then to be demanded, but the whales that shall be cast upon this beach shall belong to me, and the rest of the Indians in their bounds as they have beene anciently granted to them formerly by my forefathers, And also liberty to cut in the summer time flags bulrushes and such things as they make their mats of provided they doe noe hurt to the horses that is thereon. And that this writing is to be understood according to the letter, without any reservation or further Interpretations on it we have both of us Interchangeably set to our hands and seales

Signed Sealed and The SACHEM H mark

Autograph of Lion Gardiner.
delivered in the presence of us

The mark of X his sons
WIACOMBONE
SASAGATACO S mark
CHECANOE A mark
MAMANETE S mark

I John Cooper do accept this writing and promise for myself my heir executors and assigns to performe the payment which is above specified. Witness my hand this 23 day of December 1658. In presence of ye underwritten witness

Thomas Osburne  Jeremiah Conkling.

At a court of Sessions held at Southold in the East Riding of Yorkshire upon Long Island the 7th day of June, by his majesties Authority in the 17th year of ye reign of our Sovregue Lord Charles the second by the grace of God of Great Brittain France and Ireland King defender of the faith &c and in the yeare of our Lord God 1665.

Whereas Mr Ogden did sell a parcell of land to the Inhabitants of the towne of Southampton which was given and granted to him by ye late Sachem Wyandace & his son, with a reservation of twenty five shillings a yeare to him and his heirs after the expiration of some years which Thomas Halsey hath or had therein, this court doth order that the said some of twenty five shillings so reserved to be paid yearly as aforesaid (when Thomas Halseys time shall be expired) shall be payed unto the sunk squaw daughter & heire to the said sachem, & to her heires and assigns according to the Intrest of the grant above mentioned by the persons in Possession of the said lands who may claim their satisfaction for Mr Ogden who sold it to them.

By me

RICHARD TERRY,
Clark of the sessions.
Know all men by these presents that whereas it is demonstrated by some special writings that a certain Annual payment was to be paid by the towns of Southampton unto Meantauk Indians, which payment seems to be confirmed to them by the Court of Sessions held at Southold June the 7th 1665.

And whereas the said Indians have by the sunk squaw & chief of them, in behalf of all, constituted me Thomas James their lawfull Attorney or agent to act for them respecting the premises, I say upon the grounds before mentioned, and upon the receipt now of eight trucking cloth coats for the said Indians doe resigne up unto the town of Southampton, or for their use the two original deeds from the said Indians with ye order of ye said court and my letter of Attorney &c. And by vertue of my said power from ye said Indians doe in their names for ever wholly acquit the said Southampton their heyers & successors of all and every part of that foresee, or any annuall payment that was to be paid, or might on any accoount whatsoever be claimed from Southampton or any of the said town, by the said Indians of Meantauk, or any particular of them. In witnes whereof I have hereunto set my hand this 17th day of January An. Dom. 1670. Witnes my hand
In presence of us
John Stanton  Gersham Culver.

The Governor's Determination.

Whereas Mr Ionn Howell, and Henry Pierson are deputed by the town of Southampton to proseente or conclude a difference with Capt Thomas Topping, which difference hath also relation to Iohn Cooper, in respect of his claim of Interest, to which end all ye said parties shewed severall writings whereof were three deeds, one of these from Iohn Scott to Southampton men, another from some of Shencecock Indians to Capt Topping and the other from Lyon Gardiner to Iohn Cooper, Now know all persons by these presents that ye said parties namely Capt. Thomas Topping, the said deputies from Southampton
and John Cooper, have fully and absolutely referred themselves to my determination in the premises whereupon (with the consent of ye said parties) I do conclude and determine as followeth, yt they they the said Capt. Topping and John Cooper shall fully and freely (upon demand) deliver unto the town of Southampton all their deeds, writings and evidences that they have of a certain tract of land now in controversie between them, and which the said towne purchased of John Scott as by his deed aforesaid, appeareth, and all the right and interest that ye said Capt Topping and John Cooper have by the said deeds or any other way or means obtained, in the said tract of land meadows or beach mentioned in their said deeds is belonging, doth and shall belong unto the town of Southampton, (viz) (that have and doe pay purchase) and their successors forever, herein only profits of whales excepted. And they the said Capt. Topping and John Cooper and either of them shall hereafter sign any instrument in writing that may be made for ye further confirmation of their said Interest vnto the said Southampton. And in consideration whereof the town of Southampton shall pay to him ye said Capt. Thomas Topping or his assigns the sum of five pounds, and they shall alsoe pay unto ye Indians (concerned to receive it) four score lathoms of wampum, the wampum being accounted at six per penny, or soe much in value in pay equivalent, the same to be distributed to all the Indians (according to ye interest they had in ye premises purchased) at ye best discretion of Mr John Howell Henry Pearson and Richard Howell. Also the said towne shall let him the said Capt. Topping have 150£ allotment in ye said meadows before mentioned more over I doe determine that ye said John Cooper shall pay unto him the said Capt Topping the sone of fifteen pounds besides and above what he oweth unto yo said Capt. Toppingshall give up his interest in 150£ allotment he hath in yo said meadows unto him the said Capt Topping, all which is in consideration of the interest which he the said Capt Topping claimeth in the whales, which may be cast upon the beach within the compass of the formentioned pur-
chase and designed as above written the which interest in all the profits of whales & fish shall belong unto him the said John Cooper his heirs and assigns for ever, and hee the said Capt. Topping shall at any time hereafter uppon Reasonable demand signe any deed or writing that is or shall be made further to confirm unto the said John Cooper his heirs and assigns the said Intrest in whales or fish &c and he the said John Cooper in content to accept of what ye town of Southampton shall freely pay unto him for the herbage of the beach which he hath resigned up unto the said town as aforesaid, and this to be the ultimate issue and final determination concerning the premises and I doe allso confirm and assure unto the said town there said tract of land with the herbage of the beach &c, and to ye said John Cooper his said Interest in the profits of whales or fish, and defend them and their in ye peaceable enjoyment thereof. Against all other claims whatsoever,

Dated in Fort Iames in New York the 3d day of October 1666.

RICHARD NICOLLS.

Recorded in ye office of New York the 14th day of march, 1666 By mee Matthias Nicolls, Sec.

Wee underwritten doe testify that on or about the 20th of Feb. 1664, before Capt. Topping was chosen to goe to Hempsted as deputy for this towne of Southampton, At a towne meeting endeavors were used to compose the difference that was, or was like to bee, betweene the said town & him, but tending the plurality of Inhabitants together did but spend time in arguing to anp fro, and put not a period to the business, The towne by maior voat unpowered three men, namely Joshua Barnes Richard Post, and Tho Halsey, Inn to make a finall agreement with the said Capt. Topping, and after some space of time that day the towne being met together with Capt. Topping the said Three men, or some of them, in the name of
the others, repeated the bargain, or agreement, they had made with the Capt. but there being, or seeming to be some obstruction in the business at last it was cleared and removed, And the town with the said three men on the one part, and Capt. Topping on the other, were totally and finally agreed and the agreement put to writing or record by the publick officer of the town for that purpose who did distinctly read the said agreement, unto which agreement both the town and Capt. Topping then fully consented, to the truth and verity hereof we are free to be deposed when we shall be thereunto called, In witness whereof we have hereunto set our hands this 18th day of September 1666. John Howell Henry Pierson John Cooper Isack Willman Thomas Goldsmith Thomas Cooper John Woodruff Robert Woolley William Russell Joshua Barnes John Jagger Francis Sayre, Richard Post Thomas Foster Ir Samuel Barker.

This writing witnesseth an Agreement Betwene John Scott of Ashford on Long Island in New England Esq. of the one part, And John Howell Thirstan Rainer, Robert Fordham Tho Halsey Sen gentlemen, Samuel Clark Richard Post & John Jessop yeomen of the other part WITNESSETH that the said John Scot for and in consideration of Seventy pounds to be well and faithfully paid unto him, his heirs executors Administrators or assigns in Chattelks as they shall be estimated by two persons indifferently chosen according to the rate of beef and pork at prices current, All these lands rivers, waters woods under woods, timber trees, marsh ground, privileges, Inriisdictions, wayes easemens, prupeties emolnments what soeuer that bee the said John Scott bought or by any means acquired of Mr John Ogden of Feversham, lying and being bounded, west on the south with a creek or river comunly knowne by the appellation of Apanack, and on the east with Niamuck, and North with the south side of ye neck lying betwenee the first creek called Iron Creek, And from thence by the path
from neck to neck to Peaconllet, about eight miles cast and west (all which lands meadows and privileges north of the said path between Peaconllet and the first creek called the iron or red brook or creek aforesaid, which shall bee and remain notwithstanding any patent right, granted to the parties above mentioned their heirs associates & successors by Mr. Farret Anno 1639 in absolute estate in free secaage without lett or molestation to him the said Iohn Scott his heirs and Assigns forever. South of the which path the said Iohn Scott his heirs or assignes shall not feed nor common any cattle by vertue of Interest in the lands or meadows as bounded North of the path aforesaid) Nor the said Iohn Howell &c not to bee Trespassers for accidental commandg, until the said lands be fenced. To true performance of the premises, articles clauses and agreements the parties above mentioned have bermuto Interchangeably set to their hands and scales this second day of Feb. An. Dom. 1663.

JOHN HOWELL
THIRSTAN RAYNER
JOHN IESSUP

ROBERT FORDHAM
THOMAS HALSEY
RICHARD POST

Signed sealed and delivered in presence of
Tho. James
Cha. Barnes.

Memorandum Mr Iohn Ogden being present when the above deed was signed and sealed by John Scott Esq. hee the said Mr Iohn Ogden doth by subscribing owne that Wyandanck delivere to him quiet seizen and possession of all the lands above recited in part of pay of the four hundred pounds Shimecock Indians stood indebted, and the said Wyandanck bound for the said Indians. As will more at large appeare in the said Wyandanck his obligations for himself, estate and ye estate of his Indians his and their heirs and assignes for ever.

In presence of us

JOHN OGDEN, O
Tho Baker Tho James.
The deposition of John Woodruff Jun & Samuel Dayton this 2 of feb. 1663. These deponents say that they were present when Wyacombone delivered unto Mr John Ogden quite seiz'd and possession of all ye lands above recited and the premises mentioned, and for the end mentioned in Mr Ogden his subscriptions above written.

This taken before me the day and yeare above written.

THIRSTAN RAYNER.

A true copy by me Henry Pierson.
ADDENDA.

Since the present volume was printed, a few fragments of loose papers have been discovered, but so torn and dilapidated as to be almost illegible. They are evidently memoranda of the laying out of pieces of land by John Howell, John Jessup and Henry Pierson.—W. S. P.

Monday Jan. 13 1667, laid out to Francis Sayre next to his own in ye rear division, 46 poles easte and weste, and 18 poles north and south for 5 acres.

Daniel Sayre on the north side of Francis 46 poles easte and weste, North side 52 poles for 15 acres. [These pieces are in the rear of the land of Wm. Jagger and James Bishop, east side of Main street, Southampton.—W. S. P.]

To Job and Joseph Sayre on the North side of Lieutenant Post by Francis Sayre, on ye south side 51 poles, on ye north side 48 poles on ye easte end 30 poles on ye west end 32 poles for 10 acres [This is the homestead of late Lewis Jagger on east side of main street, Southampton, and south side of Bishop's Lane.—W. S. P.]

On the North side of John Jaggars close, after 6 acres for Mr. Hampton and 6 acres for Wm. Russell we laid out to John Bishop 80 poles in length that is easte and west, and 20 poles wide 10 acres. [This is now the west part of the farm of Francis R. Bishop fronting the east side of North Sea road. The close of John Jagger, is the old Jagger homestead on the east side of North Sea road. The above is the first mention we have of it, and shows that it was owned by John Jagger before 1667. The old house was built in 1707, and was burned on the night of Feb. 18, 1891.—W. S. P.]

Tuesday laid out to Hen. Pierson on ye easte side of Littleworth Hollow, close along by the south side of the mill path,
35 acres, that is 89 poles along by the path, 66 poles to the marked white oak, for ye westward side &c. Next to him on the easte side for Jonas Bower 31 acres. [The above two lots include all the land bounded north by road to Water Mill, west by road to Flying Point, or Wickapogue, and east by road to Cobb, and includes the homesteads of Samuel Foster and Benjamin C. Foster.—W. S. P.]

For Thomas Topping on the north side of mill path on the east side of Littleworth Hollow 26 acres. [Now homestead of late Capt. Eli White.—W. S. P.]

Wednesday, for John Woodruff Sen, 20 acres toward the Millstone brook. [Now part of farm of Capt. Elias White of of Seaponack.]

For Samuel Iolmes 20 acres towards Thomas Goldsmiths close at Seaponack.

Thursday for Thomas Burnett 10 acres, besides perfecting his farme division.

Friday 20 acres for Mr John Howell next to Edward Howell on the north side, and for Mr [Robert] Fordham 50 acres on ye north side ye mill path, Thomas Burnetts 10 acres west side thereof, [The 10 acres of Thomas Burnett is now the homesteacl of Horace Fanning, bounded south by main road to Watermill, and west by the road called David White's lane. The 50 acres of Mr. Fordham included the land east and north of this, and extended north along David White's lane, to land late owned by David Sayre, now John Scott. The 11 acre lot now owned by James Kavanagh is a part of it, and before the Revolution, was owned by Alexander Fordham, and called "Sanders' close" or Alexander's close. Thomas Burnett sold his 10 acres to John Howell in exchange for land next to the Littleworth Hollow road.—W. S. P.]

March 20, To John Davis at Towd, east line 26 poles west 56 poles. South 24, North 34 poles, all at 7 acres, the other allotted because of the beach. Neirer home against Towd 9 acres 4, which is for 4 acres on Sagaponack Division, 5
acres on ye next Division and 7 acres on ye last Division
To John Rose, 5 acres on ye north side John Woodruff ad-
joining to him, as himselfe shall esteeme necessary.

Hitherto is 81 days. Next morning 3 of us laid out to
John Jessup his land in the east ende of ye little playne, but-
ting against Joseph Rainer, 6 acres and 32 poles.

June 19 laid out to Mr. Fordham on the north side of his
toyelseyne close, 6 acres ½. At Saggaponach in autumnne
1668 laid out to John Topping against his house, ye highway
betweene, 10 acres for his 50, Next to it west side for Josi-
ah Stanborough 15 acres. For Josiah 24 acres at the pond
towards East Hampton which was due him on a former divi-

Dec, 1668 layed out ye west line of Edmund Howells,
40 poles deep north and south, against ye head of the creeke,
hee to take his some of 20 acres on the east side of the said
line, leaving a highway of 12 poles betweene him and Thom-
as Halseys close. [This seems to be the land afterwards
owned by James Cooper, on the north side of Hill street and
next east of the Shinnecock Hills, and now homestead of Robert
Woodburn and land adjoining.—W. S. P.]

Laid out for Isaac Willman against the swamp as one goes
to Seaponack, 50 poles north and south at both ends, and 82
poles long for 25 acres ¼

Appointed to Robert Woolley to take his 15 acres (ex-
changed with him by the town) by his father’s land laid out
unto him, on the west side of the millstone brook, and they
have liberty to lay it as much upon the square as they see

Dec, 25 1668, Perfected Isaac Halseys 30 acre lott, next to
him laid out to Sam. Clark, 30 acres, there being due to him
4 acres on Sagaponach Division, on ye second Division 10
acres, on ye third 20, ye other 4 acres was laid out before
betweene John Loughton and Wm Russell, that land laid out
to him formerly by the Clay pits was in lieu of his right
from, Sam Dayton in Sagaponach Division [The 30 acres of Isaac Halsey is now the homestead of Samuel Elliston on west side of North Sea road, and south side of Seponack lane. The 30 acres of Samuel Clark was directly opposite, on north side of Seponack lane.—W. S. P.]

May 19 1669, at ye request of John Jagger. John Jessup and Hen. Pierson went and measured over John Jagger his land between John Cooper and Isaac Halsey, it being wanting of measure and that of his neighbor’s intrenched upon it. [The lot of John Jagger is on the west side of North Sea road and is the farm of Charles Henry Halsey, and the land of George Hallock, late farm of Septer Jackson. The railroad runs through it.—W. S. P.]

Sept 1666 Laid out to Ben. Davis ye eight acres given him by the Towne on the north side of said 6 acres of John Coop- er with some allowance to Ben in respect of the Sandy hill. [This is the lot of late Capt. George G. White, next south of the Union School house in Southampton, and includes a part of the home farm of Mrs. Maria J. Howell, formerly of her father Capt. Mercator Cooper.—W. S. P.]

Memorandum that whereas John Cooper gave way, yt Mr. Phillips should have an acre northward to ye widow Briggs home lot, it is concluded by ye layers out that according to ye condition of John Cooper’s grant if ever ye towne give up the highway then John Cooper is to have that acre to his lot, [The home lot of widow Briggs and Zerubabel Phillips was next south of the house of Mrs. Maria J. Howell (late of her father Capt. Mercator Cooper) on west side of Windmill lane, Southampton.—W. S. P.]

Oct 24 1671 Laid out to John Tennison ye spare land between John Loughton and Samuel Clark, leaving ye highway of 4 poles wide next to Mr Loughton, ye said land staked out 30 poles long and 11 poles wide at both ends, Also 20 acres northward of Job and Joseph Sayre their 10 acres, ye said 20 acres running 80 poles long and 40 poles wide, there being
laid out a high way of 6 poles wide betwene ye said Sayre and Tennisons their said land. [The first piece is now the homestead of Livingston Bowden on east side of North Sea road. The second piece is on the east side of main street, Southampton, and north side of Bishop’s Lane, and is now owned by Walter L. Jagger.—W. S. P.]

Nov. 28 1671, Laid out to Arthur Howell by Sagg pond 20 acres, whereof 10 is in ye right of Capt. Howell. The south and north line 60 poles, the east and west line about or neere 56 poles. [This is on west side of Sagg pond, and is probably part of land of Bridge-Hampton Improvement Co. —W. S. P.]

To Jacob Wood 8 acres by Arthur Howells land where his house stands. [This is on south side of Meaco street near road running north to Bridge-Hampton.—W. S. P.]

And to John Beswick, 4 acres.

And by consent of 3 of the layers out of land namely Capt. Howell Iohn Jessup and Henry Pierson, granted to Lieutenant [Richard] Post to take up in liew of his land at Long Springs 15 acres on the east end of Samuel Johnes land. [This is the homestead of the late Albert Reeves, west side of Main street of Southampton, north of the railroad, and now owned by Mrs. Harriet Rogers.—W. S. P.]

Aug. 23 1676 Laid out to Benony Newtons 6 acres upon the eastward side of Iohn Beswicks, 40 poles north and south and 24 poles east and west, 4 acres thereof upon Iohn Coopers account and 2 acres on the account of Joseph Ludlum.
Grave Stone, Southampton, 1696.
shall lay upon them, as alsoe the offending persons shall pay for the fruite stolen, and by them double of the value of the fruits stolen shall be payd to the owners of the said fruites, and one sufficient witness shall serve for conviction, alsoe any person or persons that is above the age of sixteene yeares shall for any fruit stolen by them pay unto the owners of the said goods foure fold as for other stolen goods.

At the said generall court, it is ordered that Mr Howell shall have twenty five shillings for the yeare ensuing for his sounding the drum on the sabbath day, twice before the meetings on the sabbath day, that is to say half an hour or thereabouts before both morning and evening exercise, as alsoe presently before the beginning of the meeting, and that at every time of his first drumming he goe from Thomas Sayre's corner fence unto, Mr Fordham's door, at the second drumming he is only to drum at the meeting house or the door thereof.

PAGE 92. At a towne meeting held in and upon the 22 day of September 1651, absent at the second call Jonas Wood, Thomas Burnet Ellis Cooke John Jessup, remitted by ye town at ye same.

At the day of Election in October 1651 absent at the second call in the afternoon Joshua Barnes Thomas Pope remitted by the said court.

Upon the 6th day of Octob 1651 being the day of election were chosen by the freemen at the general Court for magistrates Imprimis Mr Edward Howell, secundus Capt. Thomas Topping, tertius Mr John Ogden.

At the same court Richard Mills was chosen secretary register and towne clerk.

At the same court was chosen for constable Jonas Wood called Halifax* who refused to serve in the officis [and] submitted to the fine of five pounds, [note] fine remitted.

At the same court was chosen for constable and marshall

* There were two persons named Jonas Wood in the town at that time, one from Halifax, the other came from a place called Oran, they are distinguished in the records by the letters H. and O, prefixed to their names, they were probably not related, as one was upon a jury to try the other, see page 132 of original.