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Chas E Banks

HISTORY OF YORK MAINE

*Successively known as Bristol (1632), Agamenticus (1641),
Gorgeana (1642), and York (1652)*

IN THREE VOLUMES
VOLUME I

BY

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HOMES AND ANCESTRY OF THE PILGRIMS (1929), THE
WINTHROP FLEET OF 1630 (1930) AND PLANTERS
OF THE COMMONWEALTH (1930)*

With Contributions on Topography and Land Titles

By ANGEVINE W. GOWEN, C. E.

SKETCHES BY THE AUTHOR



BOSTON, MASSACHUSETTS
MCMXXXI

HISTORY OF YORK
STATE

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TO
RICHARD I AND TO RICHARD IX
ANCESTOR AND A DESCENDANT
OF THE AUTHOR

THIS HISTORY IS INSCRIBED AS A MEMORIAL OF ONE
AND AN INSPIRATION TO THE OTHER

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The Custome of those who write histories, is to propose in the beginnge a modell of the subject they meane to handle: Mine is, of noble men and noble mindes, whom I will not celebrate above the merit: Stand or stoope they shall unto themselves: . . . Present them I will with my gleanings of forty yeares vacant houres, howe unboundsoever these handfuls bee, gathered out of the vast feildes of their evidences, the Kings severall Courts, Desolated monasteries, the private stores of more than fower score men, with an hundred other manuscripts and chartularies.

John Smith of Nibley, Lives of the Berkeleys, 1628

PREFACE

It is manifestly appropriate that in the three hundredth year after the first settler built his rude habitation on the banks of what is now Meeting House Creek, the history of this ancient town should be completed for presentation to its citizens and to the greater public whose interest in their inheritance can now be satisfied. It is somewhat extraordinary that this premier settlement in the Colonial plans of Sir Ferdinando Gorges should have been the last to have its romantic annals untold until dozens of the younger towns, begun when York had long passed its first century of existence, had published their less important claims to public attention. It is true that ephemeral and sketchy monographs have appeared in the last half century, scarcely exceeding in treatment the surface harrowing of a guidebook, but no one has undertaken an exhaustive study of the origin and development of this town, based on contemporary documents and historical evidences, both here and abroad, such as the author hopes will be manifested as a result of his many years of researches. No pains have been spared to make this history as definitive as is humanly possible.

Ten of my paternal ancestors were among the first "planters" of York and through this inheritance, stimulated from early manhood by an historic interest in my native state, the beginnings of this work date back a half a century. The preparation of this history and its completion is the fulfillment of a youthful vision, then vaguely formulated when my ancestral association with the settlement of York became known to me, and I now feel that I have thereby executed a filial obligation to their memory as well as having the added satisfaction of setting the keystone in the arch of historical narrations of pioneer days on the Maine Coast.

HISTORY OF YORK

A well-known antiquary many years ago wrote this of our town: "Old York, be it remembered, is one of those places toward which the history of a county or section converges."¹ This is not only true in the abstract, but such has been the intimate connection between this early settlement in the Province of Maine that it has been difficult to separate its local concerns from the greater affairs of the Province, of which for over a century it was the political center. Using a term unfamiliar in this country but well understood in England, John Josselyn, the traveler and author, called York "the Metropolitan of the Province" by which he meant the capitol town of the shire.² Until 1760, with an occasional exception, the great courts of the Province were held here and all the official records relating to lands and estates were here kept.

Under the favoring skies of a different political atmosphere and had it been under the guiding hand of its persevering patron in his early manhood instead of in the evening of his days, it would have furnished us with the evidences of a greater destiny than fell to its lot in the throes of the Civil War, and amid bitter religious antagonisms. Through the irony of fate after years of labor and great expense Gorges found himself on the unpopular side of the King, who was too busy fighting for his crown to give support to the overseas problems of this loyal knight. Death claimed both a few years before the patrimony of the Lord Proprietor slipped from the grasp of his heir, through the machinations of his enemies in Massachusetts. It is greatly to be deplored that their envious minds deprived us of the melodious adaptation of his own name for his favorite overseas residence — Gorgeana. Notwithstanding these unwarranted and malevolent hindrances he was able to attract as settlers in his Province and in this town an unusually high type of Englishman. They did not come to York with the annoying purpose of reforming the religious ceremonies of other people or claiming perfection for their civil administration. They found sufficient to occupy their time in attending to their own affairs.

If it shall appear in this volume that some accepted traditions and ancient beliefs are discredited as well as

¹ Drake, *Nooks and Corners of the New England Coast*.

² Josselyn, *Two Voyages*.

PREFACE

suspected conditions verified it is hoped that the evidences in such cases will be sufficient to justify the author's conclusions. It is the experience of every student of history that local traditions have been evolved from false or dislocated origins and grown in distorted form to be adopted, without critical consideration, as established facts. In this particular York has proved to be no exception to this well understood intellectual vagary.

This history will be found to contain a feature somewhat unusual in New England local histories, the result of several years' investigation by the author in England of the origins of its first settlers — a search in which nearly complete success was obtained to make this an interesting and important addition to an intelligent understanding of its character as a Colonial settlement.

It will be further noticed that the events of the last hundred years have not been dealt with as fully as those of the preceding two centuries. This has been a deliberate plan for the reason that the record of events of ordinary importance are safely preserved in local archives and a detailed recitation of them might emphasize their importance out of due proportion. Many of the actors in civic affairs in this last century are still living and it would be inappropriate to judge their acts until the results are justified. Beyond this conception of an historian's function it is considered good taste to leave to some future annalist the duty of presenting the story of York in detail in the nineteenth and twentieth centuries. The story as presented occupies enough space without placing on the author the burden of becoming a journalist of today's news. Something must be left to the future historian who can better appraise the importance of current events. Enough of the last century has been included to bring important matters up to the knowledge of the present generation and that should be sufficient.

The author regrets that a native son of the town admirably equipped to write its annals, the late Hon. Nathaniel Grant Marshall, could not have found the opportunity to undertake this task so congenial to his tastes. His great interest in its history is shown not only by a brief historical address at the dedication of the Town House but in his painstaking work of transcribing and rearranging chronologically the ancient town records. My earliest notes for

HISTORY OF YORK

this work (which I yet retain) came from his generous hand at frequent intervals during his lifetime and it is a further pleasure to associate with him the name of his grandson, Frank Dennett Marshall, Esquire, to whom I am deeply beholden for the use of the historical material which he inherited, without which this history never could have been written, as well as for manifold courtesies in the prosecution of the work. His own researches and public addresses on the history of the town carry on the traditions so auspiciously begun by his grandfather. I recall with pleasure a visit to the late Joseph Bragdon in 1890, then Town Clerk, as his guest and the excursions to various parts of the town under his guidance. To the late Edward L. Smith of Brookline, Mass. I owe in this work the continuation of many years' association in historical research and material help in so many directions that it is not practical to enumerate them. The late Miss Elizabeth S. Raynes of Boston, an interested descendant of the fine old family so long connected with Brave Boat Harbor since 1643, placed me in her debt for valuable information concerning her ancestors and their neighbors. These references to those who have passed on indicate personal losses to the author that have occurred in this long quest.

In respect to this modern period the author has been under great obligations to the "Handbook History of the Town of York" published in 1914 by Hon. Edward C. Moody whose volume is an especially valuable collection of facts relating to the recent developments of the town in the last hundred years. His relation of modern civil, political and social events is that of an observer and actor of which he can say:

"Omnia quorum vidi; pars quorum fui."

His industry in this respect has preserved infinite details down to the date of publication and the author hopes that this acknowledgment of source material will cover his use of it.

Albert M. Bragdon, Esquire, of the York County Trust Company has given me every assistance for examination of the church records in his custody and made these opportunities more than a formal courtesy, converting a task into a pleasure. My acknowledgments are also due to

PREFACE

Lester M. Bragdon, Esquire, now Town Clerk of York, for valuable assistance in supplying material in many ways in historical and genalogical lines.

I have leaned heavily on my friend, Angevine W. Gowen, C. E., in deciding puzzling questions regarding topography and all matters relating to the location of home lots of the early settlers as well as obtaining from his stock of antiquarian lore many interesting particulars regarding persons and events. Without his help much of the accuracy in the maps showing where our ancestors lived would have been indicated by "probably" and "proximately" as substitutes for accurate surveyor's lines.

The reputation of Charles Thornton Libby, Esquire, of Yarmouth, who has been a profound student of early Maine history and genealogy for nearly half a century, will not be enhanced by anything that I can say in appreciation of his knowledge on this subject. During the past decade, in his monumental work on the "Pioneers of Maine" (now in process of publication), I have had the benefit of such portions of his New England-wide searches which happened to touch York matters, in reciprocation of material that I could give him from my own MS collection.

Mr. Gilman L. Moulton must be included among those who have provided me with opportunities to complete special phases of the work, and in other ways has added to the pleasure of its accomplishment. I am also indebted to Mr. Julius H. Tuttle, Librarian of the Massachusetts Historical Society, for constant help in my researches among the collections of that Society which have helped to make this history completer than otherwise possible.

The painefull study, curious serch and care
In turning over bookes, both known and rare
The great expenses and the little gaynes
To countervayle a guerdon for the paynes
Doth make the merit to exceed the fame.

(Exon. Mss.)




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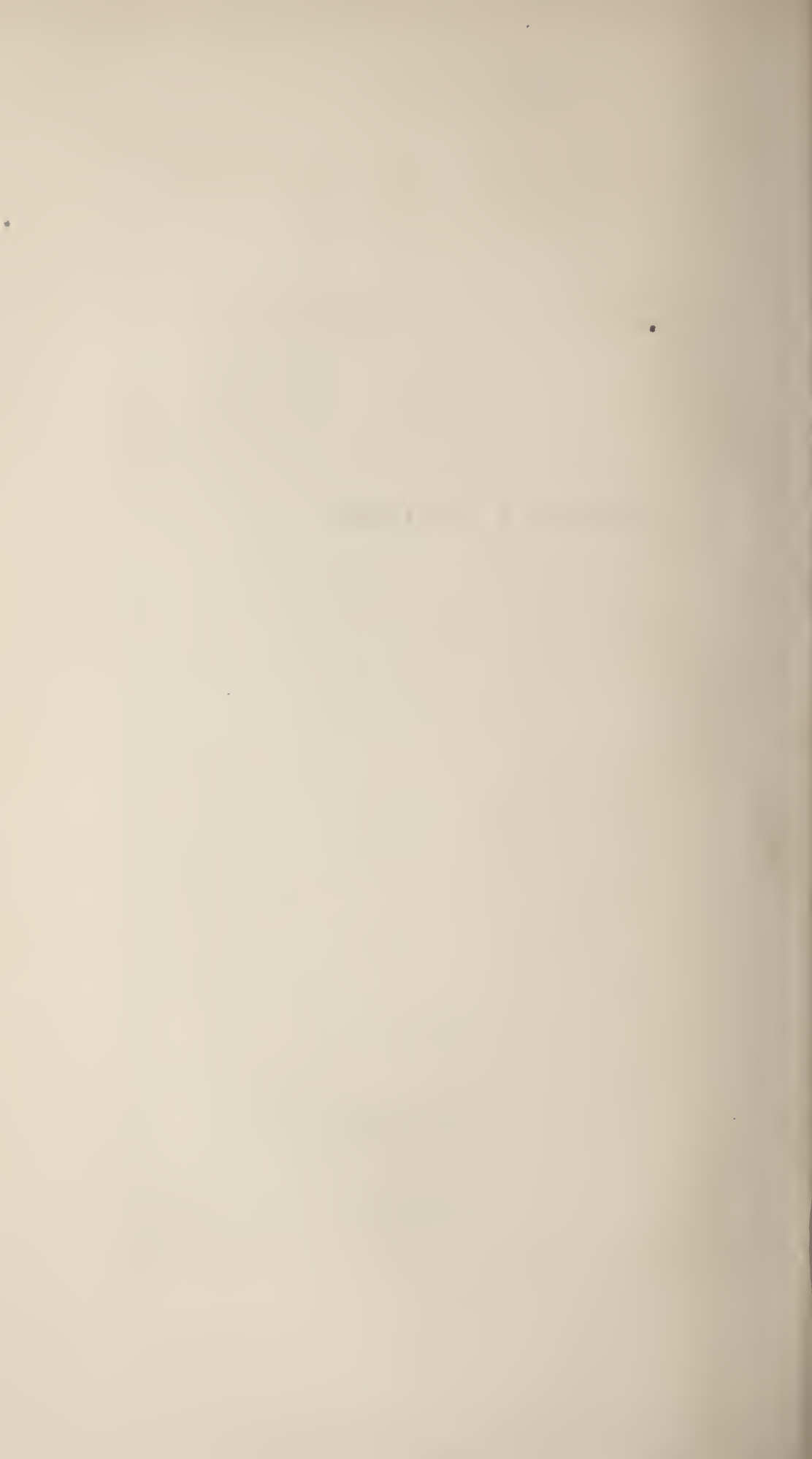
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CHAPTER I

GENERAL AND STATISTICAL

SITUATION AND AREA

In its relation to the Western continent this town, situated on the Maine coast six miles east of the Piscataqua River which divides the states of Maine and New Hampshire, the parallel of $43^{\circ} 9'$ north latitude marks the location of Cider Hill, while $70^{\circ} 41'$ west longitude intersects it. Its greatest width, east and west, is about seven and one-half miles and its longest measurement from north to south is seven and one-half miles, in which is comprised about fifty-seven square miles or thirty-six thousand five hundred acres of land. Unlike most other coast towns, it has no outlying islands as a part of its territory.

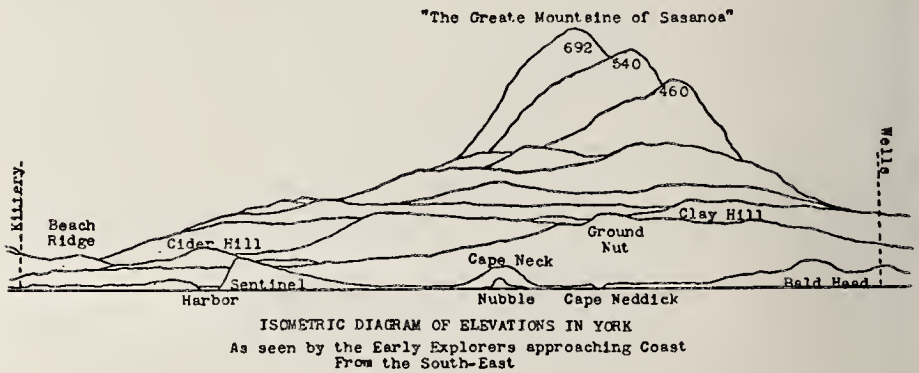
TOPOGRAPHICAL FEATURES

York has three distinct features somewhat unusual in the coast towns of western Maine in mountain, lake and river formations. Of these Agamenticus is easily the most distinctive. Rising six hundred ninety-two feet above sea level it was for the early voyagers, and is still for the modern navigator, an outpost of the Appalachian Range, serving as a landmark when approaching the coast anywhere within half a degree of the forty-third parallel. Every mariner in the period of discovery knew this majestic hill. It culminates in three peaks; the second is five hundred forty and the third being four hundred sixty feet in altitude. These retain to this day all the primeval character of virgin forests. Being the only mountain in this vicinity it has been used as one of the triangulation points of the United States Coast and Geodetic Survey.

In his geology of Maine Prof. C. H. Hitchcock, the State Geologist, describes the Agamenticus peaks as granitic in composition. This hill is on the southern edge of a crescent-shaped ridge and on the inner line of the curve. He further states that the geological formation of this sec-

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tion is Cambrian, consisting of conglomerates of the softer sandstones, limestones, shale with interspersed granite, and an igneous rock chiefly of feldspar, commonly known as syenite. It is probable that during the Ice Age the Agamenticus range suffered little from attrition, owing to its hard rock formation. An observatory was erected on its summit by the Government from which one of the grandest prospects in the country is obtained. Undoubtedly it was used by the Indians for their signal fires for the same reason. In 1770 John Adams wrote in his diary, during a visit to York, of an excursion made to Agamenticus with a pleasure party, and he adds "they talk much of erecting a beacon on it." The ascent to the summit is



gradual and easily accomplished. This mountain was known to the Indians as Sasanoa's Mount, so called from a great Abenaki chieftain of the precolonization period. Capt. John Smith, who had little regard for native place names, tacked on it the name of Snadoun Hill after the Welch peak of Snowdon in Caernarvonshire. Fortunately this baptism did not "take," and in the course of time it came to be known by its present name, derived from the main river which flows through the town. As such it has no significance philologically. It should have retained its original designation as Sasanoa's Mount. In 1630 Winthrop knew it as the Three Turk's Heads, from the famous exploit of Smith in decapitating three Mohammedans (*Winthrop, Journal, i, 48*).

Within the first bounds of the town are fourteen ponds originally called Agamenticus (now Chase's), Folly, and the two connecting ponds named Middle and Scituate,

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both of which and probably all three are artificial in origin, made for millponds by dams constructed by the early settlers. This also applies to Chase's Pond as well as to what is known as Barrell's Millpond made by damming Meeting House Creek. Chase's Pond is three miles in length and nearly half a mile wide. It was the source of power for the old woolen mill operated by the Chase family and now is the source of supply of the York Water Company. For a distance of three miles it drains into and becomes Cape Neddick River. The other ponds are natural: Warren and Round (now in South Berwick); Welch's and an unnamed small pond in the Agamenticus region; Ton-nemy in the Scituate district; and four ponds without names shown on the Geological Survey Map, Cape Neddick Section (1920).

The third distinctive natural feature in the town is the tidal river whose waters are forced inland nearly seven miles and whose water power was early harnessed by the first settlers for milling purposes. By two branches which diverge northeast and northwest four miles from the mouth, it drains two small ponds — one in South Berwick and the other in Eliot. Ordinarily it is a sluggish current because of the level character of the terrain, but it acquires rapidity at ebb tide. Stage Island (now Stage Neck) at its mouth forms a harbor suitable for pleasure boats, at all stages of the tide, but when Capt. John Smith surveyed it he recorded that "Accominticus" was a "convenient harbour for small barks." It was first called Agamenticus in varying spelling: Aquamenticus (1623); Aquamentiquos (1631); Acaminticus (1633); Augumeaticus (1636); Agomentico (1640); and Aguamenticus (1700), all of which forms connote easily recognized root origins which, in the opinion of the author, is descriptive of the peculiar character of the river. An analysis of this Indian name is discussed at length in the chapter on "Ancient Landmarks" in the second volume of this history.

GEOLOGY AND SOIL

In general, the entire town is a low, level terrain, with few elevations rising one hundred feet above sea level. These elevations are Sentry Hill, Cider Hill, around York Corner, while several miles inland there are a dozen elevations ranging from one hundred forty feet to three hundred

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forty-eight feet. Between this high land small streams like Bell Marsh Brook, Folly Brook, Old Mill Creek, and New Mill Creek wind a tortuous course to empty into York River. Little River empties into the Atlantic Ocean about the middle of York Beach. In the eastern part of the town Josias' River meanders a long course of several miles from



CAPT. JOHN SMITH

Visited Agamenticus in 1616 and described it.

its source, at the foot of Agamenticus, eastward into Wells to empty in the ocean a short distance from the dividing line. It will not be necessary to follow the courses of these smaller streams as the map of the town will furnish more accurate knowledge of their location and courses. The coast line is a combination of what Capt. John Smith called "craggie cliffs" and sandy beaches. The shore line from Bald Head Cliff to Braveboat Harbor forms an

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almost straight line, broken in the middle by the curious projection extending into the ocean for a mile and terminating in a small cliff-like rock, separated from it by a narrow and deep channel through which the tide flows with great velocity. The detached portion on which stands the lighthouse is called The Nubble and the peninsula has borne the name of Cape Neddick from time immemorial. As often happens in Indian place names, this designation belongs to the little solitary island on which is situated the Government lighthouse. Neddick is a word derived from the dialect of the eastern Indians, the root of which is *Nāoo*, meaning solitary like a single tree, to which the terminal "dik" conforms to the Micmac word *Nāedich*, the place name of a like nubble on the coast of Nova Scotia. Professor Ganong furnishes this analysis and regards it as a general name for small, solitary nubble islands in Algonquin territory.

Captain Levett, when visiting and exploring the river, stated that the land was "good ground fit for planting corne (wheat) and other fruits." Captain Smith, in 1614, called "Accomenticus a convenient harbor for small barks." The soil next the river is clayey and fertile and farms as fine as can be found in the state are successfully cultivated here. The other portions of the town are more sterile, of which the "Rocky ground" (so-called in 1699) is an example of the waste places unsuitable for agricultural development. The opinion of Levett respecting the possibilities of this place for settlement has been justified. It has been a town depending on agriculture largely for its development. Levett also observed that "there is good timber," and the earliest industry was the saw mill which had thousands of acres of virgin pine and oak to feed the primitive mills. Such was the havoc produced, however, by the constant gnawings at this richly wooded inheritance that in 1718 the town voted that no more than six trees should be felled and allowed to lie on the ground at one time, and in 1725 further protection of the depleted forests was deemed necessary by prohibiting the exportation of timber, fit for sawing, without permission. The native trees are the white and red oak, white, pitch and Norway pine, spruce, fir, hemlock, bass, beech, maple, birch, cedar, wild cherry and hornbeam.

There is a curious rock back of Folly Pond, resting on

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another, so well balanced that it can be easily tilted by the hand. It weighs many tons.

At and about Tonnemy Hill and Pond are found deposits of ochre (hematite and limonite), which was much prized by the Indians for decorative purposes, ceremonials and for war-painting. This gave the name to the hill as it has come down to us in their language.

Of the undomesticated fauna it is evident from the town records that wolves were the greatest problem for the early settlers. Until the end of the eighteenth century they continued to be a serious annoyance and peril. Bears are not mentioned and presumably they furnished only an occasional excitement in the outlying forests. The habitat of the rattlesnake is so widespread in this country that York was not an exception to giving this poisonous reptile shelter. In 1722 Thomas Adams killed one with nine rattles measuring three and a half feet long; and they have been found since then, but none in the memory of the present generation.

BOUNDARIES

The boundaries of the town as now constituted were not definitely settled until 1652 when Massachusetts took over the government of the province and required adjoining towns to settle their boundaries. These bounds remained unchanged until 1834, when a section on the northwest end was set off to South Berwick. Otherwise except for small readjustments from time to time by the adjoining towns of Wells and Kittery, made by mutual consent, the old limits yet exist. The first limits placed on Agamenticus are found in the charter of 1641 which specifies that the bounds:

. . . shall extend East West North and South three miles every way distant from the Church Chappell or Oratory belonging to the Plantacon of Acomenticus. . . .

In the next year in the charter of Gorgeana the following limits were prescribed:

. . . shall extend from the begininge of the entrance in of the River Commonlie called and knowne by the name of Agamenticus and soe up the said River seaven Englishe Myles, and all along the Easte & North Easte side of the Sea-shore three Englishe Myles in Bredth

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from the entrance of said River and up into the mayne-land seaven myles butting with the seaven myles from the sea side up the said River the bredth of three myles opposite thereunto.



A GREATE WHITE OAKE

On Gorges Neck (Cider Hill) mentioned as a bound in 1641. Probably 500 years old.

In November, 1652, the division line between Kittery and this town was declared to be as follows:

. . . the Head Line of York Bounds into the Country shall be upon a streight Line by the South East Side of a certain Pond about 2 Miles into the Country, beyond the Northerly Branch of a certain Marsh now improved by some of the Inhabitants of York & so the Division Lines betwext the Townes beforementioned & if it fall out that any part of the Marshes now reputed to belong to Yorke & improved by the Inhabitants thereof shall fall within Kittery Bounds, yet the Propriety of the said Marsh shall belong to the Inhabitants of Yorke to whom it was granted. . . . (*Deeds, i, 27*).

This was evidently a division line agreed upon before the advent of the Massachusetts authority. It appears that this was not acceptable to the two towns and, in accordance with the direction of the Massachusetts commis-

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sioners, a new survey was made the following year and the record follows:

Whereas it was ordered by the Commissioners appoynted to take in Yorke & Ketterey into the Bay govermt that each towne should make a choyce of certayne men amongst themselves to lay out the bounds betwixt the two foresd townes according to which order of the foresd comissionors we, whose names are hereunto subscribed, being elected for that purpose, doe upon due consideration thereof, mutually agree, pitch and appoynt the bounds betweene Yorke & Ketterey to begin as followeth, namely:



YORK IN 1655

British Museum Mss.

The earliest known plan of the town

At the head of Brayboat Harbour, which is at the first & loest discent of that fresh brooke which lyeth at the upper end of the marshes belonging to the sd harbour, being in distance about one mile & a halfe from the mouth of the harbour, & from the head of that harbour to run in a streight line to the head of the south west branch of the River of Yorke, being the next point of upland where the creek treanes about to the north west & so run from the sd poynt of upland upon a direct line unto the south east side of a certayne pond which lyeth betwixt the northwest branch of the River of Yorke and Newyчанawanacke:

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In confirmation of which afforesd bounds we have hereunto set our hands.

Nico: Shapleigh
Edw: Rishworth
Abram Preble
Nico: Frost
Joh: Davese

Decemb. 14, 1653

(*Mass. Col. Rec. iii, 402; iv, 261*)

The eastern boundary of the town was not settled until 1659 for "the reason of some differences therein betweene the townes aforesaid," and in 1658 finding that the representatives of the two townes could not agree, Bryan Pendleton of Saco, Nicholas Shapleigh and Nicholas Frost, both of Kittery, were "appointed to pitch & lay out the dividing line betweene Yorke & Wells" (*Mass. Coll. Rec. iv, pt. I, 341*). These commissioners made the following return of their perambulation:

Wee whose names are here underwritten, being appoyted by the Generall Court to pitch & lay out the deviding lyne betweene the Townes of Yorke & Wells, from a marked tree formerly marked by Mutuall Consent of both Townes. And according to pouer given us have determined as followeth /

To say the deviding Lyne shall runne betweene the Two aforesd Townes from the abovesd Marked tree up into the Countrey on a streight Lyne un to the south west side of Certen Marshes (comanly Called Tottnocke Marshes) directly against a certen Rocke on the North East side of the sd Marshes dividing the Townes of Kittery & Wells /

Nic: Shapleigh
Bryan Pendleton
the
Nic: NF Frost
mark of

Dated 17th of the first 1658/9

The abovesd returne of the Comissiors for the runing of the deviding lyne betweene Yorke and Wells was accepted & Confirmed by the Generall Court held at Boston May: 11th: 1659: as attests Edw: Rishworth ReCor (*Deeds i, 81*).

The York-Kittery line was run by the selectmen of the two townes in 1679, as well as in 1695, and the latter joint survey made by selectmen of the townes gives more details, *viz.:*

"At a meeting of the Select men of York and Kittery December the 30 by appointment of both Townes for the orderly running out of the bounds between both Townships . . . we the Selectmen aforesd

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whose Names are under written for York and Kittery, December the 30 and 31 and January 13 and 14 run out the old Stated bounds, beginning at a White Oak near the Bridge at Braveboat Harbor and from thence on a N.W.B.N. Course a little Westerly by old marks to a pine tree Standing on a little Neck at the head of the Western branch of York Marshes, Marked with a Y. and K. and from thence on a due North line to a pine tree Marked Y and K Standing on the South Side and Eastern end of a great pond called York pond And from thence on a N E B N course to Bakers Spring, where stands a red oak tree Marked on three Sides. To the truth of the above wirtten we have hereunto Set our hands this 14 of January: 1695:/

Select men	Samuel Donnel	Select men	John Shapleigh
for York	Thomas Trafton	for Kittery	William Fernald
			Ben: Hodsden

The northwest bounds remained the same until 1834, when a triangular segment was cut off from York to the advantage of South Berwick, and is thus described, the base of the triangle resting on the Wells line:

“All that part of said town of York which lies Northwestwardly of the following described line, beginning at a rock, where the towns of South Berwick, York and Eliot unite in a carner — thence running North fifty eight degrees East to the Southwest line of the town of Wells at a stake where said line is intersected by a road leading from Cape Neddock in York to Richard Littlefield’s house in Wells, which said stake is eight hundred and sixty seven rods from Bakers spring so called.”

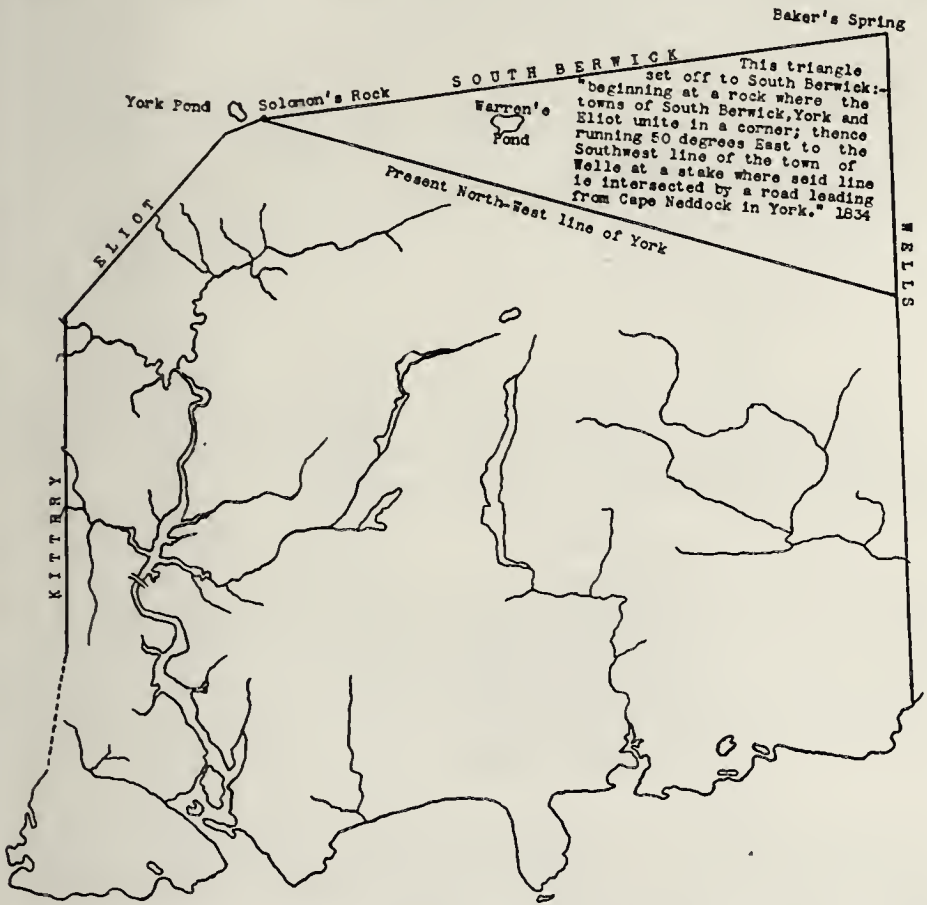
Provision was made in this act for the equitable division of the paupers of the two towns, and adjustment of the taxation of lots divided by the new line and disputes arising on these matters were to be arbitrated by the selectmen of the town of Kittery. (*Private and Special Acts*, p. 665.)

POPULATION

Very little basis exists for estimating the number of people living in York at any particular time prior to 1700. By 1650 Godfrey said he had settled fifteen families on his division of the patent, perhaps half of the total then living here, possibly two hundred in all. In 1675, however, there is an enumeration of the militia in the various settlements of Maine, and York is credited with eighty men able to bear arms. Using a multiple of six to obtain the total by families it would seem that 480 might be accepted as the number of persons living here at that date. The

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loss of about fifty by death in the massacre of 1692 slowed up the natural growth, so that in 1711 there were only 548 "souls" counted for refuge in the garrisons that year. From the names of residents participating in the division of the "Commons" and the provincial enumera-



tion of 1735, it can be deduced that the town had, at that time, a population of 1,300, and in 1743 in the First Parish there were 232 heads of families, giving an estimated total of 1,392 (*Sayward Diary*). The slight increase was probably due to the great mortality in 1735-6-7 from the epidemic of "throat distemper." Rev. Mr. Lyman estimated the population of York in 1750 as 2,511. Inside the covers of the old record book of the First Parish, in the handwriting of the pastor, are some tabulations of the population which give us the first authentic facts on this subject. From them it is learned that the number of persons of all ages living in the town in 1754 was 1,656. Ten

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years later there were 2,220 persons which he analyzed in the following items and classes:

1764	
Number of houses First and Second Parishes	272
Number of families, First Parish	292
Number of families, Second Parish	105
Males above 16, First Parish	413
Females	497
Males under 16	367
Females under 16	378
Males above 16, Second Parish	154
Females above 16	174
Males under 16	129
Females under 16	108

Total	2,220

The first provincial census of Massachusetts was taken in 1765, the year following the above record made by Mr. Lyman, and furnishes these statistics:

272 Houses
397 Families
496 White males under 16
486 White females under 16
568 White males over 16
671 White females over 16
36 Negro males
20 Negro females

In 1776 Mr. Lyman gives the following figures: "Number of Whites, 2,736; Blacks, 68, making a total of 2,804," and he adds the following comment:

There are 515 Whites & 12 Blacks more than in the year 1764 in the First Parish 261 Whites and in the Second Parish 254 more than in 1764. The increase of the First Parish has been 293 in about 26 years.

On January 1, 1777 Mr. Lyman gives the figures for that year:

There are 607 males upwards of 16 years old, 129 of whom in the service of the States, 12 at sea, 22 shoalers, 16 poor, 28 negroes and mulattoes.

No further figures until 1783, the close of the war, when he accounts for 451 families with a total of 2,594

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whites and 25 blacks. In 1785 there were 2,617 whites and 27 blacks with a total of 2,644.

In 1790 the first Federal Census furnishes the first official count of the inhabitants. It was taken on the plan followed in 1765, enumerating males and females under and above sixteen years of age. This scheme continued at each decennial census until 1840, when a further subdivision of ages was adopted, five classes in all, but in 1850 each member of a household was recorded by name, age and place of birth. The figures returned at the several censuses from 1790 to the last decennial show the progress of the population of this town in the past one hundred forty years:

1790	2,900	1870	2,654
1800	2,776	1880	2,463
1810	2,846	1890	2,440
1820	3,287	1900	2,668
1830	3,485	1910	2,802
1840	3,100	1920	2,727
1850	2,976	1930	2,532
1860	2,823		

From this table it will be seen that the peak of growth in population was reached a century ago, when York was next in size to Portland and North Yarmouth and the largest town in the county. In the last ten enumerations 2,718 has been the average population of the town.

CLIMATE

The climate offers no special claims either to particular salubrity or health-giving properties. It is the normal climate of southwestern Maine on the seacoast. As long as it remains in latitude 43 North it is a sound meteorological axiom that its climate will partake of the requirements of that distance from the equator. Nevertheless it may not be inappropriate to place on record some observations on the spring weather made by various local authorities in the town and vicinity during the eighteenth century. The weather of that time of year is selected when "Winter lingers in the lap of Spring," using notes made in April of each year. In 1717 there was "deep snow" on the ground on April 1. In 1733 the river was frozen over on April 16, and on the twenty-third it snowed "knee

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deep." In 1737 it snowed on April 15 "all day." In 1740 "a foot of snow" fell April 1 and on April 20 "snow (was) still on the ground." On April 1, 1741 the "fences were covered with snow." On April 3, 1757 there was a snowstorm. On April 15, 1763 "a vast body of snow yet on the ground." On April 1, 1768 there was "a great storm of snow." On April 5, 1775 there was a snowstorm. On April 3, 1781 "a great snow storm." On April 24, 1785 the "snow 3 feet deep in the woods." On April 3, 1786 "a severe snow storm," and on the eighth John Bradbury wrote in his diary, "Went to Mill with a hand sled on the snow it being 2 or 3 feet deep and very difficult walking."

CHAPTER II

THE ABORIGINAL INHABITANTS

The territory now comprised within the ancient bounds of York, and now held by fee simple titles in severalty, was once the possession of nomadic tribes of an uncivilized race known ethnologically as the Red Indian. They belonged to one of the great families called the Algonquians, who roamed over the entire eastern half of this continent, from the snowbound forests of Canada to the Everglades of Florida, and from the rocky coast of Maine to the canyons of the Colorado. They were the people made familiar to us in song and legend, pictured in the immortal tales of Sprague and Cooper, and in the intriguing rhythm of Longfellow's epic poem. This great family division consisted of many stibs, all speaking the family tongue with local dialectal variations. In this general region of Maine they were known as the Abenakis,¹ and also Tarratines in the eastern part of the state. There were no definite territorial limits to their habitat which can be accurately set down on the map. Whether there was a local tribe which bore a distinctive name and were recognized as permanent occupants of this immediate area is unknown. Gookin, in his "History of the Indians of New England," speaks of the "Accomintas," which from its resemblance to the aboriginal name of our river, would seem to imply that there was such an individual local tribe, as he was then dealing with those who inhabited this part of Maine.² The connection of this local stib with the soil and its relationship to the time of the coming of the white man is of some historical interest. When the Gulf of Maine began to be well known to the French and English explorers, at the commencement of the century in which the first colony settled at the mouth of the Kennebec, the Indian tribes of New England were entering upon an era which promised to be productive of a more stable organization than any we have known. Each of the Algon-

¹ Derived from Waban, meaning "dawn," and Aki, meaning "land." The dawn and or East.

² 1 Mass. Hist. Coll. i.

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quian divisions, speaking a different dialect, was under a capable leader wielding great power over a wide area. The outlook was promising that they would form a federation which would be able to meet and cope successfully



ALGONQUIAN INDIANS, 1612

From plate LXXXI "Carte Geographique de la Nouvelle Franse" by Champlain. Engraved by David Pelletier, in France.¹

with the Mohawks (or Iroquois), who were undertaking to subdue this territory. Then came the whites, tribal wars and the great plague: three unsettling influences which swept away the population, severed occupational bounds, and planted an alien civilization amongst them against which their weapons and agriculture of the stone age could not maintain itself. Within a few years all the

¹ As this was engraved or drawn in France it accounts for the fanciful picture of our Maine Indians without much clothing. The climate necessitated the wearing of heavy skins in winter and probably only breech clouts in summer. The squaw holds an ear of corn in her left hand and a squash in her right. The plant between them is a bean.

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great chiefs, except Passaconaway of the Merrimac region, fell before these ruthless enemies, and the larger tribal organization, based upon dialects, lost its unity in so-called local tribes which were scarcely more than isolated villages.¹

The disastrous effect of the coming of the Europeans upon the lives of the aborigines will appear as this history develops the relations between these two peoples. The tribal war which added its weight to the causes which helped the downfall of the local Indians occurred about the time of the arrival of the Popham Colony, or a few years before. At that time the conspicuous chiefs of New England, Massasoit in the Narragansett country, Passaconaway controlling the New Hampshire region, Sasanoa, a great Sagamore, over the Abenakis of southern Maine,² Bessabes, called "the Bashaba" by the English, over the Etechemins inhabiting eastern Maine, and Membertou, the bearded Micmac chieftain, were names to conjure with among the Indians of New England. Of these Sasanoa was the great war-lord over the tribes living east of the Piscataqua, and as such is a part of the aboriginal history of this town. The cause of this war between the Micmacs and the Abenakis, which has been told in a long French poem by Lescarbot who wrote from personal knowledge of the chief actors, was due to a disagreement between them in 1605, arising from trading with the whites. The Micmacs felt sorely aggrieved and came westward to wreak vengeance upon those who had taken advantage of them in bartering. The Micmac chief Membertou, with four hundred of his bravest warriors, made a surprise attack upon the Indians of Sawohkatuck (Saco), and in the battle in the spring of 1607, Sasanoa was killed with hundreds of his subjects.³ When Capt. John Smith arrived on this coast in 1616 the name and fame of Sasanou was still fresh and he recorded that our towering hill was then known as "the greate mountaine of Sasanow." The war bonnet of this Sagamore fell to his successor, Pememem,

¹ These generalizations are taken from an unpublished manuscript prepared by Mrs. Fanny Hardy Eckstorm on the Maine Indians, by her kind permission. Her knowledge of this subject is derived from a lifelong association with the remnants of the tribes that once held sway on the Penobscot, and from many years of research among the original French and English accounts of their explorations on this coast.

² Thayer, *Voyage to Sagadahoc* (Gorges Society), 23, 30.

³ *Histoire de la Nouvelle France*, ii, chapter 17; comp. Champlain, *Voyages*, Ganong editor, ii, 457.

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of whom nothing is known except the name. The third disaster which befell the local Indians finished the debacle of the aborigines hereabouts. A devastating epidemic disease raged among them, as well as elsewhere in New England, during the years 1616 and 1617, and contemporaneous accounts practically agree that it decimated them. The nature of it is uncertain, but that it was not the smallpox seems reasonable from the testimony of Josselyn, who visited Maine in 1638. He wrote that they were smitten, "first by the plague, afterwards, when the English came, by the small pox."¹ Evidently it was an imported disease, and it is not improbable that it was yellow fever, brought by some voyagers, as it has existed as far north as this latitude as late as the Revolution.



AN INDIAN PLANTING FIELD

The Indians stated that their bodies turned a yellow color.² "At our first discovery of those coasts," wrote Gorges, "we found it very populous, the inhabitants stout and warlike."³ Only stragglers remained to tell the tale. When Levett visited the river of Agamenticus in 1624 he has told us that there were cleared spaces and planting fields cultivated by the Indians (probably along the meadows on the east side of the stream), but it is certain from the lack of references to their presence that York was practically

¹ *Two Voyages*, 123.

² There have been epidemics of this disease in New York and Portsmouth.

³ *Briefe Narration*, 62.

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uninhabited by them at the time of the first settlement.

Neither have they left upon the soil of the town many traces of their occupancy in the matter of Indian place names of which York is almost lacking; nor are there to be found shell heaps or other material evidences of congregation hereabouts for their feasts or tribal councils. Thomas Gorges in 1640 in a letter to Winthrop speaks of "our Indians," when he sent a sample of woven material, "which supplies the want of hempe." It was used by the natives in making snowshoes, nets and bags. Whether this indicates an encampment of natives making their usual settlement in York or to the Indians of the Province, cannot be determined. This is the only local contemporary reference to them after the settlement of the whites.

Of their traditional origin the Indians of this region carried a folklore identical with all the Amerindian families. Their theology was pantheistic, and besides belief in a supernatural Being who ruled all things for good or evil they had lesser gods which controlled the various activities of Nature. The myths and traditions which made up their religion had a common origin and are closely correlated to the folklore of other races in distant lands and of widely separated stock. In the Amerindian lore the All Powerful Being who ruled their lives was called Mich-a-bo, the name for the Great White Hare, and around the central fire of their encampments the story-tellers never had a wearied audience in relating the story of Michabo and his prowess. He was recognized as the founder of all earthly things and had his abode in the heavens. To this abode, representing to them the Happy Hunting Grounds, they all expected to go and when asked whither this place was they would point with their finger towards the White Mountains. They carried a well-defined tradition of a flood and the local Indians told John Josselyn, an early visitor to our coast, "this story which they have received from father to son time out of mind that a great while ago their country was drowned and all the people and other creatures in it, only one Powaw and his webb (squaw) foreseeing the flood fled to the White Mountains carrying a hare along with them and so escaped. After a while the Powaw sent the hare away who, not returning, emboldened thereby they descended and lived many years after and had many children from whom the country was filled again with Indi-

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ans." The allusions in this to the well-known Biblical story of the Deluge will be apparent without further comment.

These constant references to the hare in their folklore has its analogue in the Brer Rabbit stories of the Negroes which are constructed on the same foundation. It may seem strange that such an insignificant creature as a rabbit or hare should have received this apotheosis. He entered into their daily lives in their hunts, in their ceremonies, and he peopled their dreams with visions of conquests over enemies. "Indeed," said the Jesuit Breboeuf, disgusted with such trivialities, "without his aid they think they could not boil a pot." It was not an animal worship as the name Michabo in all its different local forms seems to emphasize that idea. Brinton, however, in his "Myths of the New World" shows that this name being a compound of two words "Michi" meaning great and "abos" a hare has a deeper significance which admits of a different interpretation and, as he says, the initial syllable of the last half of the name meaning white from which is derived their words for the east, the dawn, the light and morning. "Beyond a doubt this is the compound in the name Michabo which therefore means the Great Light, the Spirit of Light, the Dawn and, in the literal sense of the word, the Great White One."

In appearance, as described by the early voyagers who visited this region, they were generally tall and handsome-limbed, black-eyed with straight black hair worn long, tied up in a knot on the back of the head, but the men had no hair on their faces. The exposed portions of their bodies were painted in as brilliant colors as could be obtained from natural sources in this country, and it was noted by them that the women when young were comely with regular features, generally plump of body and their natural complexion variegated by dyes. All had very white teeth, short and even. In demeanor the women were modest "considering their savage breeding and indeed do shame our English rustics whose rudeness in many things exceedeth theirs" (*Josselyn*).

The ease of childbirth with their women is of traditional knowledge and was accomplished without help from others and in an incredibly short time. The future young warrior (if a man child) was immediately wrapped in a

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beaver skin, laced down to a board and, swinging him over her shoulders with a leathern strap pendant from her forehead, squaw and papoose were soon trudging back to the wigwam or following the caravan.

The native Indian was not always the solemn and stodgy personality depicted for us in the writings of Sprague and Cooper, occupying his leisure in delivering ponderous speeches to the braves but, like all other human beings, he had his times of relaxation. In the spring when the fish rise to the bait plentifully they held feasts where they exercised themselves in games, ceremonial dances, juggling and all manner of revels. They had a game of football which they played on the shore, the goals being sometimes a mile apart, with a ball no bigger than the ordinary hand ball which they kicked with their naked feet, and a contemporary observer praises their sportsmanship which did not yield to quarreling or foul play but the goal being won friends they were at the football and friends they must meet at the kettle. (*Wood, New England Prospect*, 73-75; *Williams Key*, Chs. xi, xxvii, *Smith, True Travels*, i, 133.)

They had no settled habitations, removing from one place to another according to the requirements of food supplies. They lived for the most part on the seashore where their spring and summer encampments were pitched, and in winter they went inland to the forests to hunt deer and beaver. Their homes, which they called wigwams, were built with poles driven into the ground in the form of a circle but sometimes square, the tops of which were bound together, leaving a hole for the smoke to ascend. The outside was covered with bark of trees and the inside lined with mats made of rushes, sometimes painted or dyed various colors. Mats and skins were spread around the walls for beds which were often raised from the ground by poles. Inside of these wigwams they cooked their food by a fireplace composed of flat stones. We can understand why Roger Williams described these huts as "filthy, smoky holes." Their dress consisted of the skins of all available animals which they dressed after their own method with the hair left on. They wore the hair side inwards in winter and outwards in summer, bound around their waists with a girdle of snakeskin.

The chance arrival of a European vessel might leave

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for their use the discarded apparel of ship's officers. This fortune fell to a local chieftain as will be seen in a later chapter. Their daily life was either a feast or a famine. When luck favored their hunters they gorged themselves as long as the spoils of the chase lasted, after which they would sleep for hours until the next kettleful was boiled.



AN INDIAN CAMP

When all was devoured they satisfied their needs with corn which they pounded into a coarse meal, making it serve as a frugal repast until fortune should again favor their larders. If Michabo did not favor them “as sometimes falleth out,” said Josselyn, “they make use of Sir Francis Drake’s remedy for hunger — go to sleep.”

Ordinarily they were a long-lived race, even reaching a hundred years of age. Their ages they reckoned by moons. All forms of numerical expression were natural as they were based on the natural decimal system using their fingers to express ten and, if more, doubling in the same manner. Journeys or like business were reckoned by “sleeps.”

Intellectually they had a negligible culture. Their art was crude and their music barbarous, both vocal and instrumental, which they used at marriages and feasts. The language of the Amerindian philologically was of the agglutinated type of speech, “which delighteth greatly in compounding of words.” The name of our river, Agamenticus, discussed elsewhere, is a good example of this characteristic of their language. The speech of the Indians of this locality was nearer the dialect of the Massachusetts

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tribes than that of the Eastern Abenakis, as the surviving place-names indicate this association of forms. The wide range of this aboriginal tongue gave rein to endless dialects, which tended to a confusion of speech and the absence of written records completed the difficulty of coördination. An early student of Algonquian, Rev. Experience Mayhew (1673-1758), the Indian missionary, stated that the publication of the Bible in the Natick dialect, by Eliot, materially helped to a better understanding of their dialectal forms between the Massachusetts tribes.

Of the language in general it may be said that the articulate sounds employed by the Indians lacked several of the consonants employed in the English language, such as *b*, *f*, *g*, *l*, *r*, and *x*. Their vowel sounds were like our own, but *y* was not a part of their speech. The intonations of them were peculiar to his mode of articulation. The sound of *o* and *oo* was made with the lips closed, through the nose. Nouns were not varied by genders or cases but by number (singular or plural), whether animate or inanimate, present or past, great or small, and it should be understood that the Indian had his own conceptions of qualities and characteristics of things and localities that were good or convenient to him in his life. A "good" harbor for his canoes was a shallow, landlocked cove or bay that would be unfitted for the larger craft of the white man. As a study in comparative philology it is a fascinating diversion, but the so-called eloquence of the Indian is one of the sentimental fables of imaginative writers. "Lo, the poor Indian," was simple and direct in his speech and profuse with his nasal grunts.

William Wood, in his "New England's Prospect," published in 1634, probably written shortly before that year, gives the earliest comment on the Indians of this region:

The *Tarrenteens* saying that they eat not mans flesh are little lesse salvage and cruell than these Canniballs: Our *Indians* doe feare them as their deadly enemies; for so many of them as they meete they kill. About 2 years ago, our *Indians* being busie about their accustomed huntings, not suspecting them so neere their own liberties, were on the suddaine surprized by them, some being slaine, the rest escaping to their *English Asylum*, whither they durst not pursue them; their *Sagamore* was wounded by an arrow, but presently cured by *English Chirurgery*. These *Indians* are the more insolent by reason

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they have guns which they dayly trade for with the French (who will sell his eyes, they say for beaver:) but these doe them more credit than service; for having guns they want powder, or if they have that they want shot, something or other being alwayes wanting, so that they use them for little but to salute coasting boates that come to trade, who no sooner can anchor in any harbor; but they present them with a vollie of shot, asking for sacke and strong liquors, which they soe much love since the *English* used to trade it with them, that they will scarce trade for anything else, lashing out into excessive abuse, first taught by the example of some of our English who to uncloathe them of their beaver coates, clad them with the infection of swearing and drinking which was never in fashion with them before, it being contrary to their nature to guzzell downe strong drinke or use so much as to sippe of strong-waters untill our bestiall example and dishonest incitation hath brought them to it; from which I am sure sprung many evil consequents, as disorder, quarrels, wrongs, Unconscionable and forcive wresting of beaver and wampompeage; and from over-flowing Cups there hath beene a proceeding to revenge, murther and over-flowing of blood. Take these *Indians* in their owne trimme and naturall disposition and they be reported to be wise, lofty, spirited, constant in friendship to one another; true in their promise and more industrious than many others. (*Part 2, ch. ii, pp. 67-8.*)

The Abenakis were not a warlike tribe as compared to the Indian of the prairies. They followed the peaceful pursuit of fishing like all coastal tribes. Polygamy was practiced by their chiefs. It is related that an Indian asked a missionary how many gods the English did worship, and, being answered "one god," the inquirer reckoned up about thirty-seven principal gods he had and "shall I," said he, "throw away these thirty-seven gods for one?"¹ Evidently the incredulous native considered the subject from a mathematical standpoint and thought the showing was distinctly unfavorable for the whites.

The Indian had his evil as well as his good spirit — Abbamocko or Cheepie was the name of this antithesis to Michabo. He was the one who smote them with incurable diseases and defeated all their plans. In their terror at these manifestations of his power they turned to their medicine men to exorcise this evil spirit, and this character was one of the necessary accompaniments of what may be termed their spiritual life. If these conjurers failed to lay Cheepie and the diseased fell a victim to his wiles; when death overtook them "they dye patiently, both men and

¹ Letter Mayhew to Whitfield, Sept. 7, 1650 ("Light Appearing," etc., p. 4).

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women," said a contemporary writer, "not knowing of a hell to scare them nor a conscience to terrify them."

The last phase in the life description of this race which inhabited York, before the coming of the whites, takes us to the disposal of their remains and respecting this a quotation from Josselyn furnishes the final picture:

They dig a Pit and set the deceased therein upon his breech upright and throwing in the earth, cover it with sode and bind them down with sticks, driving in two stakes at each end. Their mournings are somewhat like the howlings of the Irish, seldom at the grave, but in the Wigwam where the party dyed, blaming the Devil for his hard-heartedness, and concluding with rude prayers to him to afflict them no further.

It may not be inappropriate in this connection to hold a post-mortem examination over the remains of an artificial Indian whose name has been taken in vain in our local annals. I refer to Aspenquid of whose life, death and burial many mythical tales involving illimitable credulity have been preserved and, strange to say, multiplied in quantity in the centuries succeeding his alleged regretted demise. The legend is more or less familiar to the people of this town, but for the purposes of record it may be condensed. Called "Saint" Aspinquid and described as an Indian "apostle," converted to Christianity about 1630, he spent the remaining fifty years of his life in preaching to sixty-six different tribes of Indians "from the Atlantic to the California Sea." He died in 1682 and we are solemnly told that he was buried with great pomp and ceremony on top of Mt. Agamenticus, whither came Indians even from the "California Sea" bringing with them buffaloes, moose, wolves, wild cats, minks, porcupines and rattlesnakes, not forgetting 501 fishes, making a total of 6,721 animals for sacrificial rites in honor of this "good Indian"—perhaps the first of his kind to be so classed. If we can survive the humor of this great event we may be prepared to hear that a tombstone was erected on the spot with an epitaph, inscribed in the Indian language, closing with these sententious aphorisms:

Present, useful; absent, wanted;
Living, desired; died, lamented.

The author of this history regrets to deprive the people of York of the ashes of this picturesque figment, but the necessity of historical requirements demands that his

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ghost be laid, and the real truth, less romantic, be substituted. As far as known this legend was first given a local setting by the late Judge William Pitt Preble in 1858, when he published a sketch of his family and its York ancestry. The plain fact is that the cult of "Saint" Aspinquid belongs to Nova Scotia, where it had its birth as a festival in that Province before 1800, and has no more connection with York than with any other part of the country. It is not even a part of the old Indian traditions, and the Jesuit Fathers who had more to do with the Christianizing of the Indians of North America than other missionaries, from the earliest times, do not mention his name in the yearly "Relations." The following is from Akin's "History of Halifax, Nova Scotia":

Among the annual festivals of old times, now lost sight of, was the celebration of St. Aspinquid's Day, known as the Indian Saint. St. Aspinquid appeared in the Nova Scotia almanacks from 1774 to 1786. The festival was celebrated on or immediately after the last quarter of the moon in the month of May. The tide being low at that time many of the principal inhabitants of the town on these occasions assembled on the shore of the North West Arm and partook of a dish of clam soup, the clams being collected on the spot at low water. There is a tradition that during the American troubles when agents of the revolted colonies were active to gain over the good people of Halifax, in the year 1786, they were celebrating St. Aspinquid, the wine having been circulated freely, when the Union Jack was suddenly hauled down and replaced by the Stars and Stripes. This was soon reversed, but all those people who held public office immediately left the grounds and St. Aspinquid was never after celebrated at Halifax.

A well-known authority on the lore of the Indians made an investigation of this palpable hoax and found that the assigned date of the "festival" corresponded to Whitsuntide in the calendar of the English Church, and that it was an attempt to revive the custom of having cakes and ale in the Whitsuntide revels of the past. "Saint" Aspinquid was probably a "Bluenose."

The Society for the Propagation of the Gospel established in England as a missionary agency to the Indians of New England sent over large sums of money for this purpose but none of it was used among the Maine tribes. Godfrey complained of this, after the Restoration, and recommended that Rev. John Brock, who preached at the Shoals, be hired for this work in Maine, and "able & fit

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persons be sent to preach unto the Indians towards the East." If his views had been adopted it might have saved some of the trouble which the neglect of the Puritan almoners of the funds in Boston caused by their failure to show any interest in the eastern tribes. (*Records of the New England Company*, 53.)

In 1634 Winter, at Richmond's Island, wrote to Trelawney that a great many of the Indians "died this year both east and west from us," and in 1640 he stated that there were no Indians living within forty or fifty miles of the coast — a statement which probably applies to this town as well. In the census of 1765 there were no Indians enumerated in York and it is probable that none had lived here after the first Indian War.

Having in this survey followed the aboriginal Indian of this region from the cradle to the grave we can now leave him in his Happy Hunting Ground with the Great Spirit of his dreams, living in perpetual plenty amid an abundance of game. Later we shall have to consider the descendants of this interesting race in their last savage attempts to exterminate the white invaders and recover the undisputed freedom of occupancy of the land of their fathers.

CHAPTER III
THE PERIOD OF DISCOVERY
1602-1629

At the dawn of the seventeenth century the great continent of North America was being slowly awakened from its prehistoric torpor of countless ages. It had opened its eyes on numberless occasions to see its coastline touched and trespassed by a strange white people in yet stranger craft, but it still remained dormant, awaiting the peaceful penetration of its borders that yet was to follow. The territorial waters of Maine, years before 1600, had been frequently traversed by the hardy mariners of the western ports of England, Bristol, Barnstaple and Plymouth, the Channel ports of France, as well as from the Basque Provinces of Spain, in their venturesome hunt for the Northwest Passage to Cathay, and the more sordid hunt for the abundant riches to be found in these unvexed seas by hook, line and net. The names of these forerunners of its colonization period rest in obscurity among the unrecorded heroes of ocean navigation, but they became the heralds of its potential wealth to whomsoever should follow in their wake.

The opening of the new century was the signal for a race of the great powers of Europe, English, French and Spanish, to possess this continental prize. The inbred seamanship of the men of Bristol who had swarmed its quays since the day when Cabot started thence in 1497 on his voyage of discovery, proved its leadership among the fleets of the three rivals to that part of our coast from Maine to the Carolinas, and England established her right of possession by discovery and subsequent settlement to that included region; while Jacques Cartier planted the lilies of France on the St. Lawrence, and Ribot raised the gonfalons of Spain in the peninsula of Florida.

As far as known by competent records none of the famous voyagers touched the area now comprised in the bounds of York, although there exist scattering evidences that its harbor was well known to European sailors before we get a definite record of actual visitation by English



MAP OF AGAMENTICUS 1616
(Enlarged from the map of Capt. John Smith)

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vessels. In 1602 Capt. Bartholomew Gosnold skirted the coast of Maine and held a parley with the natives of what is now York. He had set sail on March 26, 1602 from the Cornish port of Falmouth for a new try at the goal — the supposed Northwest Passage. His party numbered thirty-two persons, and the enterprise was probably under the patronage of Robert Salterne, Mayor of Bristol. Its purpose was colonization, though undertaken without the authority of Sir Walter Raleigh, whose consent was necessary for such a design. Displaying unusual enterprise Gosnold made a direct course for the new continent without touching at the Azores or Newfoundland. He sighted the coast of Maine in seven weeks and made his landfall about the headland of Semeamis (Cape Elizabeth), and continuing westward he made Cape Neddick, which he called "Savage Rock." His journalist thus describes the significance of this name as follows:

The fourteenth (of May) about six in the morning we descried land that lay North &c the Northerly part we called the north land, which to another rock upon the same lying twelve leagues West, that we called Savage Rock, (because the savages first showed themselves there) . . . From the said rock came towards us a Biscay shallop with sail and oars, having eight persons in it, whom we supposed at first to be Christians distressed. But approaching us nearer, we perceived them to be savages. These coming within call, hailed us, and we answered. Then after signs of peace, and a long speech by one of them made, they came boldly aboard us, being all naked, saving about their shoulders certain loose deer skins, and near their wastes seal skins tied fast like Irish dimmie trowsers. One that seemed to be their commander wore a waistcoat of black work, a pair of breeches, cloth stockings, shoes, hat and band, one or two more had also a few things made by some Christians; these with a piece of chalk described the coast thereabouts, and could name Placentia of the Newfoundland; they spoke divers Christian words and seemed to understand much more than we, for want of language to comprehend. These people are in color swart, their hair long, uptied with a knot in the part of behind the head. They paint their bodies which are strong and well proportioned. These much desired our longer stay, but finding ourselves short of our purposed place, we set sail westward, leaving them and their coast. (1602) *Archer, Relation.*

These people whom Gosnold first saw at York were of an unknown race, but had been called "Indians" by the explorers, under the belief that they were inhabitants of the Indies which they were seeking by the mythical North-

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west Passage. His parley with them was to obtain information about that "Right High Mighty and Invincible Emperor of Cathaye," to whom Queen Elizabeth had addressed a letter of salutation, to be delivered by the hand of Captain Gosnold on his arrival. The letter remained undelivered, for a vast continent three thousand miles in breadth, by parallels of longitude, and another great ocean yet lay between them. Nor were these people Indians of the racial stock that dwelt in Cathaia. They were a different race of beings about whose origin or relationship to other peoples of the known earth learned ethnologists are still in unsettled controversy. The previous chapter has dealt with them historically and from the ethnological standpoint, and it is only necessary here to consider them in connection with the curious contact made with them by Gosnold. It discloses a chieftain of their party, dressed in European garments, able to speak some English words, and conduct a parley with better results than his educated visitors. His knowledge was undoubtedly gained from frequent intercourse with English voyagers, innumerable as well as unrecorded. His clothes were probably a gift of some generous English, French, or possibly Spanish seaman who wished to repay some favors.

This incident, trivial in its isolated relation, has a deeper significance which has not been fully plumbed. The real story of European visits and occupancy of the Maine coast, perhaps antedating the Columbian era, has been drowned out by the trained chorus of worshippers at the shrines of the Pilgrim and Puritan, who would have us begin the history of this continent with the coming of the *Mayflower* and the *Arbella*. Long before those tardy emigrants to Massachusetts Bay were born, the Maine coast was known intimately by the adventurous navigators of France and Spain. Here was the real and fabled country of Norumbega, so called by that name in the local records of their seaports.¹ It was well known to the English explorers early in the sixteenth century as a place whose beginnings ran back indefinitely. Within its bounds was the "city" of the same name which had become traditional with them, and which Champlain and Smith sought to relocate in their first visits to the coast of Maine. Remains

¹ Norumbega is a good Abenaki word which was adopted by the French and Spanish explorers. Translated it is "Country of the North Men."

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of European occupancy here are being unearthed continuously to establish this historic fact, and with the written accounts of their voyages, and clearly identified landfall, these evidences unerringly point to a definite area and location which must yield satisfactory proofs through archaeological study of them. This is not the place to



EARLY DUTCH MAP
Showing Acomenticus and the Coast to Kennebec

elaborate, but these views are offered in explanation of Gosnold's interview with our Indians at Savage Rock. They could speak "divers Christian words and seemed to understand more than we." They could name "Placentia of the Newfoundland," he adds, and with a piece of chalk gave him an outline of this coast. This is the plain record of a journalist of the expedition, not the inferences of a romancer. The Popham colonists of 1607 reported that

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the Indians "use many french words" as well as speaking to them "in broken inglyshe," an acquirement of two languages which can not be measured by a few years of intercourse. As Gosnold found them clothed in European dress and having metal implements, it is reasonable evidence of their long familiarity with voyagers from overseas. Maine Indians taken by Weymouth to England in 1605 were "the means under God," as Gorges said, of giving him detailed information about this new country, certainly not described in their own language.

It was Samoset of Pemaquid who astonished the Plymouth "Pilgrims" in 1621 by coming "bouldly amongst them and spoke to them in broken English which they could well understand, but marvelled at it." They understood from him whence he came, a place where English ships fished, and that he "could name sundrie of them by their names." Not only that but he told them about the country where he lived, of the people around Plymouth, "their names, number and strength, of their situation and distance from this place, and who was cheefe amongst them." As a climax to this remarkable story by a veracious chronicler, he said there was another Indian, who had been in England "who could speak better Englishe then him selfe," (*Bradford, Ford ed., i, 199*). This suggestive outline of available material that awaits studious investigation, derives important support from the picturesque part played by the Indians of York who met Gosnold in their "Biscay shallop."

The remainder of his voyage has little further historic interest to the narrative of the beginnings of York. He made a stay of a few months on the island of Cuttyhunk at the mouth of Buzzards Bay and by July 23 was back in England again with a cargo of sassafras, cedars and furs obtained by traffic with the natives. His failure to establish a colony was counterbalanced by the roseate reports he brought concerning the unlimited natural resources of the country on land and in the sea. Two journals of the expedition were immediately published and stimulated the growing interest in the new land beyond seas. Richard Hakluyt, Prebendary of Bristol Cathedral, had long been an enthusiastic supporter, by voice and pen, of these voyages so pregnant with national and political possibilities for the imperial designs of Elizabeth. His "inducements

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and persuasions" brought Master John Whitson, then mayor of Bristol, to the patronage of another voyage, and by his agency the aldermen and merchants of the city raised one thousand pounds for the expenses of the prospective expedition to our coast. The greatest sovereign in English history was slowly dying as the equipment of the new venture was completed and her successor, the ridiculous James, had been on the throne less than three weeks when Capt. Martin Pring sailed from Milford Haven, April 10, 1603 in the *Speedwell* with the *Discoverer* as consort. Following the same direct route as Gosnold the year before, he made his landfall on the Maine coast at Fox Island, Penobscot Bay, and in due course sighted Savage Rock, our "Nubble," "where going upon the Mayne we found people with whom we had no long conversation, because here also we could find no Sassafras," (*Purchas Pilgrimes, iv, 1654*).

Then for the first time a mayor of Bristol learned of the locality which in a short time, as years go, was to draw its name from the great English seaport, which was so intimately connected with the discovery and was to be so deeply concerned in the settlement of this town. They failed to find sassafras, one of the prime objects of every voyage, and so continued to the southwest.

These two voyages in 1602 and 1603 were destined to close the known written record of landings within our town limits for a score of years, though it is not to be concluded that in that interesting period the constant voyages made yearly to the Maine coast did not find some adventurer sailing into York harbor on exploration bent. Hundreds of vessels came to these waters for fishing and trading between 1610 and 1620, while headquarters for this annual visitation was established at Monhegan. That such an establishment was permanent throughout the year is clearly proven by the constantly accumulating circumstantial evidence of these mercantile enterprises laying the foundations of settlements.

In dealing historically with the intervening years between the unknown and the known it is necessary to treat some things as "possibly," others as "probably," and some as "undoubtedly," according to circumstances. The years 1600-1620 on the Maine coast must be viewed and weighed as having an historical status resting on circum-



JOHN WHITSON
Alderman and Mayor of Bristol
Courtesy of Bristol Municipal Charity Trustees



THE PERIOD OF DISCOVERY

stantial evidence to be reasonably interpreted. In this relation York is to be considered, respecting these years, as part of the interesting story of continual visitations from European voyagers seeking places of habitation, advantages of location and possibilities for successful settlement.

After the voyages of Gosnold, Pring and Weymouth, the well-known settlement at the Kennebec, under the auspices of Sir John Popham, in 1607 drew the reality of permanent occupation a step nearer to fruition. Their



EARLY DUTCH MAP
Showing Acomenticus

object being exploration, we can suppose that in the course of their stay some of their party examined the coast line as far westward as York, for men of adventurous spirit after crossing the ocean did not sit down in one spot and remain idle when virgin scenes lured them afield. Then came in sequence the yearly visits of ships up to 1614 sent out by Popham and Gorges to the coast for fishing and trade. Richard Vines by his experimental settlement at the mouth of the Saco in the winter of 1616-17 had confirmed the feasibility of settlements in that latitude, and both Damerill's Cove and Monhegan Islands became busy

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centers of trade ever after. As the personal representative of Gorges it is reasonable to suppose that while there he undertook a survey of the rivers and harbors in this western part of Maine, in order to report in detail the potential value of the future province. In this the Agamenticus River and harbor must have been viewed by Vines and its qualifications and possibilities known by report to Gorges. Subsequent events to be related explain the bearing of this surmise. Inlets and harbors swarmed with ships from English ports and in 1618 Capt. John Smith reported that an hundred sail destined for the Maine



CAPTAIN LEVETT'S SHIP
Entered the River of Agamenticus 1623

coast were windbound waiting to proceed to Monhegan. The visits of this famous traveler and author to our local waters in 1614-1618 resulted in the charting of the entire coast of northern New England, and from his detail of mountain and river and use of the name "Acomenticus," it is certain that he explored our harbor in these years. A reproduction of so much of his famous map as comprises the area about York is here given as the first definite representation of the locality in contemporary print.

The exhibition of this map to Prince Charles in 1616 resulted in the bestowal by him, at Smith's request, of English names to replace the heathenish designations employed by the natives. In this way our town site was dubbed "Boston" and Mt. Agamenticus christened "Snadown Hill" after the great mountain in Wales. Fortu-

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nately the baptisms of Charles didn't "take." It was upon these well-understood proofs of occupation known at the time that King James in the great charter of November 3, 1620, dated before the Pilgrims had reached Cape Cod, granted to the Council for New England the patent to govern this territory. It was granted in consideration of the fulfillment of conditions precedent, because the grantees "had in divers years past . . . taken active possession . . . and settled English emigrants already in places agreeable to their desires in those parts." (*Hazard i, 103; comp. Prince ii, 70, 94.*) From the standpoint of recorded history this story of occupation of the Maine coast is unfortunate in not having a Bradford or a Winthrop among its pioneers equipped with pens, ink and paper, in ample quantity, and a political or religious purpose to serve to write these annals for posterity. The pioneers of Maine were too busy in writing debits and credits in ledgers and invoices of furs and fish to the merchants of Bristol, Barnstable and Plymouth, to set forth the unromantic annals of trading settlements. It is a part of the historical cant of New England writers to regard any settlement as negligible unless it had been "opened with prayer."

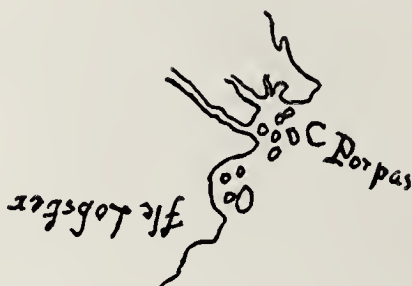
The next recorded visit to the river of Agamenticus was made by Capt. Christopher Levett in 1623 in his ship, the *Yorke Bonaventure*. Captain Levett made this voyage of exploration and experimental settlement on the western coast of Maine, extending over the period of a year. He engaged in a somewhat extended examination of the coast between Piscataqua and the Kennebec, describing each natural feature in detail. After relating his visit to Piscataqua he makes the following statements regarding this place:

About two leagues further to the East is another great river called *Aguamenticus*. There I think a good plantation may be settled for there is a good harbour for ships, good ground and much already cleared, fit for planting of corne and other fruits, having heretofore been planted by the Salvages who are all dead. There is good timber, and likely to be good fishing, but as yet there hath been no tryall made that I can heare of. (*Levett, Voyage into New England, 1623-4; London 1628.*)

From this it is learned that Captain Levett had accurately described the agricultural value of the lands about

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the river and gives us the definite information that no attempt had been made to settle it. This book, printed in London in 1628, doubtless had an important bearing upon the future history of this town as will be explained in a later chapter.

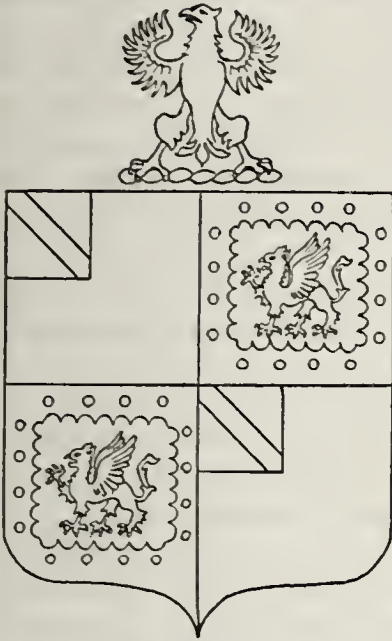


EARLIEST REPRESENTATION OF YORK
ON A MAP OF 1610

(Archives of Simancas, Spain)

CHAPTER IV

EDWARD GODFREY, THE FOUNDER OF YORK



ARMS OF GODFREY¹

Of Wilmington, Kent. Granted 1579

Fortunately there is ample documentary evidence to establish when and where and by whom the first house was built in the town and who has the honor of being the actual founder of York. We shall see that Gorges was the patron saint of the colonization of the Province of Maine, but he came not in person to supervise this particular locality, which later was to bear his name for a decade. In a statement prepared on October 30, 1654, rehearsing his connection with English colonizing on this coast, Edward Godfrey made the following recital of his long service in the work of developing this region and particularly this town of York:

Sheweth that he hath been a well wisher encourager and furrerer of this Col. of N. E. for 45 years, (1609) and above 32 years an adventurer on that design, (1621-2), 24 years an inhabitant of this place, (1630), the first that ever bylt or settled ther. . . . (*Mass. Arch.*)

The years in brackets are inserted by the author.

¹The heraldic seal used by Godfrey in his letters, preserved in the *Winthrop Papers*, does not conform to the coat-of-arms shown above, as confirmed to Oliver Godfrey of Wilmington, by Robert Cooke, Clarenceaux and Sir Gilbert Dethick, Garter King of the College of Arms, June 17, 1579 (21 Elizabeth). The drawing above is that tricked by Dethick (Stow Mss. 700, fol. 15). References to this grant are also found in Harl. Mss. 1422, fol. 14b; 1441, fol. 103b; Add. Mss. 5847, 12454, 14297 and Stow Mss. 702. On letters to Winthrop Godfrey used a seal showing a cross potent between four crosslets, which is the coat armor of the Crusader, Godfrey of Boulogne, King of Jerusalem (Morgan, "Sphere of Gentry," Book III, pp. 102-3). Doubtless it was from this real or fancied association that Godfrey named the tongue of land in York, on which he built his house, "Point Bolleyne." This coat was impaled with a Barry of six, which is the arms of Harleston of Fordwich, Kent (Hasted, "History of Kent," iii, 450, 498, 508), but what significance this has is unknown — perhaps an early ancestral alliance. His crest used here was a stag's head, but the records of the College of Arms gave the family both a wolf's head and a dragon's head issuing from a ducal coronet! Altogether the heraldry of Governor Godfrey, even in the official repository of such records, is a puzzle.

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There is no reason known to the author why this statement should not be accepted at its full face value, as there was nothing at issue in respect to priority of settlement, and Godfrey was merely reciting to the General Court of Massachusetts the story of his lifework in Maine in support of his claims for redress. When made, there were men living who would know facts to the contrary, if they existed, but in the heat of controversy over the events of that time his claim was never challenged. It would have been quickly denied, if possible to discredit his veracity, as his opponents never lost an opportunity to deny his assertions during this great political campaign of extinction.

It can thus be confidently stated that this date may truly be called the birth year of York. Its first house was built that year. This first building has been called a "frame house," (*Williamson, History of Maine, i, 677*), but it was undoubtedly a rough log cabin, which cannot be glorified into an elaborately finished structure, with glazed windows, brick chimney and plastered walls and ceilings. It can be pictured according to our knowledge of the facilities at hand for such an undertaking. The date was prior to the settlement of Boston by Winthrop's party, while the Province of Maine existed only in the terms of an unsealed parchment charter. The nearest human habitations were on the Piscataqua River, and saw mills were not in operation or erected anywhere at that time. The axe and adze hewed down and faced the felled timber for the walls, and the roof was probably thatched over a framework of saplings or small hand-sawn logs. Carpenters from the settlement at Piscataqua must have done the actual work of construction, for Godfrey himself was not an artisan. His previous occupation as a merchant scarcely fitted him for the part of a traditional pioneer. Clay dug from the banks nearby, or from the tidal flats, was daubed into the chinks between the logs to keep out the wind and rain, while oiled paper served as the translucent film in substitution for glass in the rough window frames. For a chimney and fireplace we cannot conceive anything more elaborate than one built of flat field stones held together, perhaps, by cement, or more likely by smoked-baked clay. Imagination does not give us much encouragement in trying to depict the interior furnishings. It is not correct to

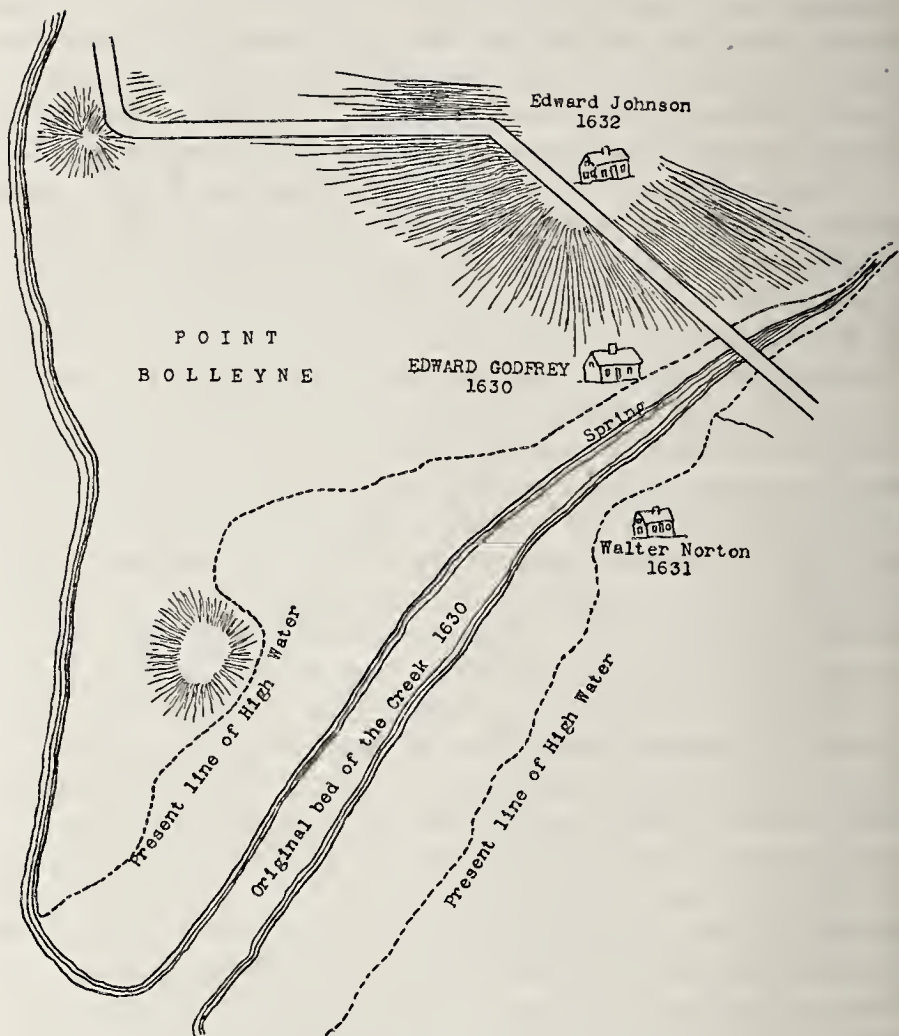
EDWARD GODFREY

say that the first planters had none of the ordinary necessities of domestic requirements. Ships in greater numbers than we have record of were, from the first, bringing over the simple utensils found in every English cottage, and furniture for the chambers was of first concern in the transportation plans of the emigrants. We must not suppose that the courage which brought over the first families lacked foresight to provide, at the least, the minimum of home comforts for the conveniences of housekeeping.

The location of this first house built in York is even more interesting, and the site can be fixed with almost absolute certainty from the corroborative evidence of many documents, collateral circumstances and tradition. It has always been supposed that Godfrey's house was situated at what has long been called Godfrey's Cove. It is true that he lived there after his second marriage with the Widow Ann Messant, about 1640, but that property was hers, obtained by mortgage from the original grantee George Burdett, and Godfrey acquired only titular interest in it by the law of *couverture*. It is not certain that he actually resided there, as this land was known as "Mr. Godfrey's farm," while he never alienated his original house lot of 1630 on which he had built this first house.

An examination of the sketch map shown here will explain the locality much clearer than descriptive text and it can be seen that the founder of York built his house on the tongue of land, as it then was, bounded by the river and Meeting House Creek, south of Lindsey Road. The precise spot cannot be fixed, after three centuries of occupation by man with the consequent alterations of contour by later building operations, but it is probable that Godfrey selected a place near a spring, which formerly existed there, as one of the first considerations in the pioneer's view was the convenience of access to potable drinking water in sufficient quantities, and this spot answered that prime requisite.

It is to be understood that Godfrey had obtained only a squatter's right to this land by first occupation, for this territory had not yet been allocated to patentees by the Lord Proprietor. It is a safe assumption to say that Godfrey had verbal permission to take up land anywhere in the Province, pending the establishment of definite patents by metes and bounds in the process of opening up this



LOCATION OF GODFREY'S FIRST HOUSE, 1630
Showing situation of his earliest neighbors.

EDWARD GODFREY

region to emigrants. At least that is exactly what followed. His priority of habitation was tacitly recognized when the first patent was issued a year later to the grantees of the Agamenticus charter, although he was not named as one of them. He became an associate some time later, and in the division of the land in severalty one of his shares covered the land where he had originally built his home.

How long Godfrey remained the solitary occupant of this house, or shared the solitude of the soil of uninhabited Agamenticus it is not now possible to state with any assurance. Col. Walter Norton must have come here after the arrival of the Puritans in Boston, and his experiences with their treatment of his neighbors in 1631, for the atmosphere created by those theological fanatics was impossible for one who had fought for years for his king and was loyal to the church established by law. Nor is it known who then constituted his "family," if any of them had accompanied him hither to his new home, for he was then married and had children. There is no hint that they came over at this time, and we may fairly conclude that this house was a pioneer's home erected for a trading post as well as a domicile for himself, with temporary accommodations for such early prospectors as we know were visiting the newly organized province. It is certain that at some unknown date, but prior to 1636, Leonard Hunter, John Barrett, Richard Ormesby, George Newman and Rice Howell had lots near Godfrey and that Edward Johnson, who had been in the country for seven years, was settled across the Lindsey Road, a refugee from the invasion of Puritan Massachusetts, like Norton. That these men, Hunter, Barrett, and Newman, had houses on their lots need not be argued, for it is of record that they had sold them and gone elsewhere before 1636, and that their places were occupied by later settlers. One lot was given as a dowry to a bride in this period, and that trivial fact alone confirms the postulate that closely following Godfrey's selection of Point Bolleyne in 1630 as his permanent home a well organized community was established on the river of Agamenticus. The steps taken in the organization of this company of pioneers and squatters into a body of recognized occupants of the soil, living under English laws and customs, with the approval of their king, will be told in another chapter.

HISTORY OF YORK

In a deposition before the Admiralty he states that in 1616 he was a merchant's factor in Sicily and had held like positions in Egypt and Venice.¹ In 1621 he was again in London acting as executor of his mother's will and at this date became an adventurer financially interested in the colony founded by the Pilgrims at Plymouth. In November 1622, as "of London Merchant," he was plaintiff in a chancery suit relative to the family properties in Kent (*P. R. O. Chan. Proc. C2, James I, Series i. G.1/4*).



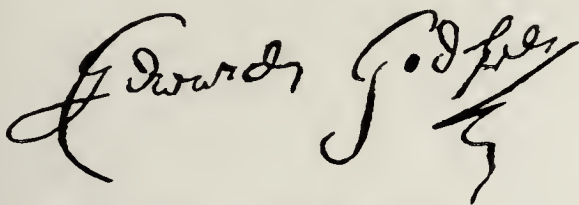
SECTION OF WOOD'S MAP OF NEW ENGLAND, 1633
Showing Agamenticus and vicinity

About this time (1622-23) he married. The date and place are unknown, but it was probably at Seale, Kent, ten miles from Wilmington, as the bride was Elizabeth, daughter of William Oliver, a well-to-do resident of that parish, the owner of property there, as well as in the adjoining parish of Sevenoaks. The loss of the register of Seale deprives us of any knowledge of her age or family. She was living at the date of her father's will, 1634, and he bequeathed personal property to her and "her children

¹ He was called as an expert witness in this particular suit to testify relative to the mercantile customs in foreign ports with reference to vessels carrying gunpowder, ordnance stores, etc., and the berthing of ships arriving after nightfall.

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except money in her husbands hands," without naming him (*P. C. C. 59 Sadler*). The issue of this marriage, besides two daughters, Mary and Elizabeth, was an only son Oliver, born 1624, of whom more will be heard later, as he came to York when about eighteen years old.

A handwritten signature in cursive script, reading "Edward Godfrey". The signature is written in dark ink on a light background. The first name "Edward" is written in a large, flowing hand, and "Godfrey" follows in a similar style, with a long, sweeping underline that extends to the right.

SIGNATURE 1626 ADMIRALTY RECORDS

In March 1624 he was assessor for Wilmington in the subsidy for that year. (*Exchequer K. R. $\frac{127}{588}$* .) In November 1626 he was called "of London Mercator," and his fine signature to a document (*H. C. A. Dep. Bk. No. 45*), the earliest yet found, is here given to be noted in comparison to the last one written thirty-seven years later. In 1627 he was again assessor for Wilmington in the subsidy for that year (*Exchequer K. R. $\frac{128}{607}$*) and on October 8, 1628 he deposed as a "merchant" residing in the parish of St. Andrew Hubbard, Billingsgate Ward, London (*H. C. A. Exam. Bk. No. 47*). This same year he was assessed also in London, same parish, on "goods" of the taxable value of three pounds, probably personal property. This closes all that is known of his life in England as disclosed after years of searching through all available existing public archives of London and Kent. It carries the story through 1628 and, as 1630 is the year he gives as the date of his first coming to York and building a home here, it is evident that he must have already decided to leave the Old England and try his fortunes in the New England between those two dates. Living as he did near London Bridge, below which ships were frequently cleared at the Custom House for these transatlantic settlements, the finishing touches were, doubtless, there and then given to his zeal for personally joining these pioneers and planters.

Doubtless the record of "A Voyage made into New England begun in 1623 and ended in 1624," published by Capt. Christopher Levett in London, 1628, came under

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the notice of Godfrey at this time. It is known from subsequent documents that Godfrey was an omniverous collector of books and maps of the New World, and it is not too much of an assumption that Godfrey then read in this volume Levett's opinion of the "great river called Agumenticus" where he thought "a good plantation may be settled for there is a good harbour for ships, good ground and much already cleared fit for planting of corne and other fruits." There it lay ready for the taking and, as it happened, this was where Edward Godfrey staked his claim. In London he came in contact with Sir Ferdinando Gorges and Capt. John Mason and learned of their enterprises in the recently chartered provinces of Maine and New Hampshire. We can only surmise the train of events which led to his emigration, whether undertaken as a personal venture or under the patronage of the two Lords Proprietors of these provinces. Godfrey was then about forty-five years old, rather beyond the age for enduring the physical hardships of hewing forests for the habitation of man. It is a task for the twenties rather than the forties, but we shall see that he overcame this natural handicap, soon grew into local leadership, and in twenty years had risen to the highest political gift at the hands of his provincial associates. It is presumed that Godfrey sailed for his destination in 1629 or early in 1630. It is not improbable that he may have gone as a fellow passenger with Col. Walter Norton who was later to become a townsman of Godfrey, but who chose at first to settle in the Massachusetts Bay. In this voyage to the New World he took with him, as far as known, only a nephew, John, son of his brother William, a youth of but eleven years who was ere long to meet a tragic death.

Whatever the actual facts of the purpose and details of his migration may be it is nearer the probabilities to say that he made his choice of a temporary abode at Strawberry Bank (Portsmouth), where the Laconia Company had its headquarters. This company was under the management of Capt. Walter Neale, another Londoner, doubtless known to Godfrey, and from this convenient point he could investigate the possibilities and advantages of settlement, and select a favorable location for starting a new and untried career. His decision became an epochal choice for him and an historic one for this town.

EDWARD GODFREY

Having established the facts of the connection of Edward Godfrey as the first settler of the town, the natural sequence of the story suggests the inquiry as to his personality and origin. Already some material for illustrating this phase of the story exists in print, principally relating to his career in Maine, published many years ago,¹ but subsequent researches by the author have added largely to our knowledge of his ancestry, his mercantile career in various parts of the then known world, his London life and the record of his death. It is not the purpose of this relation to magnify his connection with the founding of this town and his later official activities culminating in the governorship of the province into an epic of heroic proportions, nor to stress the pathos of the last years of his life in an unsuccessful struggle with powerful political wreckers of his government, but to present in the course of this history the facts which sufficiently furnish a justification of his extraordinary record.

His ancestors for at least four generations were residents of London, of excellent standing, citizens and freemen of the various guilds of that city. The earliest one known is alleged to have descended from Godfrey le Fauconer of Hurst, co. Kent in the reign of Henry the Second (1154-1189). He left two sons, of whom the younger, Oliver, born about 1480, was a graduate of Oxford 1505; Master of Arts 1507; Bachelor of Divinity 1519; and became Vicar of Penshurst, co. Kent. His will of May 17, 1550 provided for his burial in St. Paul's Cathedral "yf I dye wthin the Citie of London," but it appears that he was buried in the church of St. Mary Aldermanbury, September 3, 1550, the parish where his nephew Thomas Godfrey lived.

Thomas Godfrey, the eldest brother of Rev. Dr. Oliver Godfrey, was born about 1470, became a citizen and goldsmith of London and resided in the parish of St. Michael le Querne. His will dated July 18, 1527 names his wife Anne and son Thomas who was the grandfather of our first settler. This Thomas lived in the parish of St. Mary Aldermanbury, and had been a court letter-writer and became a crown officer by patent in 1542, serving five

¹ "Edward Godfrey, his Life, Letters and Public Services 1584-1664," by Charles Edward Banks. Privately printed (50 copies) 1887. See also *New England's Vindication* by Henry Gardiner 1660, Gorges Society 1884, edited by the same author.

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sovereigns — Henry VIII, Jane Grey, Mary, Philip and Mary, and Elizabeth — as Kings Remembrancer of the First Fruits. By wife Joan he had seven children 1540–1553, and was buried February 27, 1579 in his parish church of St. Mary. Of these seven children the fourth, named Oliver, baptized March 10, 1546–7, by his marriage about 1566 with Elizabeth Toye became the father of twelve children, 1567–1596, of whom the ninth child and fourth son was named Edward, born 1584, the founder of York. Elizabeth Toye, his mother, came of an equally well-situated family, long residents of the parish of St. Faith, under St. Paul's Cathedral.¹ She was the daughter of Humphrey Toye, called a merchant in the Heralds Visitation of the family (*Harleian Mss. 1548, folio 99*), but it is believed that he was a stationer by occupation, which at that time meant a printer and publisher of books. The Toye family of St. Faith's were members of the Stationers Company long before and long after this date, but owing to the destruction of the registers of that parish in the great fire of London in 1666, it is not possible to give further details of the maternal ancestry of York's first citizen.

Oliver Godfrey, his father, evidently had inherited sufficient wealth to be independent of trade in London and he is therefore always called a "gentleman" in the records. In 1569 he acquired by purchase leases of two properties consisting of glebe lands in the parishes of Wilmington and Sutton-at-Hone, Kent, for a term of sixty years and, as the last baptism of his children at St. Mary's is in 1582, he probably then removed to Wilmington where he afterwards resided until his death. He had bought the estate known as "Barnend" in that parish and there, in 1584, was born his fourth son Edward, the subject of this memoir. Oliver Godfrey died intestate and was buried in the chancel May 3, 1610, and Edward was granted administration of his estate the nineteenth of May following. His mother, surviving, continued to reside on the Barnend estate for the ensuing eleven years and died January 21, 1621, and an incised brass floor tablet with figures having labels with inscriptions and a coat of arms formerly ex-

¹ This designation is due to the fact that it occupies the crypt of the Cathedral and was a regular parish in all respects except having a separate church building. It was commonly known as "Faith under Paul's."

EDWARD GODFREY.

isted to mark their last resting place. This is ample evidence of the social standing of the Godfrey family that they were accorded sepulture in the chancel — an honor only granted to the nobility and gentry. Of their four sons, brothers of Governor Godfrey, Vincent, the eldest, died in Brabant (Belgium), probably during the wars in the Low Countries; Thomas, second son, died young; William, third son, became a resident of London, marrying Cicely, daughter of Thomas Hopkins, citizen and salter; and John, the youngest son, was a master mariner living in St. Dunstan's, Stepney. He married in 1619 Agnes, daughter of Capt. Robert Stevens. Of all the family but one son of Edward survived to perpetuate the name, as will be explained later, and this narrative will now revert to the main thread of the story of the founder of York before his emigration to New England.



ST. MICHAEL'S CHURCH.

WILMINGTON CO OF KENT, ENGLAND.

HERE GOVERNOR EDWARD GODFREY WORSHIPPED AND HIS PARENTS ARE BURIED WITHIN

Edward Godfrey was born and grew to manhood in the latter half of the reign of England's greatest queen. These years had been made famous by the marvellous extension of her empire through the brilliant exploits of Drake, Raleigh and Gilbert. Doubtless he had seen if not known one or more of them and, in common with all of

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the visionaries of that age, he had heard the stories of these famous navigators urging their picturesque ships through unknown waters unto the strange harbors of mysterious countries to set the English flag as token of possession.

When he had reached his majority King James had come to the throne and in a few years Virginia was beginning to be colonized. He could get first-hand information about this new country beyond seas for in the parish of Sutton-at-Home, where his landed inheritance lay, there lived Sir Thomas Smith, the Treasurer of the Virginia Company. We need not go far to seek the inspiration that led this youth to drink deeply of the wine of adventure which finally led him to cast his fortune in this same New World. The printed and verbal tales of the voyages of Gosnold, Pring, Weymouth and Popham added their fuel to feed the venturesome spirit which animated every young Englishman of that age. In 1605 he had reached his majority and it is probable that he went to London to seek a vocation that should meet his desires and ambitions and this developed into a mercantile career. In 1613 the City Chamberlain of London, by one of his prerogatives, annually utilized, nominated him for the freedom of the Guild of Mercers (one of the twelve great companies) by service as late apprentice to William Mallory, and thus he became a freeman and a citizen of the metropolis. He was then thirty years old. From this point it is necessary to construct his developing career by fragmentary bits of evidence collected from various sources. Evidently he soon entered into the business of a merchant adventurer, probably influenced by Sir Thomas Smith who was connected with the overseas trade, Governor of the East India Company and prominent official in the Muscovia, French and Somer's Islands Companies, and it is known that he became engaged in trading in the Mediterranean ports and the Far East, probably a resident factor.

CHAPTER V

SIR FERDINANDO GORGES, PATRON OF YORK

Ferd. Gorges



It is not possible in this chapter to add anything new concerning the public-spirited knight who regarded this town as his adopted American home and the future metropolis of his province.¹ Nevertheless, it seems ungrateful to allow a history of the town which he was instrumental in developing, and to which he gave his name, to lack a special chapter recapitulating some of the interesting events of his civil and military career. Indeed this will be his only local memorial, beyond the half-filled cellar hole which marks the site of his ancient manor house, until such time as the town takes the matter in hand and erects some suitable monument to its knightly sponsor.

Ferdinando Gorges, founder of Maine and the patron of York, was the younger son of Edward Gorges, of Wraxall, Somersetshire, representative of an ancient and knightly family first ennobled in 1309 in the reign of Edward II. This early barony by writ fell into abeyance in 1344, and a second barony, conferred by James I in 1620, became extinct in 1712. Ferdinando's father died in 1568 when the elder son, afterwards Sir Edward Gorges, was four years old, and the date of the younger son's birth is tentatively placed as in 1565, the exact date and place not having yet been discovered. The great Queen Elizabeth had occupied the throne for nearly a decade and already was forming vast imperial designs to extend British dominion overseas, designs in the development of which Sir Ferdinando was destined to take a part. Where he was educated is not known. He received the degree of Master of Arts from Oxford, probably *nobilitatis causa*. He seems to have embraced a military career early and

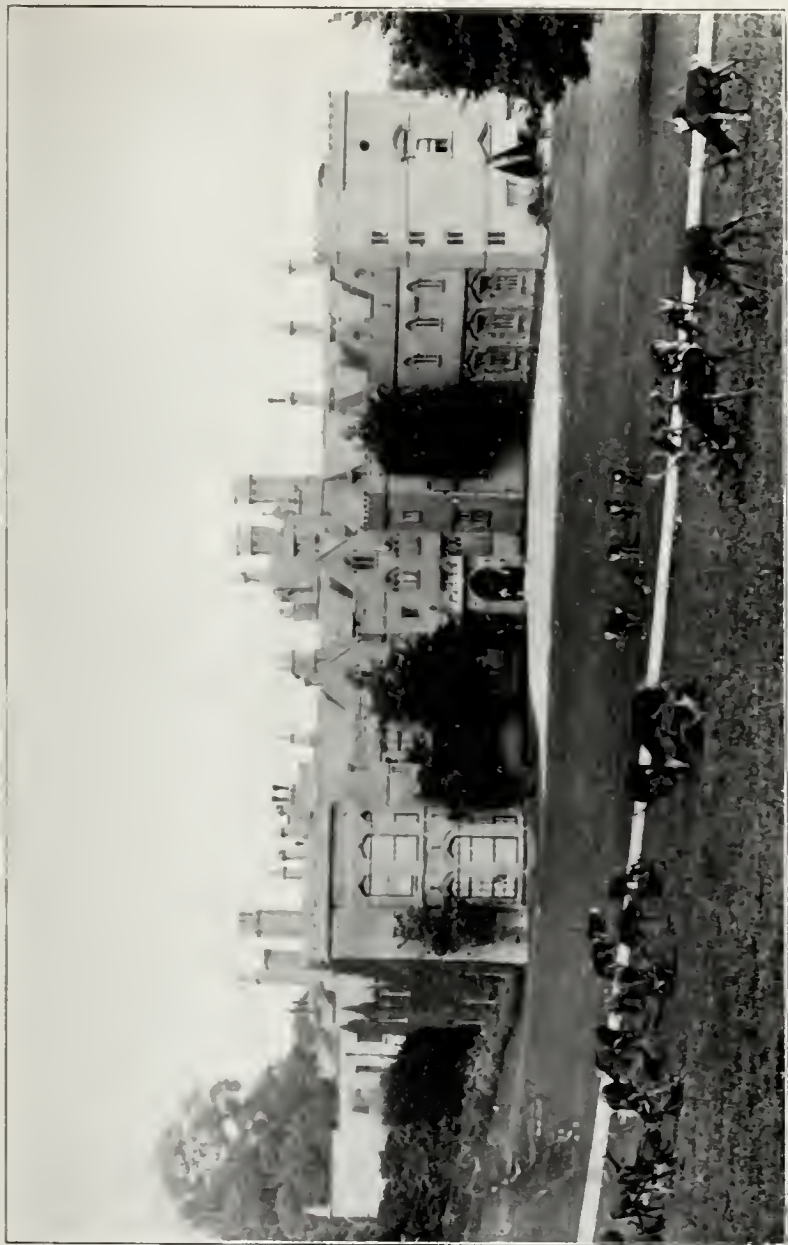
¹ An exhaustive biography of him was published by the Prince Society entitled "Sir Ferdinando Gorges and his Province of Maine" by James Phinney Baxter, A.M., 3 vols. 1890.

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found opportunity to engage in the frequent wars on the continent. In 1588 he was taken prisoner, and three years later he was in France in the service of Henry of Navarre, being present at the attack on Noyon. On October 8, 1591 he was knighted on the field of battle before Rouen by Robert, Earl of Essex, and five years later he accompanied Essex on the Cadiz Expedition with the rank of colonel. Vines, his trusted steward, tells us that "the King of France fetched him from a breach, being wounded," as related by Gorges himself. "I have often heard him discourse of those warlike actions," wrote Vines in a letter to Winthrop. Upon his return in 1595 he was ordered to take charge of the new fortifications designed for the defense of Plymouth, and in March 1596 he was gazetted as "Captain and Commander of the new fortress" (an important military unit in the defences of the Channel), through the influence of Essex.

This appointment undoubtedly furnished him with the first suggestion of the possibilities of English dominion beyond the seas, for Plymouth was one of the great seaports of the West Country associated with the early exploration of the almost unknown North Atlantic coast. Its borough records, even before the date of his birth, contain references to ships sailing to and arriving from those shores. As early as 1549 there is a reference to "newland ffyshe" brought from the American fishing grounds. From the masters of vessels obliged to report to him on their arrival from the New-found-land Sir Ferdinando learned of the wonderful country with its untapped resources on land and sea. Indeed we need not look further for the source and inspiration of his subsequent interest in this business which became his chief concern from that time to the day of his death, a half century later.

Unfortunately, the amazing personal politics, with all the extraordinary intrigues for power, which marked the end of the reign of the mighty Elizabeth as the sands of her life were running low, caught Gorges in the network of designing cliques, and the aged queen had him arrested and imprisoned in 1601, on the charge of being involved in the rebellion of the Earl of Essex, resulting in the beheading of her former favorite. Out of the charges and counter-charges, recriminations and defences, it is not easy to extract the unvarnished truth. At all events, in that



ASHTON COURT NEAR BRISTOL, ENGLAND, WHERE SIR FERDINANDO GORGES SPENT HIS LAST DAYS



SIR FERDINANDO GORGES

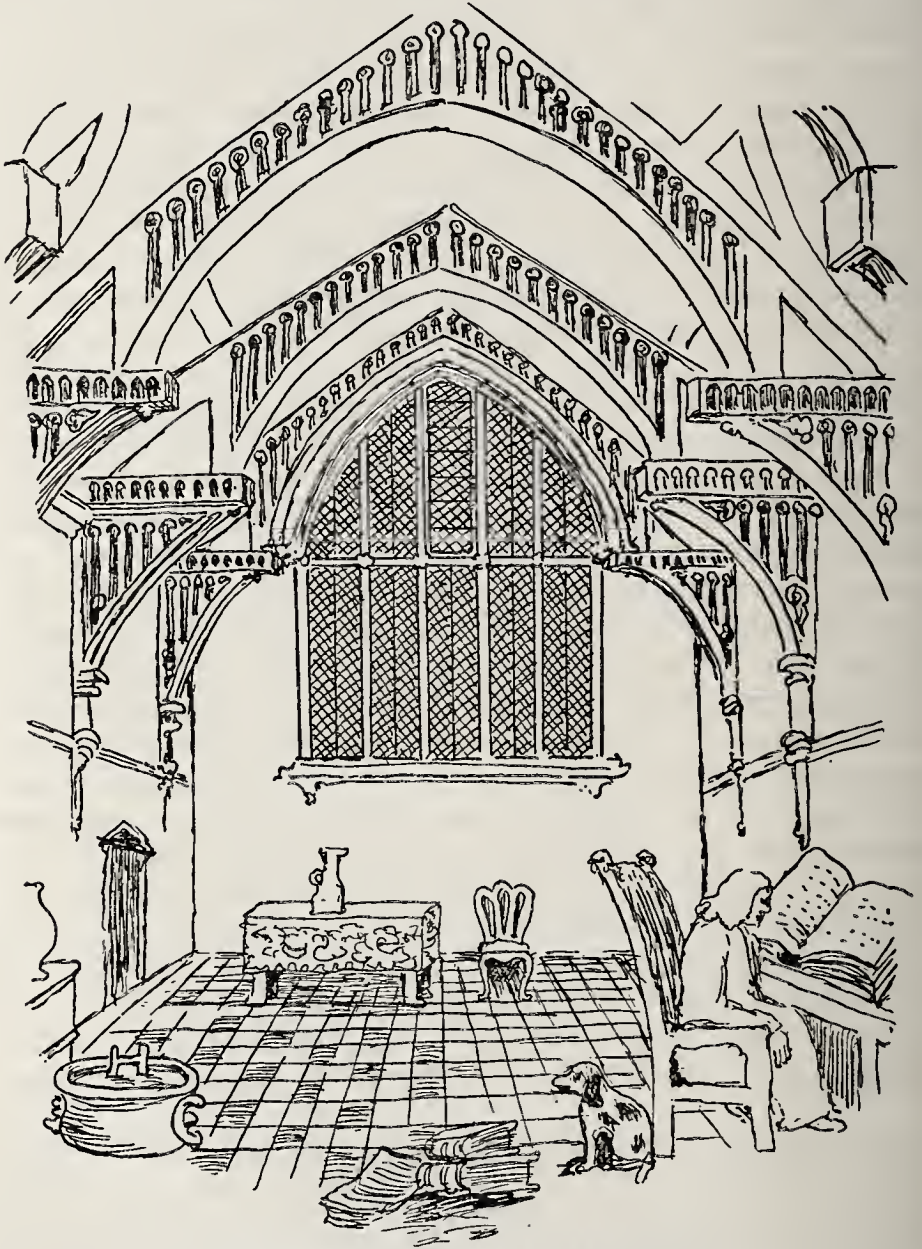
ruthless age, when heads fell from the block on the flimsiest accusation, nothing more than imprisonment was suffered by Gorges. How long it lasted is not certain.¹ The queen's successor, James I, restored him on September 15, 1603 to his former post at Plymouth. His return to Plymouth was coincident with some of the epochal voyages of the deep-sea sailors of the West Country, and his adventurous spirit was filled with new visions of conquest. His active personal connection with American colonization dates from 1605, when George Weymouth returned from his voyage to the coast of Maine where he had planted the cross of St. George near the present town of Thomaston. He brought with him five of the natives whom he had kidnapped. As our coast had been frequented yearly by fishermen from the western ports of England for an unknown period, the Indians had acquired a working knowledge of the English tongue from their contact with these sailors. The historical evidence of this is recorded by Bradford in his "History of Plymouth Plantation" in which he relates the visit of Samoset to the Pilgrims shortly after arrival at Plymouth. Samoset was an Abenaki living near Monhegan. It is therefore easy to understand that these Indian captives were able to converse in an intelligent way about the nature of their country, its climate, inhabitants and natural resources. Of the five captured Abenakis three were taken in charge by Gorges and the others by Sir John Popham, Lord Chief Justice of England. The three who were under the protection of Gorges bore the names of Manida, Sketwarroes and Tisquantum, and their agency in the great events which followed deserves mention in the history of American colonization. "This was," wrote Gorges, "an accident which must be acknowledged the means under God of putting on foot and giving life to all our plantations." It can well be understood that the sight of these natives brought across the Atlantic had a great effect in attracting the attention of the English public, and inspired men of influence to prosecute further

¹ As an aftermath of this famous trial, it can be stated that a family feud was created between Gorges and the Earl of Warwick, the grandson of Essex. Both became members of the Council for New England, the former representing the Royalists, and the latter becoming a Puritan. As such Warwick balked every move of Gorges, culminating in the sale of Warwick's (now lost) patent to the Massachusetts Bay Company, which covered a prior patent to Robert Gorges, son of Sir Ferdinando, which had been issued five years previously, and precipitated the antagonism between them, as will be detailed in a later chapter.

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designs to extend English enterprise on the Western hemisphere.

On April 10, 1606 King James granted two charters to two separate colonizing companies to operate in Northern and Southern Virginia, as then called, whose territory was specified to be within certain limits of latitude. Gorges was one of the charter members of the Northern Company,



SKETCH OF INTERIOR OF THE GREAT HALL
Residence of Sir Ferdinando Gorges, Bristol, England

SIR FERDINANDO GORGES

also known as the Plymouth Company, because its headquarters were established at Plymouth where many of his assistants lived. Little time was lost by these men, now eager to take advantage of the royal grant, and four months later Sir John Popham and Gorges dispatched a ship with a crew of thirty-one men under the command of Capt. Henry Challons, which carried as passengers two of the Indian captives for use as guides after arrival on the Maine coast. Cape Breton was the first objective of this expedition, but for some reason never satisfactorily explained Challons took a southerly course and had the misfortune to run into a Spanish fleet, which captured and took him and his vessel to Spain.

In the wake of this fruitless attempt Popham undertook a similar project with two ships and one hundred colonists with all the necessary supplies, utensils and ordnance required for establishing a plantation. These two ships, *Gift of God* and the *Mary and John*, sailed from Plymouth in the spring of 1607, and this expedition became known in history as the Popham Colony which settled at the mouth of the Kennebec. The fortunes and fate of this attempt at colonization need not be rehearsed, but it lasted only a year when it was abandoned. This new discouragement, caused largely by circumstances not connected with its purposes (the deaths of two of the principal promoters and the leader of the colony), served only to stimulate the eager Gorges to further efforts. Of this he wrote "all our former hopes were frozen to death" yet he could philosophize with White:

Experience hath taught us that, as in building houses, the first stones of the foundation are buried under ground and are not seen, so in planting colonies, the first stocks employed that way are consumed although they serve for a foundation to the work. (*Planter's Plea, c. I.*)

The financial losses attending these unsatisfactory voyages were great but this was not his only concern. These could be restored by later successful ventures, but he was deeply impressed with the imperial value to England of this work of colonization, and during the next seven years he used every opportunity, without being importunate, of urging upon Cecil the national advantage of this work. The famous voyage of the equally famous Capt. John Smith to the New England coast in 1614

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revived the dreams of Gorges. The principal ill report of America as a land where Englishmen could not live comfortably was due to the stories of severe climatic conditions, and to counteract this he sent his faithful steward, Richard Vines, to our coast directing him to remain during the winter in order to prove that the land was habitable as well as fruitful. Vines demonstrated this in his camp at the mouth of the Saco in the winter of 1616-1617, and brought back reports which left no further doubt of its desirability as a home for English colonists. Gorges made the most of these favorable accounts. Thence forward events moved rapidly and without further hindrances. Fishing fleets financed by him and Sir Francis Popham, son of the late Chief Justice, came annually to our coast with great profit. Fishing and trading posts were established on the Maine coast by them, and on November 3, 1620, in answer to petitions of Gorges and his associates, an enlarged charter, with more ample powers, was granted to the Plymouth Company. Gorges became the most active member of the newly chartered organization, as he had been of the original one. About this time he became associated with Capt. John Mason, lately returned home from Newfoundland, of which he had been governor. Mason became a member of the Council and its secretary, and from that time the two men were closely associated in joint enterprises which resulted in the first organized settlement of Maine and New Hampshire. Their first partnership was in a patent dated August 10, 1622 of all the country between the Merrimac and Sagadahoc Rivers, extending from the Atlantic into the river of Canada (St. Lawrence) and including "the savage nations towards the Great Lakes." This territory was called the Province of Laconia. Picturesque contemporary maps indicated this territory as abounding in all the valuable fauna and flora, known and unknown, and its waters as teeming with shoals of curious fish. Merchants from London, Bristol, Exeter, Shrewsbury and Dorchester joined with these two pioneers in colonization to develop the trade in furs and fisheries as well as to stimulate further discovery and settlement. Damariscove Island became the port of entry and, protected by a strong fortified palisado, it became a busy center of barter and trade with the natives. In 1629 Gorges and Mason agreed to make the Piscataqua River

SIR FERDINANDO GORGES

the divisional line between their interests, each one having previously concentrated his activities on either side of the river, and thus came into being the two provinces of Maine and New Hampshire, which in turn gave their names to two New England states.

On Gorges side of the Piscataqua numerous patents followed in rapid succession, not necessary to describe here, and it only remains to state that his further connection with these movements culminated in the final reward for all his costly and continuous work in developing his province as a home for English emigrants. On April 3, 1639 he obtained from King Charles a provincial charter incorporating uncommon powers and privileges. Territorially it extended from the mouth of the Piscataqua along the seashore to the Sagadahoc and Kennebec Rivers, and one hundred twenty miles inland, including the north half of the Isles of Shoals and the islands of Martha's Vineyard and Nantucket. The northern limits extended to the mouth of the Dead River, and northwestward to Umbagog Lake, equal to about one-sixth part in area to the present State of Maine. This was a princely realm. Sir Ferdinando, his heirs and assigns, were made absolute Lords Proprietors, with the usual reservation of crown rights. Its ecclesiastical government was to be according to the usages of the Church of England, and the executive powers of the Lord Proprietor, or his Deputy Governors, were plenary. This memorable charter was more comprehensive and extensive than had ever before been granted by the Crown to an individual. By its terms Gorges became an uncrowned monarch in a little kingdom of his own.

This is the story of the life of Sir Ferdinando Gorges, covering the period within which York had its birth, and the last years of his association with this town will be related in their proper sequence.

The domestic life of Sir Ferdinando included four marriages: (1) Anne, daughter of Edward Bell of Writtle, Essex, whom he married February 24, 1590 at St. Margaret's, Westminster. By this marriage he became a kinsman of Thomas Bradbury, one of the early settlers in this town. After thirty years of married life she died in 1620 and was buried at St. Sepulchre's, London. By her he had two sons, John, born 1593, and Robert, born 1595. The latter came to New England in 1623 to take up the govern-

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ment of a patent in Massachusetts Bay within the territory of the later patent granted to the Massachusetts Bay Company. He seems to have died without issue.

John Gorges married (1) the Lady Frances Fynes, daughter of the Earl of Lincoln; and (2) Mary, daughter of Sir John Meade, of Wendon Loftus, Essex. By his second wife he had a son named Ferdinando (1622-1718), the last of this distinguished family to have any official connection with the Province of Maine. It was his lot, after years of struggle with the usurping government of Massachusetts, to dispose of his patrimony for a paltry sum. His mural monument recites that "he was sometime Governor of the Province of Maine in New England."

Sir Ferdinando Gorges married (2) Mrs. Mary (Fulford) Achym, widow of Thomas, and daughter of Sir Thomas Fulford, Knight. She died shortly afterwards and he took for a third wife his cousin Elizabeth Gorges, daughter of Tristram Gorges of St. Budeaux, Devon, and widow of (1) Edward Courtenay and (2) William Bligh. She died within a year of her marriage and he married (4) another cousin, Mrs. Elizabeth (Gorges) Smyth, September 28, 1629, daughter of Sir Thomas Gorges of Langford Castle, Wiltshire, by his wife Helena, Marchioness of Northampton. Elizabeth was the widow of Sir Hugh Smyth of Ashton Court, Somerset. By this marriage he acquired the beautiful estate of Long Ashton as well as the magnificent city residence of her deceased husband, called the "Great House," later converted into a school by Thomas Colston. There he had the honor to entertain his sovereigns, Charles I and Queen Henrietta Maria, in 1645, on their visit to Bristol.

The declining years of Sir Ferdinando were spent at Lower Court, or Ashton Phillips, which was probably the dower house of Lady Smyth. There he died in May 1647, at the advanced age of eighty-two years. This is an outline of the story of the career of the life of the patron of York, covering the period within which the town had its birth. The last years of his association with it will be related in their proper sequence. He has been aptly called "The Father of American Colonization," and his name and fame will grow with the passing years among historians capable of discarding religious and political prejudices and recognizing the vision of a pioneer who struggled against the passions of his time.



CHURCH AT LONG ASHTON NEAR BRISTOL, IN WHICH SIR FERDINANDO GORGES WAS BURIED



CHAPTER VI

THE MANOR OF POINT CHRISTIAN

With all the elaborate paraphernalia prepared by Gorges for the management of his affairs here, in both provincial and local interests, it will be seen that he did not omit the one characteristic feature of English life in his programme — the Manor. It was the foundation of the land-holding system of the nobility and gentry of England, from time immemorial, and the bulwark of the social distinctions of English life. He transplanted this custom and inaugurated it in York.

When Capt. John Underhill was gathering material about 1636-7 relating to New England, which he published under the title "Newes from America" (1638), he made the following observation about the Bristol Plantation: "*Augumenticus* is a place of good accomodation, it lyes five miles from *Puscataway* river, where *Sir Ferdinando Gorge* hath a house": (p. 26). From this contemporary evidence we may be certain that Gorges' own statement "I have a house and home there," (*Briefe Narration* 50) relates to the manor house which was built as early as the first-named year and probably was originally constructed about 1634 when Thomas Bradbury came here as his representative and steward of his Manor of Point Christian, now called Gorges Point. Its original name, adopted by Gorges, might well be revived. That such a manor existed, the only one known in Maine, is amply established on the authority of Gorges himself. In a deed to Francis Williams (1642) the conditions of tenure were thus specified: "To be holden of the said S^r Ferdinando Gorges as of his Honour, Mannour, Lordshipp, or house within the said Province of Maine commonly knowne by the name of Poynt Christian" (*Deeds i, pt. 3, p. 5*). We are furnished by him with further interesting references to this Manor House. In a letter to Francis Windebanck, Secretary of the Privy Council, dated Ashton January 28, 1639-40 he shows that this house had been completed prior to that date, and speaks thus of it:

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Having received (let)tres out of New England I perceave had I not obteyned the graunte I lately gott from His Majesty (3 Apr. 1639) I should not have beene Mr of more then I ocupied with my servants, and those entrusted by me in that parte my house stands in, (the rest beinge challenged som by one right som by another) and som of those flyinge to the Governors of the Bay for authority to order theire affayers (as if they alone were the supream lords of that part of the worlde) and therefore howe I shall speed in my Resolution to make good His Majesty's Royall graunte, God that only Governes all actions knowes. (*Col. State Papers, x, 55.*)

The exact location of this Manor House on the point of land bordered on the southeast by New Mill Creek is



SITE OF THE MANOR HOUSE OF POINT CHRISTIAN
Remains of Cellar shown by cross.

established by tradition and the depression yet remaining where the cellar existed. It is on a slight elevation and an estimated cavity about fifteen feet square identifies the cellar. This does not indicate the size of the Manor House, as cellars at that period were never excavated the full dimensions of the building. They were used only for storage of vegetables and were entered from the outside and were usually under one room only. It may be supposed that the house may have measured twenty by thirty feet and possibly slightly larger. It was occupied at first by Thomas Bradbury and his family from 1634 to 1636 when he removed to Salisbury. Its subsequent tenants for the next four years, until the arrival of Thomas Gorges, are not known, and indeed it would seem that it may have been unoccupied, unless it was used by William Gorges, Deputy Governor (1636). It is traditional and doubtless

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the story is well founded that Gorges, when he reached here in the summer of 1640 to take possession, found it "in a state of great dilapidation and its furnishings missing; — nothing of his housedhold stuff remaining but an old pot, pair of tongs and a couple of cob-irons" (*Williamson i, 283*). A modern writer has published the following statement (1906): "Not long ago while tearing down a chimney in one of the old houses of York, and embedded in the back curve of one of the flues, the workmen found an old pewter teapot. The bottom of this old utensil showed signs of having been recoppered, and it bore the marks of considerable use, the lid having been frequently mended. On the inner side of the lid were the figures '1644' and also the letters 'Fer Gor,' and from these it was easy to conjecture its former ownership. To my mind there is no doubt that this is the identical teapot which Thomas Gorges found here when he came to assume the administration of affairs" (*Sylvester, "Romance of Old York," 94-95*). The site of the cellar has been many times dug over for relics.

Such was the forbidding aspect of the Manor House which he had expected to become the official residence of the Deputy Governor of Maine and the prospective Mayor of Agamenticus. We are accustomed to imagine a Manor House as a picturesque building with elaborate interior decorations and furnishings appropriate to its character. However close this one approached that conception in style and furnishings originally, we can assume that the young Deputy Governor, astonished at its neglected condition, promptly restored it to a habitable state as it was his home for the following three years. When he in turn left it in the summer of 1643 its subsequent occupancy is not known from any existing record.

The business interests of the Lord Proprietor were left by Thomas Gorges in the hands of Roger Garde, as his agent, "to lett & sett his Whoole estate . . . till such tyme as hee came himselfe againe" (*Deeds i, pt. 2, f. 14*). The death of Garde in less than two years removed that guardianship, and the successor, if any, is unknown. Thus by unforeseen circumstances the Manor House was left to the tender care of the elements, unless, perchance, one of the servants brought over by Gorges, Christopher Rogers or William Davis who remained behind, assumed custodian

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duties. However, they soon left Gorgeana. Its subsequent history partakes of the general story of the collapse of the Gorges interests in Maine during the Civil War and following his death. Robert Nanney, brother-in-law of Edward Rishworth, in 1647 entered suit against Gorges for a debt and was awarded the verdict. The record of this proceeding under date of March 26, 1647 is as follows:

It is ordered (by) this Court that the Province Marshall shall deliver Robert Nanney posetion of the howse and ground of Sir Ferdinando Gorges for his securitie for a debt of eleven pounds untill the Generall Court: and Robert Nanney to have the use of the ground and what he doeth make of it to give an account to Sir Ferdinando Gorges or his Dep:

On October 18, 1647 the Court ordered that Nanney should have "an extent upon the house and land of Sir Ferdinando Gorges as two indifferent men shall judge it untill his debt of eleaven pounds starling be payd." By this date the old knight had been in his tomb at Ashton Phillips five months and beyond the realm of worldly debts. This property was placed in the care of Edward Rishworth by Nanney as his agent. Nanney died in 1663 and Rishworth remained in technical control of the house and land, which he presumably managed for the benefit of the widow. In 1678 Massachusetts acquired by purchase the legal title to the Province of Maine in fee simple, and thus became heir to the Gorges property in York and a party to this unsettled claim, now thirty years old. The land belonging to the Manor House was entirely surrounded by the holdings of Jeremiah Moulton by this time, with no legal access to it, except from the creek or river. Undoubtedly Moulton refused a right of way through his property, and desired to force sale of it to himself, but the Nanney title was not perfect. Hence it is presumed Moulton began encroachments or trespass. Rishworth appealed to the Provincial Court and on May 30, 1682 got confirmation of his possessory rights, and followed this up with the following "Caution":

Mis Katherine Nanny haveing a good & Legall Interest of a Certen Poynt of Necke of land, lijng at Yorke in the Province of Mayne, comanly Called by the name of Mis Gorges Poynt, Containing about 12 : or 20 Acres of Land bee it more or less, as executrix to her first husband Mr Robt Nanny deceased, till a debt of Eleaven pounds Sterlg was fully satisfid, as appeareth by a Judgt granted for the same at a provinciall Court houlden at Pischataq(ua) poynt for sd Province

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October 18th 1647 : which by sd Rishworth was possessed & Improved severall years from the right of the sd Robert Nanny/

Edw : Rishworth in behalfe of the sd Katherine Nanny alias Nailor, Enters Cawtion to secure the Interest of the sd Land according to the aforesd Judgment & against the acknowledgement or Entering the ReCord of any Deeds for any Persons whatsoever relateing thereunto, untill the eleven pound Sterling as above sayd bee duely satisfied & payd/

Entered this 29th Janu : 1683 : (*Deeds, iii, 139.*)

The Province having been reorganized by Massachusetts as "Lord Proprietor," Deputy Governor Thomas Danforth cut the technicalities which tied up this remnant of the Gorges estate and on December 27, 1684 sold it to Jeremiah Moulton, describing it as "Land on Gorges Poynt, which Land formerly belonged to Sir Ferdinando Gorges as Proprietor" (*Ibid. vi, 27*). As no mention was made of the house, it may be assumed that it had fallen in ruins, as it was then half a century old, and probably uncared for during many years past. Thus passed out of sight, and almost out of memory, the Manor House of Point Christian. But not so Rishworth. He has left on record his final caution against the disposal of the property, dated July 25, 1685, as follows:

Edw:Rishworth in behalfe of Mrs Katherine Nanney alias Nayler, executrix to the Estate of her former husband, Mr. Robert Nanny, Deceased:

Entereth Caution to save harmless the Interest of a poynt or Parcell of Land commonly called by the name Mr. Gorges Poynt, lijn in Yorke, Province of Maine, which Land was granted according to a Judgment of Court Beareing date October 18th, 1647: by extent to the sd Nanny for a debt due him from the Lord Proprietor of Eleaven pounds Sterling: & delivered into the possession of Edw: Rishworth in sd Nanny's behalfe, which sd Rishworth Injoyed some years: Namely the sd land taken from him & Detained by Jere; Moulton, the right whereof was afterwards restored to him by the Court of pleas May 30: 1682: & upon an appeale, at the next Court of appeals following, Thomas Danforth Esqr, then President of that Court on that tryall Cast the sd Rishworth & tooke away that land from him, & sould it to sd Moulton for Twenty pounds in silver, the half of wch money hee promised then to sd Rishworth, to Issue that difference, but now refuseth to do it, either to let the sd Katterine Nanny have the Land or satisfaction for it/ (*Ibid. iv, 43*).

Whether Danforth had any legal right to transfer this land, or whether any of that "silver money" ever reached the hands of Rishworth are questions left to some future historian of York to solve. It remained Moulton prop-

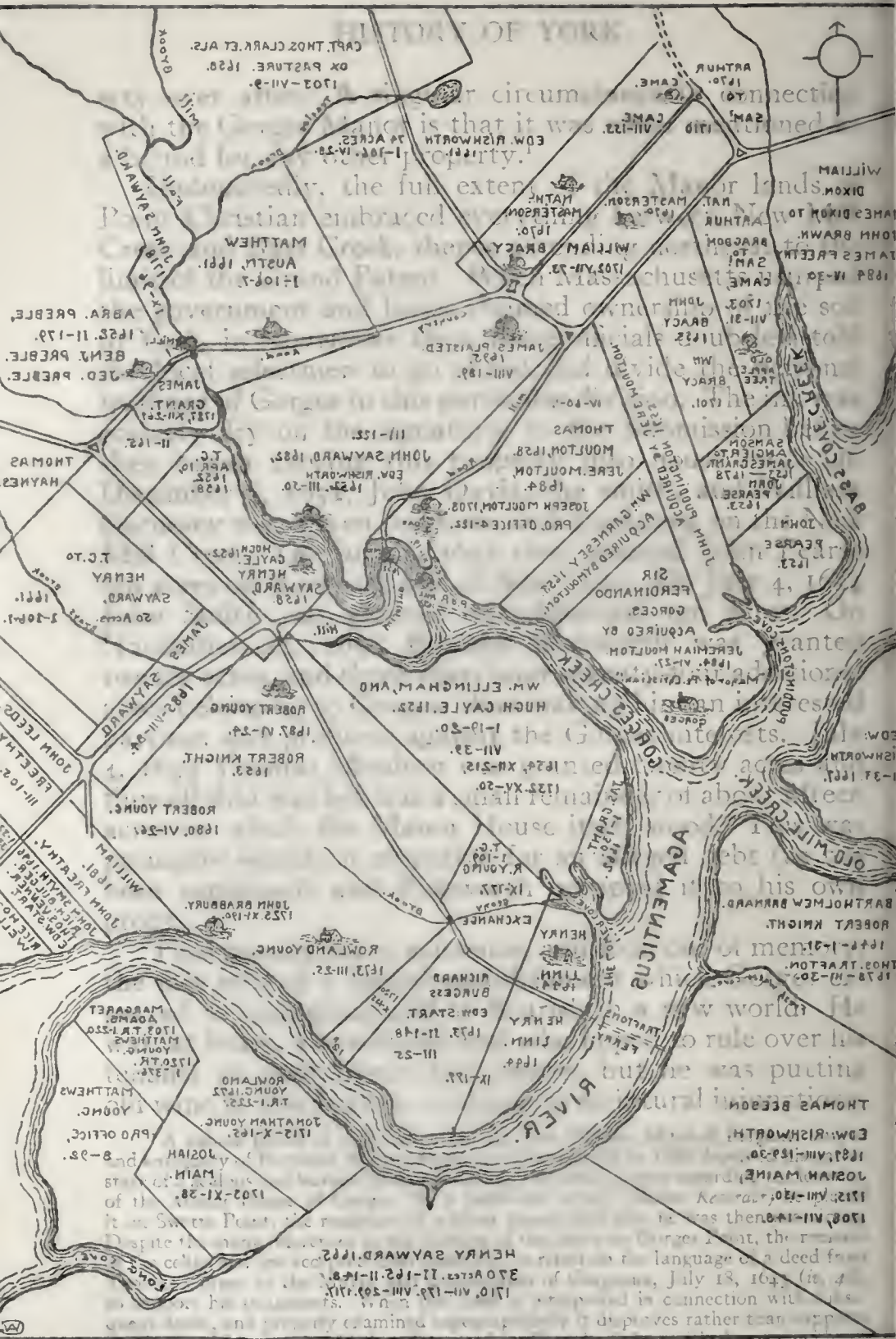
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erty ever after. A singular circumstance in connection with the Gorges Manor is that it was never mentioned as a bound for any other property.¹

Undoubtedly, the full extent of the Manor lands of Point Christian embraced everything between New Mill Creek and Bass Creek, thence extending northeast to the limit of the Grand Patent. When Massachusetts usurped the government and hence claimed ownership of the soil in York, in November 1652, these officials doubtless told the local selectmen to go ahead and divide the personal holdings of Gorges in this particular division. The ink was scarcely dry on the signatures to the Submission before they began carving this property into house lots. On December 8, 1652, John Davis, the smith, and William Garnesey were given ten acres each bordering on the New Mill Creek. On July 2, 1653 they granted John Pearse ten acres on the south side of Bass Cove. On July 4, 1654 John Smith was granted an additional ten acres. On November 22, 1658 Edward Rishworth was granted twenty acres, and three years later seventy-four additional acres belonging to Gorges, thus making him an interested partisan and profiteer against the Gorges interests. July 4, 1659 Thomas Moulton was granted twenty acres and thus all that was left was a small remainder of about fifteen acres on which the Manor House itself stood. This was promptly seized on execution for an alleged debt (as has been explained) and Rishworth occupied it to his own profit.

Thus passed out of existence, and soon out of memory, the last relic of a feudal establishment which Gorges expected to transplant and to flourish in a new world. He was, at heart, a beneficent lord who hoped to rule over his tenants as their friend and patron, but he was putting old wine in new bottles, contrary to scriptural injunctions.

¹ A valued friend of early manhood, the late William Mitchell Sargent, lawyer and antiquary of Portland, Maine, whose premature death in 1888 deprived his native state of a zealous and learned historical student, fell into an error regarding the location of the Manor House of Gorges. In a published article (*Maine Recorder*) he placed it on Swetts Point, the residence of a client whose land title he was then examining. Despite the many references to the location of the house on Gorges Point, the remains of the cellar and the accepted local tradition, he relied on the language of a deed from Thomas Gorges to the Mayor and Corporation of Gorgeana, July 18, 1643 (*ib.*, 46), to support his statements. When this deed is interpreted in connection with subsequent deeds, and properly examined topographically it disproves rather than supports his theory. This note is added to dispose of it. Were he living, with the new evidence now available, he would acknowledge his error of identification of the situation of the Gorges Manor House.



Showing Locations of the Earliest Settlers
 Map of Gorges and Ferry Neck

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The manorial system was not destined to flourish in New England, and with the exception of one on Martha's Vineyard, created in 1671, the Manor of Point Christian was the only instance where it was in operation in this section. It was against the spirit of the age, as well as opposed by the colonists who had come over to escape the slavery of lifelong tenancy. The little house on Gorge's Neck, a pathetic object when compared with its counterpart in his own country, became the last symbol of his lifelong efforts to extend the empire of his sovereign.

The woodman in the forest hews the Kingly mast to rear,
And forth the fearless vessel goes to earth's remotest sphere;
But who of all the mariners upon the watery plain
Gives praise to that unswerving Knight who loved the hills of Maine?

Lydia Huntley Sigourney.

CHAPTER VII

THE CHARACTER AND PURPOSES OF THE YORK COLONISTS

That the sociological elements of the settlement at York were as distinctive in origin and quality as compared to the peculiarly theocratic colonies to the south in the Massachusetts Bay — Plymouth and Connecticut — will be evident from an examination of the sources and character of the pioneers who first cast their lot on the pleasant banks of the tidal river of Agamenticus. When the seventeenth century opened, the adventurous seamen of the West Country had already traversed the Atlantic to the shores of the New-Found-Land, and had conceived and executed those marvellous voyages of discovery of our coast of which the people of East Anglia had neither interest, part nor knowledge. Bristol had sent forth the Cabots a century before, Plymouth had also sped Raleigh forth to Virginia, and a continuous succession of the sea-dogs of Devon, Somerset and Gloucestershire had turned the prows of their frail shallops towards the setting sun in search of the Northwest Passage to Cathay. The borough records of Plymouth and Bristol teem with yearly evidences of voyages of these bold mariners in their determination to learn more of the unknown world, then a month's sail distant under the most favorable conditions of navigation. It was the country of Raleigh, Drake, Pring, Gilbert, Popham, and Weymouth, and they would not be denied their quarry.

The counties on the North Sea littoral were busy in other forms of activity. In them the religious controversies of the age found fertile soil and East Anglia became the nursery and hothouse of the Puritan movement. While the Spanish Armada was being driven from English shores by the magnificent seamanship of Devon sailors, the population of Lincolnshire, Norfolk, Suffolk and Essex was expending its energies in sapping and mining the foundations of the Established Church, building on its shattered shrines the crude and curious Puritan type of negation and intolerance. The seamen of Devon were discovering and

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annexing to the kingdom of Britain the vast unknown continent of North America, while the fustian weavers and chapmen of East Anglia were busily engaged in discussing the wearing of surplices or theological taradiddles.

The pioneers of Maine did not come here to convert the heathen, reform their own church or to interfere with the methods and millinery of worship accepted by others. That annoyance was imposed on them by the later comers from a different section of England who had no part in the discovery and settlement of the Maine coast. East Anglia was dissenting and disloyal, the West Country faithful to the king and the church. East Anglia gave us the intolerant and intolerable Winthrop, Wilson, Cotton, Bradford, the Pilgrims and the Puritans. Devon, Cornwall and Somerset gave us this New World and charted it for settlement. The Puritans finally overran its soil, thus acquired by a hundred voyagers of the loyal West.

In this West Country was our town conceived in the broad vision of Sir Ferdinando Gorges, and his dream was executed almost exclusively by men of that section. With the religious whimsies of the period he had no sympathy, and doubtless no respect, and the men of affairs with whom he chose to be associated and those he chose as his own partners in the plans he formulated for beginning a new English empire overseas, knew nothing and cared less for the theological dogmas which fed the contentious minds of the yeomen in East Anglia. As the leading, if not the controlling, mind of the Council for New England established at Plymouth, he selected men of his own standards and ideals in the far-reaching plans he had developed for securing this part of America to the Crown by colonization, as his own kind of an earlier generation had claimed it by virtue of discovery. His ideas were imperial, so he gathered round him men of the West Country, from the hardy amphibious stock of Devon, Cornwall and Somerset gentry to carry on and complete his task, with whom he joined a few others of the same social and political quality from other sections of England, principally London residents, who were not tainted with the leaven of Puritanism.

His great field of endeavor, the Province of Maine, of which he was the Lord Proprietor, with almost vice-regal authority, had for its active participants either as settlers,

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or sharing its management, only men of the landed gentry class. Frankly, it was to be exploited as a plain business enterprise in which religion had no more part than its normal division of responsibility is to be found in every well ordered civilized state. While religion was not emphasized as the chief object, as in the Massachusetts colonies and Connecticut, yet it was not ignored as a necessary factor in the plans of Gorges. He saw to it that clergymen were supplied for the religious needs of his colony, but he picked out educated and ordained ministers of the English Church who had not flung the prayerbook of their fathers into the discard, nor substituted for it a cold storage type of worship which gradually froze all the religion out of Puritanism before two centuries had elapsed.

In this work of colonizing Maine he had the support of Sir Thomas Josselyn and his sons Henry and John, Arthur Champernowne, Esq., Mr. Thomas Bradbury, Mr. Edward Godfrey, Capt. Richard Bonython, Mr. Thomas Lewis, Col. Walter Norton, Mr. Henry Norton, Mr. Alexander Shapleigh, Capt. Francis Raynes, Mr. Robert Trelawney, Capt. Thomas Cammock, all of whom were active in the settlement and all of them belonging to the armigerous gentry of England, loyal to their king and faithful to the church. With them were associated leaders in mercantile and professional life like Mr. Samuel Maverick, Rev. Robert Jordan, Mr. Humphrey Hooke and Mr. Edward Johnson, all of whom had the tactical misfortune (if it be so classed) to abhor Puritanism and everything it stood for. They became the victims of its intolerance while living, but historically they are now regarded as the heralds of freedom of thought, speech and worship, which the Puritans fasely proclaimed was their object in emigrating to secure — for themselves only. York was essentially a Royalist settlement.

As the first settlement in this Province of Maine this town was the prime favorite of Gorges in his schemes of Colonial development, and identified with him in its inception were Godfrey, Bradbury, Norton, Maverick, Raynes and Hooke, all of whom had personal and material interests in its success. They encouraged men of substantial character in the West Country to cast their lot in this new settlement and went about the affair in an orderly and businesslike manner. They had no time to spend in hunt-

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ing heretics, nor in whipping, fining, mutilating or branding people who differed from them in matters of theology. They were too busy transforming an impenetrable forest into fertile farms and laying foundations for future trading centers to bother about "justification by faith" or "salvation by works"; and so following the lead of Rhode Island they early declared for liberty of conscience and freedom of worship. It is well to understand this now in order to appreciate what disaster it brought on them later through this liberal attitude towards religion as compared to the "freedom" which the Massachusetts theocracy pretended was their object in leaving England to seek greater liberty in these parts. Both Rhode Island and Maine felt the lash of these religious tyrants in the bitter years that followed the certain establishment of the "Lord's Brethren" in the security of authority on the shores of Massachusetts Bay. Instead of leaving behind them the traditions or manners and customs of life in Merrie England the settlers of Maine brought them to the virgin shores of York as will be seen in the progress of this narrative, and here continued to live their old lives as sane Englishmen of their fathers' day had done in their former home.

It has seemed necessary to lay special emphasis on the original social and religious distinctions which differentiated the colonists of Maine and Massachusetts from the beginning as the differences were fundamental. They represented, to a certain degree, the line of demarcation between the contending philosophies of government which were to clash in the disastrous Civil War. It was a local rivalry between Royalists and Roundheads, and if there were no clashing of arms it was, none the less, a real contest of supremacy on the part of the representatives of the principal opponents in England. The progress of each side ran parallel with the victories and defeats of their English overlords. It is important to understand this situation in order to properly appraise the motives and acts of each of the opposing parties as they developed in the course of the history of this town. The Royalists of Maine were generally satisfied with the existing order and with their relations to the Proprietary. The Massachusetts settlers were rebels against the king and the church and they wished to overthrow both. It was an inevitable conflict to which there could be no compromise. The result of these local

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skirmishes and plays for advantage finally led to the defeat of the king's supporters and with it went some of the last relics of the divine right of kings in the English colonies of America. For these no regret is summoned. It was the beginning of a new order of political philosophy and the people of York were deeply loyal to the throne and the proprietor while they remained the legal authority in the province. It was inbred in their lives. Their consistency in this respect engages our sympathy for their adherence to law and order as it was acceptably administered by the Lord Proprietor and his local representatives. They had no reason to seek the arbitrament of arms nor become traitors to their sovereign. They were a peaceful, law-abiding community.

CHAPTER VIII

AGAMENTICUS CALLED BRISTOL



THE ANCIENT ARMS OF BRISTOL, ENGLAND

Granted in 1569

Reproduced by courtesy of the Corporation of Bristol

The old walled town of Bristol, on the Avon, with its inland "harbor," made a city in 1542, has an earlier and more important connection with this country than any other seaport of England. London merchants did not figure in the development of the new continent for more than a century after Bristol had sent the Cabots to go in search of

countries, "heretofore unknown to all Christians." The metropolis of the West of England has been aptly called "The Birthplace of America" by Miss Nora Dermott Harding, the present City Archivist, and as will be manifest from the story of the connection of its enterprising citizens, it can be easily established that it was the foster mother of York.

For a number of years before and after 1630 merchants of Bristol had been interested in land speculation in Maine and had obtained patents of territory which were being actively exploited. The Pemaquid Patent granted to Thomas Aldworth and Giles Elbridge, rich merchants of

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Bristol, was witnessed by young William Hooke of that city on February 29, 1631-2 in Bristol, and on May 27, 1633, having made the voyage across the Atlantic, he was a further witness to the delivery of the property to the agents of the patentees. In view of what happened later it is certain that Hooke in this first visit to the coast came



WINE STREET, BRISTOL, 1600

Reproduced from an old print in "Bristol Past and Present"
(J. W. Arrowsmith, Ltd.), by courtesy of the Publishers.

to Agamenticus to see the infant settlement of which he must have known some particulars in Bristol when Colonel Norton was obtaining his patent the previous year.

From fragmentary evidence in the manuscript collections of the British Museum there is some reason to believe that Godfrey went to England soon after the sad blow to the infant settlement of Agamenticus which took away the chief patentee, Walter Norton, and his own nearest kinsman, young John Godfrey, murdered by the Indians, as it was necessary to explain the situation to the surviving partners as well as to his bereaved brother concerning the loss of his only son. About this time his father-in-law died and the two events undoubtedly demanded this visit to England for official as well as family reasons. It is not unlikely that young Hooke returned

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with him. The fruits of this visit are not documented, but the early appearance of new settlers at Agamenticus gives evidence that he had interested others in the work left unfinished by the dead soldier. Doubtless in his conferences with Sir Ferdinando, the old knight was advised to establish his own official residence in Agamenticus and make it the metropolitan of the province as both actions followed soon after. In addition the need of sawmills to enable settlers to erect permanent and substantially furnished houses was presented with such urgency that in a short time artisans of the building trades were sent across to construct mills on the tidal stream on the Gorges side of the river, as will be explained in full detail in a special chapter.

It is now easy to account for the inception of interest in this plantation which led Humphrey Hooke, a very rich merchant, alderman and mayor of Bristol, to begin his adventures in Agamenticus. With its leading settler to give him personal testimony in corroboration of the opinions of Gorges as to the commercial prospects of the newly settled coast of Maine and possibly the additional views of William Hooke, we can date his important association with it. Humphrey Hooke was a native of Chichester, Sussex, born in 1582, a scion of the Hookes of Bramshot, and as a young man had gone to Bristol, then the great seaport of western England, second only to London in maritime importance. It was the port most frequently used by the Maine colonists in their business relations with the mother country and, as is known, the residence of

A handwritten signature in black ink that reads "Humphrey Hooke Mayor". The signature is written in a cursive style with a long, sweeping underline.

SIGNATURE OF HUMPHREY HOOKE

From Common Council Proceedings, Bristol (1642-8) 04264(4) (Copyright, Courtesy of the Corporation of Bristol, England.)

Gorges. Youths from all parts of England went there to begin a mercantile career and young Hooke was admitted a burgess of Bristol February 10, 1606, "for that he hath married Cicely the daughter of Thomas Young, merchant" (*Mayors Audits Accounts, Bristol*). His rise in public and business affairs in the city began early and

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became rapid and spectacular. He was early interested in the New World. In 1610 he became one of the patentees of New Foundland, when only twenty-eight; in 1614 he was elected sheriff; treasurer of the Merchant Venturers Company in 1616; and seven times its master after 1621. In 1629 he became mayor of Bristol, and the next year one of his ships, the *Eagle*, sailing under a Letter of Marque against the Spanish and French, brought him in prizes to the value of forty thousand pounds, the greatest financial reward of this sort ever known at this period. Counted in present-day values it represented about two million dollars. When Godfrey met him he was probably the richest merchant in Bristol. Mayor Hooke was a resident of the parish of St. Stephens, near the docks of the city, living in a large mansion on the Wood Quay facing the Bowling Green. Here fourteen children were born to him 1608-1629 of whom the second son and fourth child, William, baptized 8 April 1612, was the young gentleman who had already visited Agamenticus as just related, in his twenty-second year. Probably in honor of Mayor Hooke and his son William the little plantation on the Agamenticus was now called Bristol.

That Godfrey brought back with him a charter, now lost, having powers of government, is clearly evident from casual references to a corporate organization established here prior to the first Agamenticus Patent of 1641 and even the patent of 1638. This may have incorporated the settlement as Bristol (*Winthrop Journal ii, 8*), a name by which it was early known. The provincial records of Maine (1640) speak of *several* patents which had been granted to the inhabitants and ordered "that the Government now established in Agamenticus shall soe remaine" (*i, 55*). We have seen that in 1636 "the officer of Accamenticus" is mentioned in the same records, indicating the existence of an organized political corporation. As the Hilton settlement on the Piscataqua was already called Bristol, through purchase by merchants of the west of England, it is probable that to avoid confusion another patent was issued in the name of Accamenticus as on March 13, 1637-8 William Hooke was called "now Governor of Accamenticus," and in 1640 he signs as "Governor" (*Deeds vi, 74, 150*).

Godfrey's return can be placed in 1634 and for the fol-

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lowing three years the settlement grew in numbers, in advantages as a residence for emigrants, and in commercial and political importance. Apparently, however, the Lord Proprietor, now in his sixty-seventh year and caught in his declining days in the approaching maelstrom of the Civil War, on the losing side politically, was not moving fast enough to suit the energetic pioneers on the spot. The disturbances in England, social and religious, following the successes of the Puritan movement, were reflected in Massachusetts and Maine. The leaders of the Bay Colony were zealously persecuting and officially plundering those who sympathized with the king, while in Maine it was the opportunity for every demagogue to take advantage of the situation and become "Puritan" as a stroke of policy. Of this latter class George Cleeves of Casco Bay was the chief malefactor, "one of the arrantest knaves in New England," according to Governor Winslow of Plymouth. His actions against the peaceable loyalists of Maine were merely to advance his own personal fortunes, but the relentless hounding of the loyalists in Massachusetts was a fundamental campaign of Puritan fanaticism which resulted in constant and repeated complaints by the victims to the king's advisers of these crying injustices. It grew to such proportions by 1637 that the Attorney General, in an attempt to curb these religious tyrants, brought a writ of *Quo Warranto* to vacate the charter of the Massachusetts Bay Colony. Cleeves, who had gone to England in 1636 to stir up what trouble he could, "procured a writ out of the Star Chamber Office to command Mr. Edward Godfrey, Mr. John Winter, Mr. (Thomas) Purchase and Richard Vines to appear at the Counsell table to answer some supposed wrongs." Vines wrote that Godfrey "went over to answer for himself Mr. Winter and my selfe." (4 *Mass. Hist. Coll. vii.*) This voyage undertaken by Godfrey had another and a more important object. His stay in England was prolonged for a year or more, and while there, in April 1638, he was present at the first *Quo Warranto* trial of the Massachusetts Bay Patent. The representatives of the patentees were "called upon to confront a peremptory demand from the Lords Commissioners in England for the surrender of the Massachusetts charter, coupled with a threat of sending over a new Governor General from England." It was an anxious and serious time for the Boston

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officials. Godfrey states that he was present "att the Counsell Table" and when the defendants "stood mute," not knowing what answer to make, he satisfied all the objections raised, "so that all the Ships were Cleared." (*Gardiner, New England's Vindication*, 5.) This effective assistance volunteered by a representative of the Gorges interests went unthanked by Massachusetts, and in later years when it was called to their attention, in Godfrey's behalf, their reply indicated that while they could not "but thankfully acknowledge the kindness towards us" yet it was unnecessary! Winthrop had already written in his journal that "the Lord frustrated their design." (*i, 161*), and Secretary Rawson stated that "God in his providence" had saved them. (*Hazard i, 564.*)¹ This service which had an important bearing upon the future government of New England was rendered unselfishly, and if unappreciated by those who profited by it, the service will be recognized by historians as of value to the development of New England as a self-governing colony.

But the real and more important object of Godfrey's mission related to local affairs. It is thus explained in his own words: "By oppression of Sir Ferdinando Gorges² (I) was forced to goe to England to provide a patten from the Counsell of N. E. for myself and partners, the south side (of the river) to Sir Ferdinando Gorges and onely the North side to myself and divers others associates." (*Mass. Arch. 38/244.*) It had been more than seven years since Godfrey had built the first house in the new settlement, and it was without a legalized corporate name or charter of incorporation. If it had a name there is nothing extant to preserve it in the varied record of York's successive baptisms. The patent of 1631 was only for possession of the soil, and contained only property provisions which would accrue to the patentees. Doubtless they exercised governmental authority under it, which they called a "combination," a sort of compact entered into by the residents, but it had no legal basis, such as belonged to the established authority of towns in the other prov-

¹ Egerton manuscript (British Museum), No. 2395. "What Godfrey then said is known" is his own comment upon this incident.

² It is not understood that the word "oppression," as used by Godfrey, has the meaning now pertaining to it, that is, unfriendly use of power, but the significance of urging, bringing pressure to bear, strongly persuading him. Gorges was always the friend of Godfrey.

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inces. A desire to remedy this anomalous condition arose in the mind of Gorges, probably, and it is apparent that he urged Godfrey to return to England for a settlement of this administrative difficulty, and the form of a government for the little plantation.

The fruit of Godfrey's visit was a corporate charter to provide this necessary authority to govern the place. Although this document has also perished in the three centuries since it passed the seals, yet that there was such a charter, prior to the famous borough and city charters of 1641 and 1642, is clear from scattered contemporary allusions to it. Samuel Maverick, one of the original patentees of 1631, wrote as follows (about 1665), in his "Description of New England," under the sub-title "Bristoll now Yorke":

A Patent was (nere 30 yeares since) granted unto Sir Ferdinando Gorges, Mr. Godfrey, Alderman Hooke of Bristoll, myselfe and some others, on the northside of this River . . . which was then called Bristoll and according to the Patent the Government was conformible to that of the Corporation of Bristoll.

This is an additional statement that a charter had existed for the government of this plantation. The date assigned "nere 30 yeares since," closely approximates the actual facts now known regarding it. In a deed Godfrey, Maverick and Hooke recite that it was made in accordance with the provisions of a patent dated March 23, 1637-8, and in March of the next year William Hooke called himself "now Governor of Accamenticus." Again on May 28, 1640, before Thomas Gorges had assumed charge, Hooke was called "Governor" twice, meaning business manager of the chartered company.¹ In a deed from Maverick to Garde is found another recital of the patent of 1638, "Granted by the President & Counsell of New England, by there Deede written in paper under there hands & seales;"² and in another deed, Godfrey to

¹ *York Deeds*, vi, 74. It should be understood that the title of "Governor" did not have the significance which now attaches to it in our political system. At that period it was bestowed on a person appointed by the shareholders to manage the business of a company. William Hooke was only manager of the Bristol company's affairs under the provisions of their grant. Hooke was not Governor of Maine, nor was Winthrop Governor of Massachusetts; both of them were managers of chartered corporations. An early instance of the use of this title is found in Bradford's History of Plymouth who speaks of one appointed to be "Governor" of the *Mayflower*. A modern example is found in the official title of Governor of the Bank of England. There was no Governor of Maine in our present sense until Godfrey was elected by ballot in 1649.

² *York Deeds*, vi, 150.

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Preble, it is recited as made "by vertue of a pattent beareing date the 23 of March 16/37 to himselfe & his Associates."¹ Final proof is established from the records of the Council for New England, itself, as follows:

22 March 1637/8

The Grant mentioned in this Booke the 2 day of December 1631 was ordered to be renewed againe unto Edward Godfrey & others therein named, and this day the Seale of the Company was sett thereunto/

This patent probably amplified those two earlier documents by granting powers of government over the business affairs of the company with certain limited police powers over those residing within its territorial jurisdiction, "conformible," as Maverick wrote, "to that of the Corporation of Bristoll." It was the next step in the development of the plantation, and the inhabitants received it "in expectacon of a Graunt to be made unto them" later with increased privileges. The Provincial Court at its session of June 25, 1640 ordered "that the Government now established in Agamenticus shall so remaine." The patent of 1638 provided that "government."² The agency of Godfrey in obtaining this enlarged charter has been made plain. In all documents relating to it his name is given the leading place, second only to Gorges. It is a fair assumption that he brought it back with him on his return. As he was in England the last of June that year it is not probable that he arrived home until late in the summer.³

Although this instrument is lost to us some of the new names which appeared on it as patentees have been preserved in chance references in our early records. The new adventurers found as belonging to this lost patent are, in addition to, or as substitutes for, the first list, already stated, as follows: Robert Thompson, Elias Maverick, Giles Elbridge, William Jefferys, John Bursley, Humphrey Hooke, William Hooke, Thomas Hooke, Lawrence Brinley

¹ *York Deeds*, i, part 1, folio 119.

² *York Deeds*, ii, 178; xiv, 144. In a document prepared for Parliament Godfrey wrote that the Patent to "Norton and others for the River of Accomenticus was renewed by Edward Godfrey 1638." (*Colonial Papers*, P. R. O. ii, 16.)

³ The following document is recorded as a part of the business transactions in the case:

I Edward Godfrye do Acknowledge to have received of Humphrey Hook for part of the Charge in procureing a pattent for Agamenticus wherein amongst others is named for planters & undertakers the sd Humphrey Hook, as also Thomas Hook and Giles Elrige : & as in full of all their part of the Charge in procureing the grant for Cape Nedock, whereof one Third is assigned to William Hook by this writing as within mentioned : I say rec'd for full Satisfaction thereof the Sum of Ten pounds/

Witnee my hand the 27th day of June 1638/ (*Deeds viii*, 122.)

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and William Pistor. Most of these can be identified. Thompson was probably a neighbor of Godfrey in Wilmington, Kent; Maverick was a brother of Samuel; Elbridge was a merchant of Bristol, as also a partner of Robert Aldworth, his uncle, in the Pemaquid plantation; Jefferys and Bursley were early settlers at Weymouth, Mass.; Humphrey Hooke has already been fully treated, and William and Thomas were his sons; Lawrence Brinley was a London haberdasher, of the parish of St. Mary Aldermary; and William Pistor was upholsterer to the king, and brother-in-law of Godfrey, resident of Reigate, Surrey, who had married Sarah, daughter of Oliver Godfrey of Wilmington, Kent.

But this was not the only fruit of this momentous trip of York's first settler. In association with his son Oliver Godfrey of Seale, Kent, gentleman, and Richard Rowe, a merchant of London, he obtained from Gorges a thousand year lease of fifteen hundred acres of land on the northeast side of Cape Neddick Creek at a rental of thirty shillings a year, payable semi-annually in equal parts. (*York Deeds viii, 120*).

DEPUTY GOVERNOR THOMAS GORGES

The year 1640 proved to be one of great importance to the little plantation of Bristol. The significance of it is explained in the following extract from Winthrop's Journal:

This summer here arrived one Mr. Thomas Gorge, a young gentleman of the inns of court, a kinsman of Sir Ferdinand Gorge, and sent by him with commission for the government of his province of Somersetshire. He was sober and well disposed; he staid a few days at Boston, and was very careful to take advice of our magistrates how to manage his affairs etc. When he came to Acomenticus now called Bristol, he found all out of order, for Mr. Burdett ruled all. . . .

This situation was soon remedied and "the neighbors finding Mr. Gorge well inclined to reform things," stood behind him in his determination to bring order out of chaos. This personal representative of the Lord Proprietor not only started improvements locally, but reestablished the suspended Provincial Courts. The first one was called to meet at Saco, June 25, 1640, and summons were issued to all the settlements to send deputies. On June 19 the inhabitants here met to consider their relation to the new

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authority and determined on the following course of action:

WHEREAS we the Inhabitants of Agamenticus have bin summoned by Richard Vines, Esq. Steward Generall to Sir Ferdinando Gorges, knight, lord proprietor of the Province of Mayne, to appeare at a Generall Court to be holden at Saco on the 25th day of June next, for the setleing of governement within the said Province.

Now we the said Inhabitants of Agamenticus aforesaid whose names are subscribed, have deputed Mr. Edward Jonson, John Baker George Puddington and Bartholomew Barnett to appeare for us at the said Courte, and doe hereby give unto the said parties full power and authority for us and in our names to treate and conclude of any thing which in their discretion shalbe for the good and benefitt of this Plantation, provided alwayes without impeachment of any priviledges heretofore granted unto us by pattent or other wise.

In Witness Whereof, we the Inhabitants aforesaid have hereunto subscribed our names the 19th day of June, 1640.

JOHN GOUCH	}	In the name and by the power of the rest of the Inhabitants.
HENRY LINN		
RALPH BLEASDALL		

Before proceeding to carry out their instructions the four deputies prepared the following statement of the independence of their plantation as a distinct unit in the Province of Somersetshire:

Whereas divers priviledges have heretofore bin granted to the Patentees and Inhabitants of Agamenticus, as by severall Pattents doth and may appeare, we whose names are here subscribed being deputed for and in the behalfe of the said Inhabitants, doe in the behalfe of ourselves and those we are deputed for protest as followeth; that our appearance at this Court shalbe no prejudice to any grants or priviledges which we now enjoy or ought to enjoy by virtue of the said Pattents or otherwise, and that whatsoever we shall doe or transact in this Court shalbe saveing this protestation, notwithstanding we doe humbly acknowledge his Majesties grant of the Provinciall Pattent to Sir Ferdinando Gorges, and humbly submit ourselves thereunto soe far as by law we are bound. Wee also desire that a coppie of this protestation may be taken by some Notarie or other officer of this Court, here to be recorded.

EDWARD JONSON	}	Deputies for the Inhab- itants of Agamenticus.
GEORGE PUDDINGTON		
JOHN BAKER		
BARTHOLOMEW BARNET		

In response to this challenge the provincial authorities accepted the contention of the deputies for the Bristol settlement and passed the following order:

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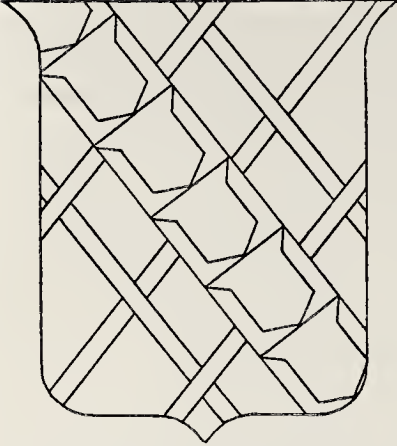
It was ordered at this Court by Richard Vines, Richard Bonython Henry Joelin and Edward Godfrey, Esquires, Counsellors for this Province, that the Government now established in Agamenticus shall soe remaine untill such time as the said Counsellors have certified the lord of the Province thereof and heard againe from him concerning his further pleasure therein.

Thus the settlement at Agamenticus was officially recognized as the first and consequently now the oldest incorporated town in Maine. As soon as Sir Ferdinando Gorges was "certified" of this contention he promptly confirmed the independence of Agamenticus. It antedates in this respect its neighbor Kittery by nine years.

CHAPTER IX

SETTLEMENT BY PATENTEES

1630-1639



ARMS OF NORTON

Of Sharpenhow, County Bedford
Used by Colonel Norton

The regional neighbors of York's first settler were numerous, but far-flung along the rock-buttressed coast of Maine. Contemporaneously with Godfrey there was begun a settlement at Great Works, Kittery, under the leadership of Ambrose Gibbons, while Walter Bagnall and some associates had been maintaining a trading post at Richmond Island. Further to the eastward there were, and had been for many years, busy fishing centers at Monhegan, Pema-

quid, Kennebec and the Damariscove Islands. Thomas Purchas is credited with occupancy of Pejepscot, even before 1630, and soon after this Cleeves and Tucker at Machigonne (Portland), Vines and Oldham on one side, and Lewis and Bonython on the other of the Saco, aided in making the coast line of Maine more neighborly. But these places were differentiated from York in their topography and natural resources. They offered either special facilities for fishing, milling or lumbering, while York with its sluggish tidal river, unique in the western Maine shore line, invited neither of these industries. York became neither a fishing nor a milling town, exclusively. Its broad acres were more suited to agricultural development, and thus it grew to be a home for tillers of the soil in the years that followed Godfrey's settlement. To the westward, in New Hampshire, Mason's settlement at Strawberry Bank and Hilton's at Dover had been in existence for seven years, and the Dorchester Company at Cape Ann, under the government of Conant and Endicott, for a like period. Samuel Maverick, who was later to be interested in the

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settlement started by Godfrey, had been comfortably and hospitably housed at Romney Marsh (Chelsea) in 1623, and opposite him Rev. William Blackstone had squatted in solitary grandeur on the Shawmut peninsula (Boston). Charlestown began to be settled in 1627-8, and in the summer of 1630 the first shipload of planters landed at Dorchester, to be followed in a few months by the Great Emigration, bearing hundreds of East Anglian schismatics and "separatists" under the leadership of Winthrop. Henceforth the primacy of these "Old Planters" of Massachusetts Bay was to be rudely disturbed by these waspish sectaries. In a twelvemonth many of them were forced from their homes by repressive persecutions, and left for other congenial colonies, or returned to England. Among those who had settled on the Charlestown peninsula, prior to the Winthrop invasion, was Lieut.-Col. Walter Norton, scion of a family of wealth and distinction in the official and mercantile circles of England. His father was Thomas Norton, Esquire, Lord of the Manor of Sharpenhoe, Bedfordshire, a lawyer, and somewhat distinguished among the lesser literary luminaries of the period. By two marriages he became son-in-law of the celebrated Archbishop Cranmer, and thus Walter Norton was a grandson of this prelate. Brothers and sisters of Colonel Norton had married into equally notable social circles and these kinsmen by marriage later became associated with him in the early patents of Agamenticus. Walter Norton had seen many years of service in the wars of the Low Countries, gradually rising from the lower grades of military rank to that of Lieutenant-Colonel, for meritorious conduct in battle, until the disastrous campaign of 1628, when the English army at the Isle of Rhé was soundly thrashed by the French, put an end to his career as a professional soldier. He was taken prisoner, lost all his personal belongings, and to add to his misfortunes, his only son was killed in this fight. In his distress he appealed to the king for recompense for his monetary losses and payment of arrears of salary, and was referred to Capt. John Mason, paymaster of the forces, for settlement of his claims. It seems clear that Mason, then deeply interested in colonization of his province of New Hampshire, advised him to try his fortunes in the peaceful pursuit of planting overseas. At all events we next find him living in Charlestown, and as

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Walter Norton, Esq., listed in October 1630 as a candidate for freeman of the new company of the Massachusetts Bay, just arrived at its destination. Norton was then about the age of Godfrey, some years over fifty, and well past the age when new ventures succeed. He was made a freeman the next spring and found himself in strange company, associating with persons diametrically opposed to all that he had stood for in his relations to church and state. He soon decided that his future success did not promise well among these queer religionists. That he shortly removed to the Piscataqua, and thence to York, where he would be among people of his own class, is the clearest inference from subsequent events. Godfrey, in the eagerness which characterized all his work in Maine, must have taken Norton to the beautiful river of Agamenticus, where he had recently settled, and shown to this seasoned adventurer the great forests and rolling meadows bordering its banks. To his astonishment there was laid before him the vision of a virgin country of unknown wealth, with its thousands of untilled acres, to be had for the asking, at the pleasure of the Council for New England. Many of its members were known to him. Imagination must supply the deficiencies of actual records to sustain the sequence of succeeding events. Colonel Norton probably returned to England immediately, filled with renewed enthusiasm, after his fruitless attempt at Charlestown, and it may be supposed that following conferences with Sir Ferdinando Gorges, and enlisting the coöperation of relatives and friends two patents were issued by the Council on December 1, 1631, covering a total of twenty-four thousand acres in equal division, on both sides of the river of Agamenticus — almost a duke's ransom. The west half of the grant was allotted to Ferdinando Gorges, his grandson, and the other half, or twelve thousand acres, became the property of a dozen persons, of which Colonel Norton was one. The text of the patent is as follows:

THE 2D OF DECEMBER 1631

There was this present day sealed a Pattennt granted to Ferdinando Gorges, sonn and heire of John Gorges of London Esqr, Walter Norton, Lieut. Coll, Thomas Coppyn, Esq., Samuel Maverick, Esq., Thomas Graves, Gent., an Engineer, Raphe Glover, Mercht, Wm. Jeffryes, gent, John Busley, gent, Joell Woolsey, gent, all of New England, Robert Norton, Esqr, Richard Norton, gent, George Norton

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of Sharpenhow in the County of Bedford, and Robert Rainsford the younger of London, gent; first 100 acres of land for every person transported by them or any of them within 7 yeares next insueing, soe that said person or persons abide there 3 yeares, either at one or severall times; the same land to be taken & chosen in any place adjacent to the 12,000 acres of Land hereafter menconed, & the same not to be inhabited by any; secondly 12,000 acres of Land more over and above the 100 acres the person as aforesd to the sd Ferd. Gorges, and the rest to be taken together and not straglingly on the Eastermost side of the River called by the name of Aquamentiquos in New England, extending along the coast easterly 3 miles, from thence into the maine Land soe high as may containe the number of 12,000 acres, and 100 acres for every person to be transported as aforesaid, with all the Islands or Islets within the Limitts next adjoining the said Land 3 leagues into the Maine Ocean/

3dly to the sd Ferdinando Gorges particlarly over and above the aforesaid Limitts and grants, 12,000 acres of Land more, to be chosen abound & lye opposite against the sd 12,000 Acres of Land granted as aforesaid to the said Ferdinando Gorges & the rest, on the Westmost side of the River called Aquamentiquos, extending along the Sea Coast Westerly to the bounds of the Lands appropriated to the Plantacon of Pascataquack, and so along the River of Aquamentiquos into the Maine Land Northerly, and by the bounds of Pascataquacke westerly, so farr up into the Maine Land as may containe the number of 12,000 Acres of Land, granted to the said Ferdinand Gorges, with all the Islands or Isletts next adjoining the said Land easterly, within the said Limitts, three leagues into the Mayne Ocean, with all commodities and priviledges proper for their necessary occasions, as by the Counterpart of their said Grant appeareth/

The consideration for and in respect that they have undertaken to transport divers persons into New England, and there to erect and build a Towne, and settle divers Inhabitants for the generall good of that Country; and for that they are to pay one fifth part of the Gold and Silver oare to be found or had on the premisses to the Kings Majestie; and one other fifth part to the President and Councill, and also to pay two shillings yearly for every hundred Acres of Arable Land; the first payment to begin at the Feast of St. Michael the Archangell next after the first seven years are expired as aforesaid, the same to be paid into the hands of the Rentgatherer (if he demand the same) and not to alien the same without consent, &c. (*Records of the Council for New England in Proceedings of the American Antiquarian Society, April 1867, p. 53*).

This patent was granted at Warwick House on the day mentioned, "there being present The Earle of Warwick, President, the Lord Gorges, & Sir Ferdinando Gorges, Threr." At this date the younger Ferdinando Gorges was but a mere boy, about nine years old, and his interests were undoubtedly managed by his grandfather.

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For causes not entirely clear this patent was superseded by another within three months. The terms of the new patent were a "verbatim word for word" copy of the first one, and the occasion of this second issue was the withdrawal of four of the patentees, Coppin,¹ Woolsey, George Norton¹ and Rainsford, for reasons not given, and the substitution of four other names, shown in the extract from the records of the Council for New England, under date of March 2, 1631-2, as follows:

2ND MARCH 1631/2

There was this day two Patents sealed, both of one tenure, to Sr [sic] Ferd. Gorges, Son and Heire of John Gorges of London, Esqr, Walter Norton, Lieutenant Coll &c of the same date and upon the same consideration and Tenure as the Patent which was sealed to them and the rest therein specified, the 2nd of December last past before the date hereof; being verbatim word for word with the said Patent, excepting onely the takeing out of Thomas Coppin Esqr, Joel Woolsey, Gent, George Norton Gent, and Robert Rainsford, and inserting in their places Seth Bull, Cittizen and Skinner of London, Dixie Bull, Matthew Bradley of London, Gent, and John Bull, Son of said Seth, so that this Patent is the last and true Patent, and the other cancelled and voyd. [*Ibid.*, p. 57.]

Colonel Norton had thus acquired a valuable concession, and "hereupon he," wrote Gorges, "and some of his associates hastened to take possession of their territories, carrying with them their families and other necessary provisions" (*Briefe Narration*, i, c. 25). Norton probably returned in the spring of 1632, bringing with him his new wife and family; and, it may be surmised, young John Godfrey, a lad of thirteen, son of William Godfrey of London, elder brother of Edward. Who else came in Norton's party does not appear, but from these events it is now possible to award to the gallant soldier secondary honors in the story of the settlement of York. Where he located his house is not accurately known, but in view of the later appearance of his nephew Henry Norton, who lived on the Norton lands, near the present meeting house, it is probable that his home was on the east side of Meeting House Creek, nearly opposite Godfrey.

¹ Coppin was nephew of Colonel Norton (son of Sir George Coppin, husband of Colonel Norton's sister Anne), and George Norton was another nephew. As Coppin was called "of New England" it is probable that he came over with his uncle.

SETTLEMENT BY PATENTEES

EDWARD JOHNSON

Edward Johnson:

It is likewise possible to record with certainty the advent in 1631 of another settler

who established his homestead on land adjoining Godfrey on the north side of the Lindsay Road, and remained a faithful neighbor and friend throughout their careers. The exact date of his coming cannot be fixed, but as he was one of the "Old Planters" of Massachusetts Bay, crowded out by the Winthrop colonists like Norton, it is probable that they came together. The new settler was Edward Johnson, a gentleman by birth, and his story is an interesting one, never before related in detail as connected with this town.

Of his English origin nothing is definitely known but he was one of the earliest settlers in Weymouth, Mass. (1622), probably as one of Weston's company, and there became participator in a famous incident at Morton's Colony of Merry Mount where a culprit was hanged for "stealing a capp filld of corne" from an Indian storehouse. Morton stated that "Edward Johnson was a spetiall judge of this businesse" (*New England's Canaan*, 74). A tradition circulated in England was to the effect that the actual thief was not identified but that a substitute was taken and executed to satisfy the Indians' complaint. Samuel Butler paraphrases this incident in his satirical poem "Hudibras" (Part 2, Canto II, lines 429-436):

But they maturely having weigh'd
They had no more but him o' th' trade
(A man that served them in a double
Capacity to teach and cobble),
Resolved to spare him; yet to do
The Indian Hogan Moghan too
Impartial justice, in his stead did
Hang an old weaver that was bed-rid.

It is not advised that this story be taken seriously.

Johnson was still living there in 1630 as one of the "Old Planters" when the Winthrop party arrived, and in October 1630 was the second name on the list of persons said to be desirous of becoming freemen of the Massachusetts Bay Company. It is well understood that the Old Planters had the alternative of becoming freemen or

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being expelled from their settlements within the Massachusetts Patent, and it is known that both Johnson and Norton left immediately and came to York after the formality of their election as freemen. That Johnson enjoyed a high reputation among the people of Massachusetts with whom he differed in politics and religion is shown by the fact that in 1632 Governor Winthrop licensed him to engage in trading to the eastward, for which he was questioned by the magistrates (*Journal i, 84*). An interesting confirmation of the esteem in which he was held, even by the Puritan clergy, is found in the narrative of "New England's Deliverances" (Pub. 1677 by Rev. Thomas Cobbett of Lynn). His story is as follows:

Sure there were some godly souls among the rest of a loose spirit, which were looking to the Hills whence alone they help must come: when about the year 1622 about 20 English came and were sent over by well-minded merchants, and most of them settled about that place which falls in our patent, now called Weimouth: when the treacherous Indians who had been wont to trade with the English had plotted to cut them all off, designing the way they would take to do it: when a few should come first to draw them together to truck, and then the rest should suddenly surround them armed and fall upon them and kill them; only God seasonably discovering of it, by their dying Sagamore to Mr. Johnson (now living at York, eastward, and the relation of it to myself) who had bestowed sundry good things upon that sick Saggamore (which lived up further towards Plimouth Patent) and by a squaw, which came the evening before to them at Weimouth and told the same to them. So that, according to the Saggamore's advice, they upon the first sign of the five or six which came first, discharging theyr guns at them, breake theyr leaders rib bone, so that they run waving back to theyr mates, and durst not come on upon them; but some years after did confess that if they had not shot when they did, they had come and cramb them all.

It is supposed that he may have been a brother of Francis Johnson, gentleman, who was made a freeman of Massachusetts at the same time as Edward Johnson; was engaged in trading on the Maine coast in 1632 and had business dealings in York in later years.

THE DEATH OF COLONEL NORTON

In the summer of 1633 a visitor arrived at the little settlement of Bristol from Virginia. He had sailed to the northern settlements of New England in his bark on a trading expedition and had stirred up trouble for himself at Plymouth and Boston where he suffered at the hands

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of the authorities in those places for alleged misbehavior. What brought this visitor, Capt. John Stone, to Maine is not known but his visit was fated to become a tragedy. On his return voyage he took as passengers Col. Walter Norton, young John Godfrey "and some others." The dramatic story of the terrible fate that befell all on this ship is thus related by Bradford:

I know not for what occasion they would needs goe up Connigtecutt River; and how they carried themselves I know not, but the Indians Knockt him (Captain Stone) in the head, as he lay in his cabine, and had thrown the covering over his face (whether out of fear or desperation is uncertaine); this was his end. They likewise killed all the rest, but Captaine Norton defended himself a long time against them all in the cooke-room, till by accident the gunpowder tooke fire, which (for readyness) he had sett in an open thing before him, which did soe burn and scald him and blind his eyes, as he could make no longer resistance, but was slaine also by them, though they much commended his vallour. (*Bradford, Historie, 203.*)

Thus died, heroically fighting, the veteran of many battles on European fields and the little settlement lost its chief patentee almost in the beginning of his new work of colonization in America. With him perished young Godfrey, probably an easy and early victim of this treachery of the savages, the details of which were only available through the later tales of the event related by some of the Indian participants. That this was the fate of the fifteen-year-old boy is established by an entry in the "Heralds' Visitation" where is written against his name "slaine in fight in America 1633," and confirmed by Edward Godfrey himself when he speaks of "my nearest Relation in the discovery slain by the Indians" (*P. R. O. Col. Papers xx, 19*). Tidings of this tragedy did not reach Boston until January 21, 1634 and probably were conveyed to this town shortly after. It aroused the responsible authorities of all the New England Colonies to action and a punitive expedition was sent to the scene of the murders the following summer. Two of the alleged murderers were executed as a reprisal and warning to the Indians (*Mason, Brief History of the Pequot War ix; comp.; Underhill Newes from America 8; Winthrop Journal i, 122-3*).

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WILLIAM HOOKE

With Hooke

This scion of the patron of the American Bristol had come here as the representative of his father's interests in the new settlement, which had come to be known as "Bristol," and evidently was destined by the parent for a colonial life. Although an undeveloped youth, scarcely beyond his majority, he was intrusted by Alderman Hooke with the management of this enterprise. Doubtless this plan was approved by Gorges, and but for his unfortunate desertion, later, from the church of his fathers and his office here, he might have acquired political distinction in this part of New England. The Hookes were Royalists, adherents of the Established Church and close associates of Gorges. They lived as neighbors of his in Bristol and, with the latter's influence at Court and the great wealth of the most famous merchant of the West Country to support him, his prospects of success as a colonial official were unlimited. His early years here, however, gave little evidence of his serious activities. He was fined thirty shillings at the first court of Governor William Gorges "for an uprore committed 25th prox, (1637), in shouting of divers peeces in the night." Whatever the explanation of this "spree," he evidently reformed as no further record appears of like outbreaks.¹ He married, shortly after his arrival here, Mrs. Eleanor, widow of Lieut-Col. Walter Norton, and was thus settled in domestic matters satisfactorily. He was appointed "Governour of Accamenticus" in 1638 (*Deeds vi, 74, 150*), a post which he held for two years to the apparent acceptance of the patentees and the people. Godfrey wrote of him to Winthrop, that the residents, "whose hartes are soe set in reall affections on him," desired his continuance in this position (*Felt, Ecclesiastical History of New England i, 145*). But he had listened to the emissaries of the Bay, probably the fanatical Hugh Peter, who was a visitor to "Bristol" preaching Puritan doctrines, and he had become a convert to their practices; or perhaps he had been disaffected with the performances of that hypocritical fraud, George Burdett, who was then

¹He had a son born in 1637 and his step-daughter Jane Norton was married about this time to Henry Simpson. Either of these occasions might have been the reason for celebrating the new addition to his family, or saluting the bride.

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preaching in the town, but soon to be ejected from his place. He was planning not only to disown his church, but to desert his duty to his father and the company and settle among the "godly" people of Massachusetts. "I have fead myselfe a longe time with vaine hopes"; he wrote to his advisor there, "there is noe possebility here with us for the geathering of a church except God, in his mercy open there eyes, and let them see there superstitious wayes which they desire to goe" (*4 Mass. Hist. Soc. Coll. vii, 197*).¹ Godfrey tried to reach him through his friend Winthrop, whom he asked to advise Hooke not to leave them before his term expired. The town of Newbury, as had been surmised, was offering him "large accommodations," and they were desired to "forebeare their soelisations" and Winthrop, as his friend, was told that "if our Governor in the time of his government should leave us distracted, and before going home to his parents, whose presence they much desyre, it may eclipse all this light, and this place fall to factions" (*Ibid.*). But his apostacy was complete and his unfaithfulness to the trust given him by his father established. Godfrey wrote the facts to Alderman Hooke explaining his voluntary abandonment of the plantation and his office. That his father was astonished and angry needs no further statement, and brought reprimand from a disappointed father and sponsor. Young Hooke endeavored to divert the wrath of his father by counter accusations of misrepresentations against him by Godfrey and other friends of the plantation, and he appealed to Winthrop to aid him in the trouble. Under date of July 15, 1640 he wrote the latter that "Mr. Godfree haeth informed my father of many false thinges by letter against me in my removeing from Accomenticus. Nowe Ser, you knowe uppon what grounds my removeing was & what ends I propunded unto myselfe, in regeard of the unsettellnesse of the Church & State: praye Sir, if you shall thinke it fitt, send a letter by Mr. Dexter, that I may send it to my father with my letters. . . . These things make my father soe unwilling of my removeing," (*Ibid. 198*). Hooke removed to Salisbury about the summer of 1640 and was

¹The phrase "geathering of a church" was a part of the jargon of the New England Separatists and signified the establishment of a congregation of Puritans into a church body. The members of the Established Church needed no "geathering" as every baptized person was already a member of it. Hooke, having been baptized, was automatically a member of a Christian church.

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made a freeman in October following. Doubtless he had failed to satisfy his father of his actions as he returned the next year for a personal explanation of the "unsettleness of the Church & State." Prior to his departure he procured a "certificate of character," written for him by Lechford, the Notary, to help reestablish his credit at home (*Note Book*, 222). What he accomplished is unknown. He returned to New England before 1643. The rest of his biography is uneventful. His activities in Salisbury were limited to two elections to the General Court and he sank into oblivion, the remaining years of his life being devoted to selling his patrimony in Gorgeana. He died, before his father, in the latter part of 1653, as his widow was appointed administratrix of his estate in October of that year. She was ordered to bring in the inventory of the property, which she did on April 11, 1654.

By his marriage with Mrs. Norton he had three children:

- i. Humphrey, b. about 1635; according to testimony he was the eldest of the two sons born in York, (*Deeds viii*, 261). This son died young.
- ii. William, b. about April 1637.
- iii. Jacob, b. September 15, 1640; died young, but was living in 1653, (*Norfolk Co. Deeds i*, 31).

Descendants of the son William are now found in Massachusetts and New Hampshire.

THOMAS BRADBURY

Thomas Bradbury In 1634 there arrived in Agamenticus, Mr. Thomas Bradbury from London, with authority from Sir Ferdinando Gorges to act as his steward and personal representative in the new settlement. This young gentleman, then about twenty-three years of age, was highly connected in England with families of the landed gentry and the ecclesiastical nobility. His father was descended from a gentle family long seated at Wicken Bonhunt, Essex, of which he was lord of the manor, and his mother was Elizabeth, daughter of William Whitgift, and niece of His Grace the Archbishop of Canterbury, Right Reverend John Whitgift, D.D., of Croydon, Surrey. He was also a kinsman of Sir Thomas Josselyn, Knight, who was later sent over by Gorges, as governor of the Province

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of Maine. At the time of his emigration he was living in the parish of S. Mary Matfellow, Whitechapel, then a fine residential district outside Aldgate on the high road to the east coast, London to Essex. Bradbury was also a kinsman of Anne Bell, the first wife of Sir Ferdinando Gorges.

As far as known he owned no land in the town and probably lived on Gorges Neck at Point Christian, occupying the Lord Proprietor's manor property there. It is probable that he built a temporary home for his occupancy which enlarged later became the Manor House and headquarters of the representatives of Gorges for his successors in office. His stay did not continue long as in 1636 he removed to Salisbury, where he spent the remainder of his life. He married Mary, daughter of John and Judith (Gater) Perkins of Ipswich, who was baptized September 3, 1615, at Hilmorton, county Warwick, from which parish her parents emigrated in 1630, sailing in the *Lion* from Bristol. Thomas Bradbury held high offices in Salisbury and Norfolk County, Representative to the General Court, 1651-1666, Recorder, Associate Justice, and died March 16, 1694-5, aged eighty-four years. His aged wife, Mary, was caught in the miserable witchcraft disgrace of Salem in 1692, and condemned to death, but the intercession of powerful friends and a touching appeal from her husband saved her from the clutches of the bloodthirsty pack of executioners led by the unspeakable Mather. She died a respectable death December 20, 1700 in her own home.

CHAPTER X

THE PIONEERS OF YORK

1630-1640

Having considered the various activities in their proper order resulting in the settlement of this town and the developments for the following decade, it will be interesting to know something of the persons and personalities who took part in the beginnings of its history. Already the life histories of the earliest settlers — Edward Godfrey, Edward Johnson, Col. Walter Norton, William Hooke and Thomas Bradbury — have been portrayed, and in dealing with those who blazed the trail it will be less invidious to take them up chronologically in the order of their coming, rather than to give precedence to particular persons according to the supposed value of their accomplishments. Those heretofore named began their residence here before 1634 and those arriving after that date will now be taken up in chronological order.

GEORGE NEWMAN



He was undoubtedly a resident of Bristol before his emigration and probably a merchant of that city of whom frequent mention is found 1619-1631 in the records of that city (*Bristol Apprentice Books, loc. cit.*). He was a witness February 29, 1631-2 to the signing of the Pemaquid Patent in Bristol (*Suffolk Deeds iii, 56*), and in 1633 acquired the house and lot known as the William Dixon lot on the harbor front. Whether he took up residence here is uncertain, but he was undoubtedly engaged in trading activities along the coast of Maine for the next twenty years. Traces of his presence at Richmond Island, Scarborough and Pemaquid exist to show his varied activities in that period. He sold this property in York to Samuel Maverick, October 31, 1634 and this may have been the end of the short connection with the town.

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HENRY LYNN

He was an early settler in Boston where he seemed to have been disaffected with the "Governmt & execucon of justice" in that Colony. Winthrop states that "for writing letters into England full of slanders against our government and orders of our churches" he was whipped and banished (*Mass. Col. Rec. 191; comp. Winthrop Journal 167*). Because of his natural objections to the kind of autocratic theocracy set up under the guise of freedom of conscience we are indebted for his appearance here. Of his English origin nothing is known and from his early clashing with the Boston magistrates in 1630 it is suspected that he was not originally of the Massachusetts Company but an earlier settler in the Bay. He married Sarah, daughter of William Tilley of Boston, by whom he had four children whose baptisms are recorded there, viz.:

- i. Sarah, b. 20 Aug. 1636.
- ii. Elizabeth, b. 27 March 1638.
- iii. Ephraim, b. 16 Jan. 1640/1.
- iv. Rebecca, b. 15 Feb. 1646.

His son Ephraim in 1670 referred to his uncle, Richard Bickham, a merchant of Bristol, which relationship could be either paternal or maternal. As William Tilley was certified as a resident of London it is probable that the relationship was on his father's side by marriage. Henry Lynn was engaged in coasting and died about 1646 in Virginia. He left property in the latter colony, in tobacco, 5,281 pounds, but reported to be mortgaged beyond its value. The Provincial Court here noted that "his wife & foure young children" were left in a very "meane condition & hardly able to subsist." On August 12 that year the Court ordered the sale of his house and lot in Gorgeana and that his other goods, amounting to £4-18-10, "shall goe towards the bringing up of the children." The widow married Hugh Gunnison of Kittery, formerly of Boston, in 1646, and after his death added two more to her record: Capt. John Mitchell and lastly Dr. Francis Morgan. He lived on Ferry Neck where Rice's Bridge crosses the river.

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ROWLAND YOUNG

Rowland young He is the ancestor of one of the families in York which has maintained a continuous residence in the town for three centuries. The only occurrence of the very rare name of Rowland in combination with Young, known to the author, is in Buckinghamshire, in the parish of High or Chipping Wycombe where a Rowland Young was married in 1616 and again in 1618. He could have been the father of our early settler who came to York about 1636 and followed the occupation of fisherman (*Massachusetts Archives x, 161; cxxviii, 243*). If he were the son of this marriage he was a minor when arriving in York, and probably came as an apprentice or with some relative whose identity is not determined. His home was in Godfrey's first division of the Grand Patent extending northeast from Meeting House Creek.

He signed the Submission, 1652; signed a petition against the sale of Maine, 1679; signed petition to the king, 1680; will proved November 6, 1685; inventory of estate £224-06-0. He was probably married twice (1) ; (2) Joan Knight, daughter of Robert, before 1668. Her will was proved June 20, 1698. They had the following children:

- i. Rowland, b. 1649.
- ii. Mary, b. (1653); married Jeremiah Moulton.
- iii. Robert, b. (1658).
- iv. Samuel, b. (1662).
- v. Job, b. 1664.
- vi. Lydia, b. 1672; m. (1) Thomas Haynes; (2) Samuel Bragdon.

RALPH BLAISDELL

Concerted efforts by the author while in England in conjunction with a direct descendant of this pioneer failed to accomplish more than to stake out a somewhat definite region from whence Ralph Blaisdell undoubtedly emigrated. The family name is derived from a section in northern Lancashire known as the Bleasdale Moors on the Yorkshire border about twenty miles north of the city of Preston in that county. Some years ago the writer found in the household accounts of the Shuttleworth family of Lancashire the name of Rafe Bleasdale men-

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tioned in 1582 in connection with the pasturage of cattle on the Shuttleworth estate and this, the only occurrence of the rare name, led to Lancashire as the undoubted English origin of this York pioneer. In addition to this, the name of "Henrie Simsonne" was found in the same accounts in 1591 (*Chetham Soc. Vol. xlvi, 96*). This combination of names which is found in this town a generation later living as neighbors must be more than a coincidence. Unquestionably it indicates that Ralph Blaisdell at least, because of the unusual name, must belong to this Lancashire family whose record will be found in that section of the county. The Lancashire dialect which he spoke, almost a brogue, undoubtedly gave rise to a tradition which prevails among the New England descendants that Ralph Blaisdell was of Scotch origin, owing to the similarity of the two dialects. The eldest son of Ralph Blaisdell was named Henry and this name has been found in the parish of Goosenargh (the residence of Col. Alexander Rigby, owner of the province of Lygonia) as the head of a family. The name of Henry Simpson is also found in the Goosenargh register.

Lancashire furnished a considerable number of early emigrants to New England chiefly through the influence of Rev. Richard Mather who was suspended for non-conformity from his parish at Toxteth near Liverpool, and a family tradition has been furnished which places the emigration of Ralph Blaisdell as in the same company which went under Mather's leadership. According to this account he took passage in the *Angel Gabriel* in 1635 sailing from Bristol. As is well known, this ship was wrecked on the Maine coast near Pemaquid but with no loss of life (*Wallace Hist. Canaan, N. H. p. 504*). This account agrees with the first appearance of Ralph Blaisdell in York that year and may be regarded as credible. The land of Ralph Blaisdell abutted on Meeting House Creek and this he sold in 1642 to Robert Knight (*Deeds iii, 142*). He represented the town of York at the Provincial Court held at Saco June 19, 1640, and removed the next year to Salisbury and later to Lynn where he died ten years later. A great grandson, Ebenezer Blaisdell, came to the old home of his ancestors, and descendants still reside in the town.

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WILLIAM DAVIS

He came over with Thomas Gorges 1640, as his servant, and received from him a grant of one hundred acres, which he sold in 1643 to Richard Collicott of Boston (*Deeds ii, 103, 180; vii, 72*). He probably returned to England with Gorges in 1643, as nothing more is heard of him here.

GEORGE PUDDINGTON

He was the son of Robert Puddington, a clothier of Tiverton, Devon, and Jane his wife, probably born 1600 or thereabouts. The father was an owner of mills which were burned, bringing him into financial difficulties shortly before his death. Law suits were part of the inheritance of his sons, and this may have been the reason for the emigration of the brothers George to Agamenticus and Robert to Portsmouth, some time before 1640, the year when both are first found on the records. Robert, the father, made his will February 10, 1630-1 (nuncupative), and administration of estate was granted to the widow, Anne, his second wife, May 16, 1631. The house on Brampton Street, Tiverton, was left to George, who was probably the eldest son. It is probable that George Puddington came to Maine some years before 1640, but the first time his name appears is in the list of aldermen of Agamenticus, and as deputy from the borough to the Provincial Court. Evidently impressed with the importance of this honor he was charged by Parson Burdett with saying that "the power of the combination at Agamenticus was greater than the power of the King," but the jury ignored the complaint. As he was fined for being tipsy at the same Court, the source of his boasting may be inferred. He brought with him to Maine a wife and young family of children. She was Mary Pooke, whom he had married at S. Peter's church in Tiverton, February 5, 1630, whose parentage has not been ascertained. Like Puddington it was a common name in Devon and there is a small parish called Puddington in that county. The home lot where Puddington settled was purchased of Henry Simpson in 1640, and his house stood at the mouth of Meeting House Creek. It is probable that he carried on the business of an innkeeper there, as after his death, his widow continued

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ST. PETER'S CHURCH, TIVERTON, DEVON
Where George Puddington was married

that business. In 1646 he was fined for exaction in selling victuals, which seems to bear out this surmise (*G. R. vii*, 228). He died between July 3, 1647 and June 5, 1649, aged about fifty years. His will dated June 25, 1647, but not recorded for nearly half a century, on June 18, 1696, is as follows:

In the Name of God Amen/

the xxvth of June in the year of our Lord one thousand Six hundred Forty Seven I George Puddington the inprofitable Servant of God, weake in body, but Strong in mind, doe willingly and with a free heart render and give again into the hands of my Lord God and Creator my Spirit which he of his Fatherly goodness gave unto me when he first fashioned me in my Mothers Wombe, making me a living and a reasonable Creature, Nothing Doubting but that for his infinite Mercye, Set forth in the precious blood of his Dearly beloved Son Jesus Christ our only Saviour & Redeemer he will receive my Soul into his Blessed Saints

And as concerning my body Even with a good will & free heart I give over, recommending it to the earth whereof it came nothing doubting but according to the Article of my faith at the great day of general

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Resurrection when we shall appear before the Judgment Seat of Christ I shall receive the same again by the mighty power of God whereas he is able to subdue all things to himselfe, Not a corruptable Mortall weak and vile body as it is now but an incorruptible, immortal, Strong and perfect body in all points.

First as concerning my wife with whome I Coupled my Selfe in the fear of God refuseing all other women I linked my Selfe unto her, living with her in the Blessed State of Honourable Wedlock, by whom also by the Blessing of God I have now two Sons and three daughters, John & Elias Mary Frances and Rebecca. And albeit I doubt not that God after my departure according to his promise will be unto her a husband yea a father and a Patron and Defender, and will not Suffer her to lack if she Trust fear and Serve him dilligently calling upon his holy name, yet forasmuch as God hath Blessed me with Worldly Substance and She is my own flesh, and whoso provideth not for his denieth the Faith and is worse than an Infidell/

I therefore give & bequeath unto John my Eldest Son, and Elias my youngest Son all my land and houses and out houses which are now in my possession where I now dwell in Gorgeana in New-England and alsoe all my Marsh ground or land, in Gorgeana aforesaid with all the appurtenances thereunto belonging to them and to their heires for ever Equally to be Devided, but if any of my Sons doe Die without heires of his body lawfully begotten that then the land and Marishes aforesaid remain to the longest liver and to his heires for Ever. But if it shall please God that both my Sons doe die without heires of their bodyes lawfully begotten that then I give and bequeath the aforesaid land and Marish ground unto my three daughters Mary Rebecca & Frances, and to their heires for Ever/ And if any of them shall die without Issue of their bodies lawfully begotten then to the longest liver and their heirs for ever/ but if all my Children doe die without heires that then I give and bequeath my aforesaid land and Marish ground unto my brother Robert Puddington and his heires for Ever Provided always that Mary my wife have the Said land and Marish ground durine this her Mortall life for the bringing up and Maintenance of my said Children/

Moreover I give and bequeath unto Mary my Eldest daughter one cow called or known by the name of Ladd and five pounds Starling when She shall come unto the age of Sixteen yeares/

I doe give and bequeath unto my Second Daughter Frances one Cow called or known by the name of Young Finch, and five pounds of money, and the which is to be paid unto her at the age of Sixteen yeares/

Further I doe give and bequeath unto my youngest daughter Rebecca one heifer called or known by the name of Young Ladd and five pounds of money and the said 5 lb to be payd unto her at the age of Sixteen yeares/

And all the aforesaid Cattle to remain in Mary my wives Custody untill they or Either of them Shall come unto the age of Sixteen years without any fraud or Covin, and my meaning is that my three

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daughters Shall have the thirds of the Increase of the aforesaid Cattle in the mean to their use/

My will is further that I doe give unto John my Eldest Son, my best feather bed, with all things else thereunto belonging, and one long Table, and a Brewing Furniss, but Mary my wife to have the use of them untill he come unto the age of one and twenty years, but if he shall die in the mean time that then my Will is that the fether bed with that thereunto belonging and the Table and the Brewing Furniss I give unto Elias my youngest Son and to his heires for Ever/

My Will is further that I doe give unto Mary my Eldest daughter one flock bed and Bolster with all things Else belonging, also my Will is that Mary my Wife I doe make and ordaine to be full and wholly Executrix of this my last Will and Testament/

Alsoe my desire is that my Brother Robert Puddington and Mr. Edward Johnson Mr. Abraham Preble & Mr John Alcock to be Supervisors of this my Will/

And in token of my love unto them I bequeath unto these my Supervisors ten Shillings.

Witnesse hereof I have hereunto Set my hand and Seal in the presents of John Alcock

GEORGE PUDDINGTON

The mark X of Bartholomew Barnet

The mark X of Arthur Bragdon

The reason for withholding this will from probate may be found in the unfortunate Court record of his wife in 1640, which associates her name with parson Burdett, and the birth of a child, Sarah (1641), who is not named in the will of her husband as one of his children. The widow may have felt that an injustice had been done the daughter, and concealed the will during her lifetime, and it was not produced until the necessity came to settle heirships among the grandchildren, after the death of the mother. She married, secondly, about 1659, Major John Davis, with whom she lived till his death in 1691, keeping the old home as an inn, with him. She died some years after, and the will was then brought to light. The merits of the case must rest on an interpretation of the record. The following named children were the issue:

- i. George, bapt. 12 Feb. 1631. prob. d.y.
- ii. Mary, bapt. 2 Feb. 1632/3; m. Peter Weare about 1666.
- iii. Joan, bapt. 22 Feb. 1634; prob.d.y.
- iv. John, b. (1635); of Cape Porpus and Salisbury, fisherman.
- v. Frances, b. (1637).
- vi. Rebecca, b. (1638).

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- vii. Elias, b. (1640). Little is known of him; witness 1666, (*Deeds iv, 47*) and in 1667 signed a court return, (*S. J. C. MSS, 860*)
viii. Sarah, b. (1641); she was a witness in 1658, as Sarah Puddington, aged 17 years; m. John Penwell of York.

JOHN BRAWNE

This settler had a land grant before 1640 (*T. R. 21*), on Alcock's Neck. He lived here for over sixty years and left but little of record. He married Anna (?) Dixon, daughter of William, but apparently had no issue. By his will dated October 8, 1703 he gave all his property to the sons of his cousins John and William More, with a small bequest to "my boy" John Barrell. It was proved May 29, 1704. Other persons of the name lived here at the same time, and he was called John "senior" (*T. R. i. 85*), but the relationship, if any, does not appear. These were John, born 1647; Richard mentioned in 1666 and Mary, who married John Spencer (*Deeds v, pt. 2, p. 104*).

ROGER GARDE

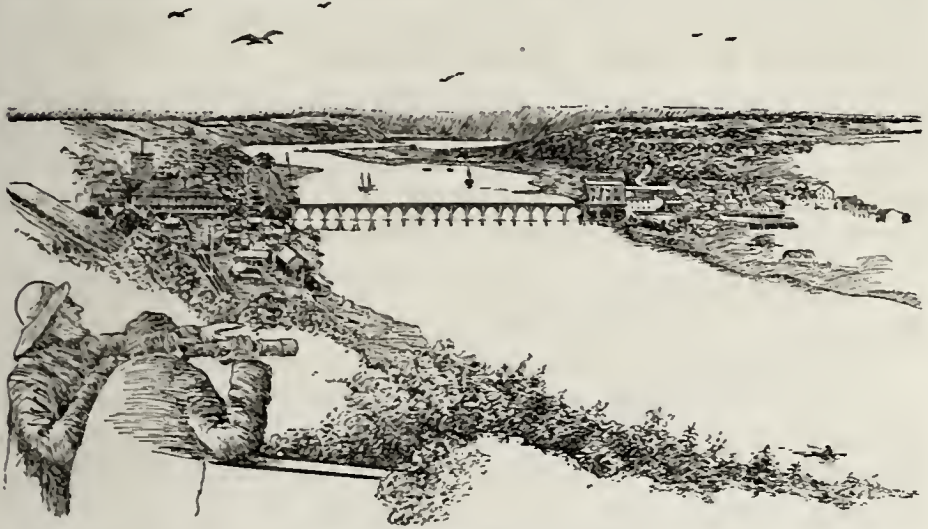


One of the earliest settlers of this town was Roger Garde, a woolen draper of Bideford, Devonshire, who came here before 1637, as on June 11 of that year

Samuel Maverick, "in Consideration of the great charge & Travell the sd Roger Gard had bestowed for the Advancement & furtherance of the plantation of Agamenticus aforesd," granted to him a tract of land on the east bank of the river between the lots of Henry Simpson and Leonard Hunter (*Deeds i, 118*). Another lot was also included in this grant in the Scotland district. His homestead lot was situated midway between the two lower bridges. Roger Garde was probably a descendant of an earlier Roger Garde of Poundstock, Cornwall, a parish just over the Devonshire border, and had come to Bideford as an apprentice to learn his trade. When free he married Philippa Gist, July 4, 1610. He was at least twenty-one, indicating his birth about 1585. Beyond the finding of his signature as witness to a will in 1624 in Bideford, nothing is known of his life there except the burial of his wife February 1, 1634-5, and doubtless soon

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after he emigrated to New England. His brother, or possibly uncle, John, was a merchant in Fayal, Azores (Aspinwall 109), and finally settled in Rhode Island where he died.



VIEW OF BIDEFORD, DEVON
The Home of Roger Garde

Roger Garde soon came into public prominence and was register or recorder of the First General Court of Maine, a position which he held until his death. In the creation of the first municipal charter of Agamenticus in 1641 Gorges nominated him as one of the eight aldermen and added: "the said Roger Garde shalbe first Recorder there and he shall alsoe execute the office of Towne Clarke." Under the elaborate city charter of 1642 Garde became mayor in 1644-5 and during his administration occurred the murder of Richard Cornish for which his wife was tried by the City Court, found guilty and was executed. Mayor Garde presided at the trial which is described elsewhere, during which the woman accused him of having carnal relations with her.

The results of this trial had a depressing effect upon Mayor Garde, for while it is probable that the charges against him were but the malignant slander of an adulteress condemned through his efforts to bring her to justice, yet they were of such a nature as to make many people ready to suspect him. While she might not have been able to prove her assertions, yet in those days with nothing

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else but gossip to occupy their minds, the villagers were ever ready to bandy this story about. The following letter from Rev. James Parker, dated "Strawberrie Banck the 28 of the 5th 45," leads us to the conclusion that this unjust popular opinion may have hastened his death, which occurred after August 12, 1644 and previous to January 24, 1645. Parker writes:

Mr. Guard is dead & left little manifestation off any breaking off spirit, only cried out much off the people, that they had broke his hearte. And soe grew some times mazd with it. Mr. Hull offered to preach yet his funerall sermon & did and the people all solemnly interred him with there armes. (*4 Mass. Hist. Coll. vii, 445.*)

He was probably buried in the first cemetery by the river, near the Emerson House.

All of Garde's estate which had been assigned in 1645 to George Puddington for a debt of five pounds was quit-claimed in 1662 to his son John Garde "merchant now living in Boston," by John Davis and his wife, Mary, formerly widow of George Puddington.

By his wife, Philippa, Roger Garde had the following issue, all baptized in Bideford:

- i. Elizabeth, Feb. 16, 1613-14.
- ii. Rebecca, May 9, 1616; m. William Champlin Sept. 29, 1644.
- iii. John, Nov. 8, 1618; emigrated to New England.
- iv. Thomas, Jan. 21, 1620-1.
- v. Patience, July 13, 1623.
- vi. Mary, Feb. 1, 1626-7.

ARTHUR BRAGDON



The story of this pioneer includes the interesting fact that

he was undoubtedly a native of Stratford-upon-Avon, County Warwick. The men of this family were butchers by occupation, the same as followed by John Shakespeare, and Arthur Bragdon must have known the Bard of Avon, for he was nineteen years old when Shakespeare died. This statement is made on circumstantial evidence arising on the existence of a Bragdon family living in Shakespeare's parish, whose sons carried the names of Arthur and Thomas as did the York family and the only Bragdon family found in England which bore these Chris-

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tian names. It is stated that another resident of Stratford was an early emigrant to Maine, settling in the adjoining town of Kittery. At this period business communication was common between towns in Warwickshire by means of navigation of the Severn, and Bristol was probably the port from which he emigrated. Arthur Bragdon is first of record here in 1636 as witness to the sale of property (*Deeds i, 110; viii, 210*) and on June 11, 1637 he had a grant of one hundred acres of land from Samuel Maverick and William Jeffery, two of the patentees of Agamenticus (*Deeds xxvi, 83*). This land was situated on Bass Cove. This grant was contested by Godfrey as to the extent of its bounds, and arbitrators Richard Vines and Henry Josselyn awarded the case in favor of Bragdon which was confirmed by Godfrey January 21, 1643, making the limits of his land on the northeast to the path leading from the Plantation to Christian Point (*Deeds x, 173*). He was constable of Agamenticus in 1640, and alderman 1641 under the first charter. In his later years he resided with his son Thomas who lived just north of Bass Creek in Scotland, and on May 20, 1678 he transferred all his property to Thomas on condition that his son "provide for mee & my wife all necessary things that either of us shall stand in need of so long as wee do live" (*Deeds v, 26*). He died in about six months. An administration of his estate was granted to his son Thomas October 2, 1678. Inventory of the property was returned at a valuation of £64-06-0. In a deposition Arthur Bragdon stated his age which places his birth in 1597 and he was therefore eighty-one years old when he died. His wife's name was Mary, but there is nothing to suggest her family name or connection. The homestead at Bass Cove apparently remained in possession of his youngest son Samuel and his branch, and the usual family litigation regarding the title based upon the blanket deed of 1678 came into court in 1727, nearly fifty years later. A new administration on the estate was granted that year and a new appraisal valued the property at £504-16-0. The case resulted in favor of the occupants. Arthur Bragdon left issue three sons. No daughters are known.

- i. Thomas, b. about 1640.
- ii. Arthur, b. 1645.
- iii. Samuel, b. about 1647.

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WILLIAM DIXON

This settler came to Agamenticus in 1636 as purchaser of the house and lot formerly owned by George Newman (*Deeds viii, 210*), situated on the harbor front. He emigrated to Massachusetts in 1630 (*Mass. Col. Rec. i, 105*), where he was under engagement as servant to Governor Winthrop. When he left his service to come here there were some unsettled accounts between them which became the subject of correspondence between Gov. Thomas Gorges and Winthrop (*Mass. Hist. Coll. vii, 333*). There was a James Dixon, tenant of Groton Manor in 1605, who might be the father of William Dixon, the servant of John Winthrop of Groton. He was a cooper by occupation and probably had a shop with a wharf on his house lot. He was juryman 1649, signed the Submission 1652; and died in 1666. His will was dated February 13, 1665-6 and inventory of estate returned March 29, 1666, in amount £113-05-0. He left issue by wife Joan:

- i. James.
- ii. Susanna, married ——— Frost and returned to England.
- iii. Dorothy, married William Moore.
- iv. Anna, married John Brawn.
- v. (daughter), married Henry Milbury.

JOHN HEARD

This man was one of our first artisans, coming here as early as 1637, and a carpenter by occupation. In that year he was sued by Robert Mills for debt. In 1648 he was called "late of Gorgeana," but in 1650 he was "John Heard of Gorgeana, Carpenter" and had a house on Alcock's Neck. He signed documents by a mark, using a carpenter's square for his sign manual (*Deeds iii, 72*). He was joint lessee, with John Alcock, in 1650 of Cape Neck and in 1680 his grandson John Heard of Dover with Job Alcock, sold their rights in it to Sylvester Stover (*Ibid. iii, 100*). In 1652 he had removed to Kittery where as John "Hord" he signed the Submission. If the identification is complete he resided there till his death. His will, as of Kittery, yeoman, dated March 3, 1675-6, was proved March 16, 1675-6 (*Maine Wills, 71-75*). In it he refers to his son, James, deceased, and his grandson, John, to whom he bequeaths his real estate, in reversion. His wife's name

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was Isabel, for whose maintenance he made provision. The grandson removed to Dover and a resettlement of the estate in 1677 was made by the New Hampshire authorities because of "the Intricacie & mixture of the estate of John Heard . . . with the estate of James Heard" his son, who died intestate before 1676 (*N. H. Probate i, 188*). The grandson died in 1739 "very aged," but no descendants remained in this town. Another John Heard was of Dover in 1640 and died 1692, but there is nothing to show that they were connected.

JOHN BAKER

That this individual was a resident of this town as early as 1639 is capable of proof, but there is no evidence in the land records that he owned a house or lot here. He was of that class of undesirable citizens emigrating to New England, under the prospect of enjoying a religious "freedom" for his whimsies; and settling in Boston, soon run amuck with the prelatical rulers who had no "freedom" for the kind of religion which he professed. It seems that he had an itch for haranguing and "prophesying" in public, whatever that may mean, which was, of course, at once prohibited. What little we know about him is told in Winthrop's "Journal," to which a guarded credence must be given, owing to the habit of this writer to distort facts about persons who differed from him in his church doctrines. He says of Baker:

A member of the church of Boston, removed from thence to Newbury (1638), for enlargement of his outward accommodation, being grown wealthy from nothing, grew very disordered, fell into drunkenness and such violent contention with another brother, maintaining the same by lying, and other evil courses, that the magistrates sent to have him apprehended. But he rescued himself out of the officers' hands and removed to Accomenticus (1639), where he continued near two years.

While here in 1640 he served on a jury engaged in a law-suit, and represented Agamenticus at the Provincial Court. The next year he returned to Boston. Winthrop adds:

He humbled himself before the church confessing all his wickedness, with many tears. (*Journal ii, 29.*)

He was thereupon readmitted to the church there March 26, 1642, and became a freeman of that colony in

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May of same year. Four years later he returned here with a letter of dismissal from the church in Boston to the church of Gorgeana, dated September 6, 1646, during the pastorate of Mr. Hull. This wandering religious fanatic continued to stir up trouble as usual and Godfrey, in later years, mentioned him as one of those disturbers of the peace, "who to avoyd their principles fly heether for shelter." Like a shuttlecock he moved hence to Dover, 1648-9, falling into mischief there, and is next found in Wells 1653, where he took the oath of submission to the Massachusetts government that year. Shortly after he was reported for preaching and "prophesying" and publicly abusing the ministry. This is the last record of this man in Maine and occupies more space than his importance warrants, but is related as an example of the incorrigible nuisances who flocked over here during the Puritan regime, a by-product of their propaganda. He returned to Boston where he found spiritual refuge in the First Church of that town, but he did not last long there. He was expelled for "blasphemy and atheism" and banished from the colony (*Dom. S. P. Charles ii, lxx, 10*). On returning to England he became a halberdier in Cromwell's Horse Guard and later in the king's service, but could not keep out of trouble. In December 1662 he was arrested for participation in a plot devised by religious fanatics to overthrow the monarchy. It was testified that he was a "blasphemer, atheist, liar and profane person and could find it in his heart to wash his hands in the King's blood." He was tried and convicted of treason. Rev. William Hooke, formerly of New Haven, in a letter dated March 23, 1663 tells how "John Baker, sometime a planter in New England, had his part in trepanning men into treason and then informing against them; he lyeth now in Newgate." (*Ibid. lxix, 5*) He was executed at Tyburn (*Hubbard, History of New England 419*), being the second one connected with the early history of York to suffer this penalty after returning to London, Thomas Venner being the other.

HENRY SIMPSON

Of the antecedents of this prominent settler, or his English home, nothing of a definite character has been found. The name is a common one, and with only a

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slight clue to his relative age, and none to his relationship to any person here or in England, it is not possible to identify him among the many of his name who have been located. It is the theory of the author that he came from Lancashire, perhaps in company of Ralph Blaisdell, for the reasons set forth in the article on the origin of that settler (*q. v.*). The many English wills of Simpsons examined by the author furnish no information worthy of record here. It is evident that he was a widower when he came here, as in his will he speaks of "my nowe wiffe Jane," indicating a second marriage; and a confirmation

Hen: Simpson

of this is found in the fact that she survived him forty years, showing that she was much younger than her husband. His inventory shows a list of wood-working tools, which might indicate that he was a carpenter, but he also had a "swoard" and a "peece" (gun), military weapons not usually possessed by artisans. His first appearance in the town is of record as of March 13, 1638, when he had a gift of land from William Hooke, on the occasion of his marriage to Jane, daughter of Lieutenant-Colonel Norton, who was then the step-daughter of Hooke. This property is shown on the sectional map of that region, adjoining Scituate Row. The extent of this tract of land, whether bounded by the river on its west end, came into litigation, during the lifetime of his grandsons, and was decided against them.

He died between March 18, 1646-7 and March 31, 1648. His will was proved before the Mayor and Aldermen of Gorgeana July 3, 1648 and is here printed in full, taken from the records of the city of Gorgeana:

IN THE NAME OF GOD, AMEN

I, Henry Simpson, of Gorgeana in the Pvince of Maine, being very sick of body but yet of good remembraunce; doe make this my last will and testament in manner and forme following;

First commending my soule to God that gave it, hoping through Christ of a joyfull resurrection and my bodye to Christian buriall.

Now touching such things as God hath bequeathed to me my minde, will and intent is that my deabts and legasies being paid, That my now wiffe Jane shall have and enjoy the halfe of my estate

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both of lands and goodes within doore and without, and the other halfe of minde estate I give unto Henry my sonne already borne and to the babe that she now gooes with by equall portions, But if either of them dye then as to her part soe dying to be between the mother and the child that liveth by equall portions,

And Overseers of this my last Will and Testament I doe make and ordaine my beloved freinds John Alcock, Edward Johnson, Abraham Preble and Richard Bancks, desiring them in the name of God to see this my will performed according to my true intent and meaneing herein and that there be noe wronge done to my wiffe and children and that neither of them do wronge each other.

IN TESTIMONY WHEREOF I have hereunto sett my hand and seale even the Eighteenth of March, 1646. I doe alsoe make my wiffe Jane my executrix, acknowledging of his act and deed in the Pseents of Joseph Hull, John Alcock and Jno. Twisden.

The mark X of Hen: Simpson

Henry Norton, Recorder.

A true Copy of the Invitory of the goods lands Chattles of Henry Simpson deceased taken from the Originall the third of July 1648

	£	s	d
Imprimis one suite of apparrell	2	10	0
It one bedd and boulster and covering	2	10	0
It One sheet one shurt one band one b(eaver) cap and one hat	0	18	0
It one swoard	0	8	0
It One peese	1	0	0
It One Morter	0	6	0
It One iron pott and hooks and One Iron kettle and	1	0	0
It One frying pann	0	2	0
It One hand saw two planes two augers	0	6	6
It Cheesells and gouges one hamer & pinsers	0	4	6
It One iron square	0	2	6
It One spade three weadges and one beatle ring one cheesell	0	11	0
It One Chamber pott one pewter bason One platter One salt	0	8	0
It One ceatell and a brush one axe	0	3	6
It One Kneading trough	0	4	0
It One brake One Charne	0	8	0
It One milk pann and one earthen pott	0	2	0
It One cheast	0	4	0
It One smotheing iron	0	1	0
It One bucking tub one small table one small barrell and one longe forme	0	8	0
It two pailles and one keeler	0	7	0
It three Cowes and two Calves	17	10	0
It One sow and two piggs	2	0	0

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	£	s	d
It the house and lott and the ground ajoyning	20	0	0
It the Marresh	10	0	0
It five hundred acres of upland	15	0	0
It One throat	0	10	0
It seaven bushelles and one peack of corne	1	8	0
It One reap hooke	0	1	6
It One hogge	0	1	6
It two sithes and forkes	0	4	0
(not totalled but amounts to)	£79	2	3
	Hen: Norton		

He had the following issue by wife Jane Norton:

- i. Henry, b. 1644.
- ii. (child), b. 1647? mentioned in will as unborn, but no further record of birth or survival.

LEONARD HUNTER

This person is only a name left in the records to show that once he existed here. In June 1637 he had land, which was "lately enclosed" in a partnership with John Barrett, adjoining the lot of Roger Garde (*Deeds i, 119*). Whence he came or whither he went is equally unknown, but it may be surmised that he came from Bristol, under the influence of the Hookes, or possibly of Maverick, as his lot was in the latter's division. The name of Leonard Hunter has been found about that date in Dalton-in-Furness, Lancashire (*1614*), and he may have originated in that region.

JOHN BARRETT

In June 1637 he owned a lot with Leonard Hunter (*q.v.*), "lately enclosed," adjoining Roger Garde, but its exact boundaries are not definable. His name does not occur later in the town or land records, and nothing is known of his antecedents or subsequent history, unless he is the John Barrett who is later found in Wells, about 1653, residing there till his death in 1664. A Walter Barrett of Bristol was interested in the early colonization schemes of Maine.

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JOHN ALCOCK



This settler was here as early as 1639 (*Deeds iv, 20*), and became one of the

largest landholders in town, and in other ways attained a prominence in local affairs. His name was always written in the records as "Mr." or even "Esq.," showing his social standing in the estimation of his neighbors, and is frequently mentioned as "Farmer" Alcock. This last title denoted a person who advanced money to the town for the taxes, or "farmed" them, as was the old English term for this transaction. It indicates that he was a man of wealth, as reckoned in that period, and kept a servant. He took no part in the political affairs of the province, and only held a few offices in the town. He was Selectman 1652-9, 1669-73, as well as Alderman of Gorgeana in 1648. In the county he was a Sergeant of Militia, 1659, and in 1668 a Commissioner, "to end small causes." His home was near Eastern Point, and that section came to be known as "Alcock's Neck." He had acquired this large tract by purchase from William Hooke (*Deeds i, 98*), and he also owned ten acres adjoining the Ministerial Lot, bought of Godfrey (*Ibid. ii, 177*), which he sold later to Peter Weare. One of his shares in the divisions of town lands amounted to two hundred ten acres. Besides these he held smaller parcels in various sections.

Of his English origin, nothing definite has been ascertained, but it is probable that he was a resident of Kent before emigration to this town, and connected with the Alcock family of Mersham in that county. The recurrence of the same family names indicates this probability, although the name is fairly common in England. He was married when he came here, and his first five children were brought with him across the Atlantic.

He was living as late as June 21, 1673, but shortly after "he was suddenly surprised with death, and had no opportunity to make his will or settle his estate" (*Mass. Arch. iii, 149*). The distribution of his property was made by arbitration on March 11, 1675, and approved by the Court that date. His eldest son Joseph had been dissatisfied with the usual division as made officially. The

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inventory was returned at £256-09-0, and each heir was awarded £31-02; the eldest son having a double portion. He was required to pay the widow an annuity. She survived until the Massacre of 1692, and it was testified that her will was destroyed in the house of Mr. Dummer, her son-in-law (*Deeds* [v] 11, 96). The name has been extinct in the town for over two centuries, and it is doubtful if any descendants of his name exist elsewhere. By his wife Elizabeth (maiden name unknown), he had issue, as follows:

- i. Samuel, b. about 1630 (if a son); submitted 1652; witness same year; land grant 1653; mentioned 1659; prob. d.s.p. before 1675; may have been a brother of John.
- ii. Mary, b. 1632, m. Peter Twisden.
- iii. Joseph, b. 1634, removed to Kittery, where he m. Abigail, daughter of Daniel Paul; was shipwright and mariner; d. 30 July 1678 intestate, left a son Capt. John of Portsmouth.
- iv. Elizabeth, b. (1636), m. Richard Bankes, ancestor of the family of that name in Maine.
- v. Job, b. 1638. Submitted 1652; Selectman 1676; Lieutenant of Militia 1677; Magistrate 1678; Captain 1681; Councillor 1691; removed to Portsmouth, after the Massacre, and became Judge of Superior Court of Pleas for N. H. m. Dorothy, daughter of Rev. John Rayner of Dover, but had no issue; will dated Dec. 2, 1712 and proved in 1716.
- vi. Hannah, b. (1640), m. George Snell.
- vii. Sarah, b. (1642), m. (1) John Giddings; (2) Henry Herrick of Beverly.
- viii. Lydia, b. (1644), m. Rev. Shubael Dummer.

STEPHEN CRAWFORD

He had a lot of land at or near Brave Boat Harbor in 1638, but there is no record of the grant or later disposal of it. Doubtless he was only a transient fisherman. He is found later at the Isles of Shoals where he died.

THOMAS FOOTMAN

This person was another transient early settler. He had a grant of two acres near the mouth of Meeting House Creek about 1639 (*Deeds* iii, 85) which was referred to the next year, as adjoining George Puddington in that section. He was indebted to a Boston tailor in 1646 (*Aspinwall*, 124), but had removed in 1648 to Dover, where a "brother Benjamin Matthews" lived. He died there about 1668, leaving children.

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THOMAS BROOKS *alias* BASIL PARKER

Basil Parker

This gentleman appeared here first as early as 1640 as Thomas Brooks and died in 1651 as Basil Parker. In the meantime,

for reasons unknown, he went by the hyphenated names of Brooks and Parker. He was called Brooks in 1640 when he attended Court from Kittery, where he and Peter Weare owned a tract of land (*Deeds i, 30*), and in 1645 is first called Basil Parker, when he was a Councillor of the Province (*Court Records i, 93-5*). He held this position in 1646 and 1647, in which latter year he became the Recorder of the province on the death of William Waldron (*Ibid. i, 113*). He held both offices in 1648, but was left out of the Council in 1649 under the administration of Godfrey, although continuing as Recorder. In 1650 and 1651 he was again both Assistant and Recorder, and died in the latter year; as on October 18, Mr. John Alcock was granted letters of administration on his estate, perhaps as a creditor or friend, as there is no known relationship between the two men (*Court Records i, 165; Deeds i, 30*). He resided in York, but where or with whom is indeterminate, but it may be permitted to suggest that he lived with Alcock, as he signed as a witness to deeds several times with him, with his wife Elizabeth and his son Joseph.

Of the origin of this hyphenate no solution has been found. A Basil Parker was admitted to the freedom of the Company of Haberdashers, London, May 4, 1610, by servitude to his master, Henry Kent, but there is no record of his apprenticeship. On February 2, 1610-11 Basil Parker of St. Gregory by St. Paul's, haberdasher, was married to Anne Saville, probably daughter of William Saville, gent. deceased, of Great Humby, parish of Somerby, county Lincoln and Anne his wife. If this identification is accepted he was about fifty when he came to Maine and sixty-two when he died.

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SAMPSON ANGIER

Sampson Angier

This settler was from Lezant, county Cornwall, and he came here as early as 1640 (*Lechford, 155*), having married Anne Bates May 14, 1609, by whom he

had five children born before emigration, but whether he brought the family with him is not known. He returned before 1652, when he made his will as "yeoman" which was proved ten years later. In this will he named his youngest son, Sampson (baptized October 20, 1624), who is the Sampson Angier appearing here later, purchasing an acre lot in "Lower Town" 1650, calling himself "fisherman" (*Deeds i, 10*). He carried on the fishing business in partnership with Henry Donnell (*Ibid. ii, 160*). He returned to England to marry Susanna Isaacks, July 17, 1666, in Lezant, and with her sold land August 23, 1668 (*Ibid. ii, 51*). He sold his fishing stage in 1673 (*ii, 139*), and land on the south side of river 1678 (*iii, 35*). He married a second wife, Sarah, who signs with him after 1675, and she became the second wife of Arthur Hewes of Portsmouth. His will dated May 13, 1691 was proved January 10, 1693-4. He left no issue.

THOMAS GORGES

Although not a permanent settler, it is fitting that this kinsman of Sir Ferdinando Gorges, who lived in this town for three years, as one of its leading officials, should have due notice among those who served with him in the up-building of the young settlement.

He was a "cousin" of Sir Ferdinando, the son of Henry and Barbara (Baynard) Gorges of Batcombe, county Somerset, where he was born in 1618. He studied law at the Inns of Court, London and in 1640 at the age of twenty-two came to New England to manage his uncle's political and business affairs in this Province. It is only necessary to call attention to his youth to appreciate what he had to undertake, without any precedents to guide him, in a wilderness. His first task was to prosecute the unsavory Burdett, a clever scoundrel who had hitherto escaped punishment in Old and New England for his mode

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of life, and he succeeded in driving him out of the country. He became the first Mayor of the borough of Agamenticus, besides holding the office of Deputy Governor of the Province. He lived in the Manor House at Point Christian, Gorges Neck, where he carried on the public business of the province and town. His administration of both offices was successful, and on July 10, 1643 he left the country, after three years service. He resided at Heavitree, near Exeter, after his return to England, and died there October 17, 1670. He was a Member of Parliament in 1664. His will dated September 25, 1669 and proved April 1, 1671, mentions land which he owned at Ogunquit. He was twice married: (1) Mary Sanford; and (2) Rose Alexander, daughter of Sir Jerome Alexander, who died April 14, 1671, six months after her husband. This fact is alluded to in the monumental tomb to their memory in St. Michael's church, Heavitree, which has this inscription:

The loving Turtell having mist her mate
Begged she might enter ere they shut the gate
Their dust lies here, whose soules to Heaven are gone
And wait till Angells rowle away the stone.

RICHARD CORNISH

This unfortunate man came to Agamenticus, with a wife Katherine, from Weymouth, Mass., in 1640 (*Deeds vi, 150*). Her record there was unsavory, in the moral significance, as she was before the Courts several times for lewd behaviour. In her new home she did not show evidences of better conduct, and carried on *liaisons* with sundry men, according to the contemporary records, until in 1644 her husband was found drowned in the river, with signs of violence that showed he was murdered. Suspicion fell on her and after trial she was convicted of homicide, and sentenced to death. Confession followed, and she paid the extreme penalty, the first person to swing from the gallows in this town. As far as known they left no children. He lived near the harbor on Alcock's Neck.

NICHOLAS SQUIRE

He was a fisherman living here in 1640, associated with the elder Sampson Angier (*Lechford, 155*). There is no

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evidence that he owned land or remained here for any length of time.

JOHN SQUIRE

May have been a brother of the above, as he was here at the same time, associated with him and Sampson Angier in the fishing business, but was probably only a transient settler. He was here in 1642 (*Trelawny Papers*, 342).

JOHN SMITH

“A servant of John Alcock, for running away from his master, and other abuses was sentenced to be whipped and returned to his master.” (*Court Records, September 1640.*) Identification of a person of this name is not practicable, unless he is identical with the John Smyth later of Cape Neddick. If this is accepted as reasonable, further evidences of identity will be discussed in Chapter I of the second volume, on Cape Neddick, under the caption of “John Smith.”

CHAPTER XI

THE TWO CHARTERS OF 1641 AND 1642

THE BOROUGH OF AGAMENTICUS

1641



INITIAL LETTER "T"
FROM THE CHARTER
OF GORGEANA, 1642

The belief of Gorges that the growth of his favored plantation required further enlargement of its powers of government was his vision of the needs of the future for the little settlement which he had chosen for the capital of his Province. He determined to endow Agamenticus with corporate authority after the manner sanctioned by legal practice in England. This was in accordance with his plan to transplant familiar English customs to

the new country so that colonists would find in their new home the social and official atmosphere to which they had been accustomed for generations. Here he would find the same legal machinery at his disposal for the advancement of his interests and the redress of his grievances, freedom of the corporation, market days, courts leet and all the peculiar procedures of Tudor England. It was to be a civil establishment, not a clerical oligarchy as was then slowly sapping the authority of the freemen in the Bay and at Plymouth.

Consequently, Gorges chose as the form of civil establishment for the Bristol plantation at Agamenticus the legal status of a borough which was one of the subsidiary incorporations of the English monarchy. It had nothing in it savoring of the democracy consequent on the "town-meeting" method of government, but was a representative type of municipal control vested in elective officers. It was in reality the same form as now obtains in all the larger cities of the United States. The larger towns of England at that period, such as Stratford-upon-Avon and Plymouth, were boroughs as distinguished from the great

THE TWO CHARTERS OF 1641 AND 1642

populous cities where Bishops had Sees which had city charters. In his province charter he had provided for a Governor, Deputy Governor, Steward-General, Chancellor, Recorder, Marshal and all the familiar functionaries of the English shires, and to offset the criticism of a top-heavy civil list he gave equivalent titular offices to the underlying structure for a balance.

The borough charter of Agamenticus was dated and sealed April 10, 1641 and contained the following provisions for the government of the growing community settled around Godfrey's first habitation on Meeting House Creek, as well as forming separate centers of occupation at the mouth of the harbor, on either side, at Cape Neddick and at the Mill River.

The charter created a corporation by the name of the "Mayor, Aldermen and Recorder of the towne of Acomenticus" with power to sue and be sued, to hold courts for the determining of civil causes without trial by jury. It was explained that in civil causes the custom of having jurors was "needless and prejudicial to such proceedings." There were to be eight Aldermen and a Recorder, and from these nine persons the Mayor was to be chosen "by the voices of the Burgesses and the rest of the nyne persons or the major part of them." The Mayor was to have the qualities and powers of a justice of the peace and his term of office was to be one year from the first Tuesday in each "Whitsun week." The corporation was to have a common seal, a town hall and "comon Gaole for imprisoning all Delinquents or debtors." The business of the borough was to be recorded by a Town Clerk. Criminal causes committed in the limits of the corporate bounds were to be instituted by indictment and tried by jury under procedure consonant with the laws of England duly recorded and registered. The limits of the corporate jurisdiction were "three miles every way distant from the Church, Chappell or place ordayned or intended for a Church, Chappell or Oratory belonging to the Plantacon of Acomenticus."

A Court Leet was established to be held once a year at Michaelmas "where unto all persons above the age of twelve yeares should be warned to attend." The corporation was empowered to make laws and ordinances for the peaceable ordering of the community and to bestow the

HISTORY OF YORK

freedom of the borough on approved residents. Measures of military defense were provided and the construction of "Ports or keyes" for the convenience of maritime business was authorized.

To inaugurate this borough government Gorges nominated its first officers as follows: "My welbeloved Cosyn Thomas Gorges to be the first and next Maior;" Edward Godfrey, gentleman, Roger Garde, George Puddington, Bartholomew Barnett, Edward Johnson, Arthur Bragington, Henry Simson and John Rogers as Aldermen; Edward Godfrey, Justice of the Peace "for the first yeare," Roger Garde, "Recorder, and he shall alsoe execute the Office of Towne Clarke."

To insure this infant borough in the enjoyment of these privileges Gorges prohibited all "officers and ministers of justice" in the Province of Maine "from intermeddling in the administration of justice in the corporate limits of the borough without the consent of the members of the corporation or the major part of them." This unusual proposition was probably a renewal of like independence granted in 1638 to the Bristol Plantation. At the first Provincial Court held June 25, 1640 the attendance from York was numerically negligible (four deputies in all), while Kittery was represented by thirty of its inhabitants. This disparity has been misunderstood as well as misinterpreted to signify that numerically York was inferior to other settlements in the province. This superficial view does not take into account the political situation. As the only incorporated community in Maine it sent four representatives from the borough and they went there largely to protest their independence of provincial authority. The other straggling settlements, having no settled form of government, went there in unorganized numbers after the manner of an open town meeting. Doubtless most of them went there out of curiosity to "see the show" as there had been no court held in the province for four years. To compare the legally deputed members from the borough of Agamenticus with the self-appointed attendance from other communities and estimate the numerical element only, as has been done, is like comparing the public attendance in a court room with the number of jurors lawfully chosen to the disparagement of the men in the box in point of numbers.

THE TWO CHARTERS OF 1641 AND 1642

THE CITY OF GORGEANA

1641

It may be said that the rather large corporate framework provided by the borough charter was sufficient for all the practical purposes of town government for a population as limited as Agamenticus, and that the accepted method of creeping prior to pedestrianism was thus intelligently applied by Gorges. But it must be remembered that all pioneers and adventurers are dreamers and promoters. It is their function to create an atmosphere of greatness and prosperity in their chosen field of endeavor. As Gorges had built his castles in Spain to satisfy his own ideals of future greatness, so he provided ample prospects on parchment, for the interested investing public and the future emigrants at home, by these elaborate skeletons of provincial and borough development. In keeping with this idea he projected a larger display of assumed and anticipated progress of his favored shire town before a year had elapsed. The Mayor and Aldermen of Agamenticus were scarcely adjusted to their recently bestowed honors when the spirit of the colonial promoter essayed another gesture to advertise advantages and growth of his territory. Where once his favorite town had been only a borough and the only borough in New England, he thought it good business to enlarge its status to that of the highest municipal corporation of the kingdom and endow it with the official machinery employed in London, Exeter, Bristol and Norwich and furnish it with the full powers of a city.

This was magnificent in conception and strictly in line with a legitimate exploitation of his property to attract the thousands of emigrants he had honestly expected. But in this belief he was unfortunately on the wrong side of the colonizing problem — socially, ecclesiastically and politically — at that period. His appeal was naturally to the loyal subjects of the Crown who had no social grievances to drive them to emigrate, while the religious whimsey-mongers who constituted the discontented villagers of East Anglia were of the class eagerly looking for an escape from their church associations at home and were in no mood to jump into a miniature replica of the Episcopal reestablishment overseas. They preferred to go

HISTORY OF YORK

to have a comon seal "engraven according to their owne discrecons;" to erect wharves and quays, as well as fortifications for local and provincial defense, if approved by the Governor and Council of the province; to hold a weekly market on Wednesdays, "that trading and comerce may bee the more readilie advanest," and to enjoy a semi-annual fair on the feasts of St. James (July 25) and St. Paul (January 25), the tolls of which were to belong to the Mayor for the time being.

For these privileges the corporation was required to make certain material and loyal acknowledgments, *viz.*: the payment of a quit rent of a quarter of wheat at Michaelmas annually to the Lord Proprietor, and its officials enjoined to take the oath of allegiance to His Majesty, as part of their obligations of office. The Deputy Governor, or the Chancellor of the province, was delegated to administer the oath to the Mayor, and the latter in turn to the subordinate officials "in the sight of the Justices." Paragraphs providing for the emendation or healing of doubtful sections were to be resolved in favor of the corporation, if reasonable. A new charter was promised if disputes of interpretation could not be adjusted. This comprehensive, as well as liberal charter was engrossed on parchment, and proved to be the last munitment of authority issued under sign manual of the Lord Proprietor. It was sealed on the first day of March 1641 (2), and is still in existence, though not in the possessions of its lawful custodians, and is the oldest city charter in New England.¹

THE OFFICIALS AND ADMINISTRATION OF AGAMENTICUS AND GORGEANA

1640-1652

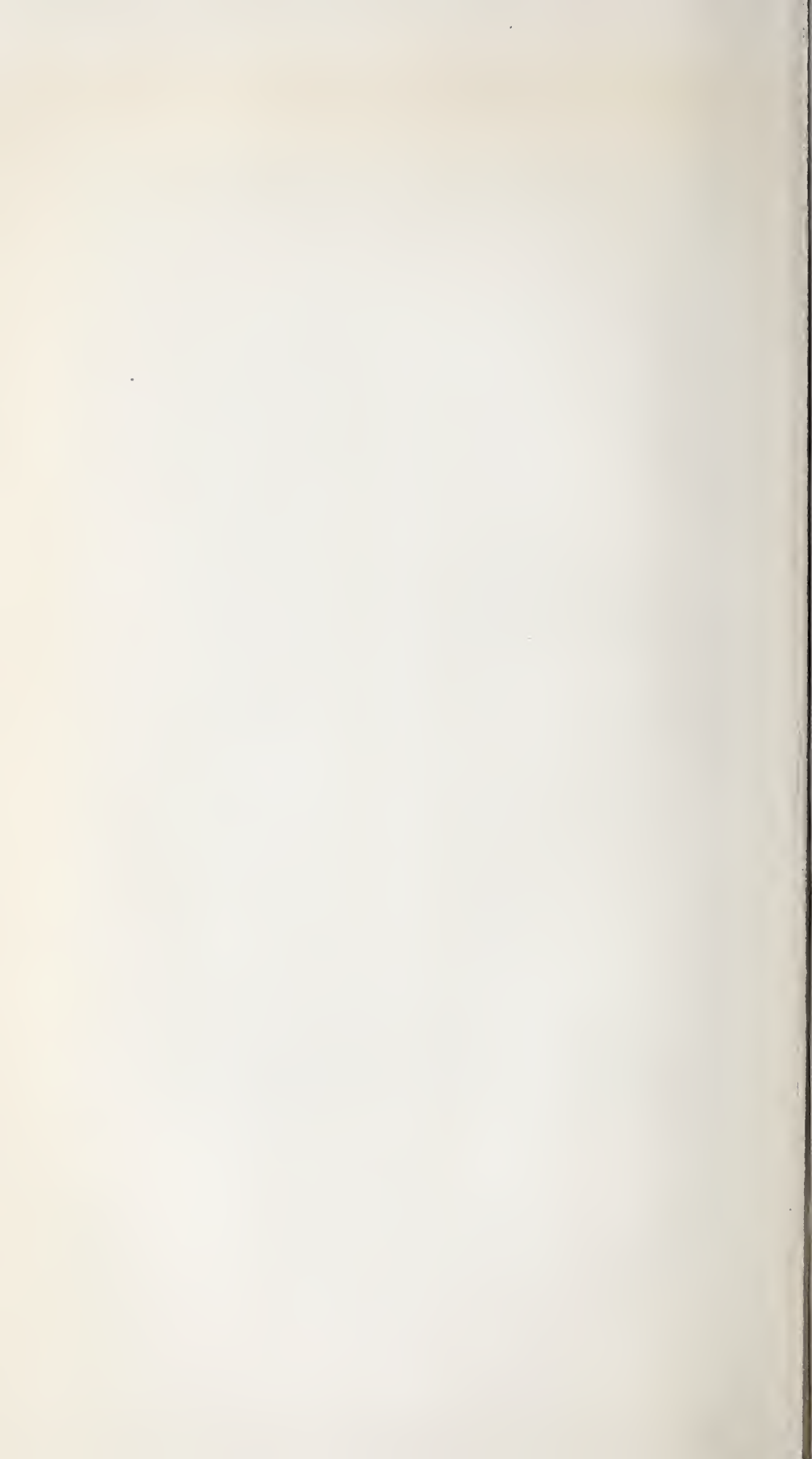
We are deprived of many of the picturesque details of the official management of the borough and city of Agamenticus and Gorgeana as well as the roster of its officials by the complete loss of all records of both corporations. A

¹ It is in the manuscript collections of the Massachusetts Historical Society, given to it in 1797 by Joseph Tucker of York. In his letter to Hon. James Sullivan, then president of the society, offering the document, Mr. Tucker explained how it came into his hands. "I was crossing a field in the Town some Years since," he wrote, "and found it in Mutilated Situation you now see it. It was very wet I dried it and found what it contained & perserved it. I am sorry the Seal is wanting, but it was gone when it came into my hands." This story is interesting if not convincing. There is no evidence that he offered it to its lawful custodians, the town officers.



ANCIENT PAINTING REPRESENTING SWEARING-IN THE MAYOR OF BRISTOL,
1479

Courtesy of the Corporation of Bristol



THE TWO CHARTERS OF 1641 AND 1642

few scattering evidences of the continuity of the city governments for twelve years have survived, together with an occasional ray of light shed from collateral sources which make it possible to give a fragmentary list of the principal officers and catch fleeting glimpses of their activities. As the city government ceased to function in 1652 (as far as known) the records ceased to be kept and probably remained in the custody of the last City Recorder. It is evident, from the action of the usurping Massachusetts government in wiping out the name Gorgeana and constituting a new town called York, that the new overlords had no wish to be responsible for the Gorgeana records by taking them as part of the spoils of a defunct corporation, else they would be found in the Massachusetts archives. It is probable they were left, as surmised, in private hands. Henry Norton was the last known Recorder (1648) and he returned to England about 1657 where he soon died.

It is a slight basis, therefore, on which to build a story of the borough and city governments of the two corporations. The first charter of April 10, 1640, provided that Thomas Gorges should be the "first and next Mayor," and the term reckoned from Whitsuntide "next after the coming over of this present graunt." Whitsun Day of that year was May 24, and if the charter was sent immediately it could have arrived from Bristol before that date with a favorable voyage of six weeks. On this supposition Thomas Gorges began his first term Whit Monday of that year, and the roster of his first term would be, under the terms of the charter, as follows, *viz.*:

MAYOR

Thomas Gorges

ALDERMEN

Edward Godfrey
Roger Garde
George Puddington
Bartholomew Barnard
Edward Johnson
Arthur Bragdon
Henry Simpson
John Rogers

JUDGE

Edward Godfrey

HISTORY OF YORK

RECORDER
Roger Garde

1641

By the same provisions of the charter Thomas Gorges was to be the next Mayor, serving until May 26, 1642.

MAYOR
Thomas Gorges
(other officials unknown)

The new charter of Gorgeana dated March 1, 17 Charles I (1641-2) probably arrived here, if promptly sent, by May 1, 1642, and by its provisions the election of officers was to take place on March 25 (Lady Day) annually. This charter provided that the Deputy Governor (Thomas Gorges) should "appointe assigne and nominate the first Maior for the yeare to come," who should enter into his office on March 25 "nexte ensueing the Date hereof." This, therefore, made the term of the first mayor of the city begin March 25, 1641-2 which would be "nexte ensueing" the date of the signing and sealing. It did not arrive in time for this to take effect on that day, but Thomas Gorges, holding the same office under the Agamenticus Charter till May, 1642, must have served his term out. It is not probable that he appointed himself to the city office. If Sir Ferdinando had wished him to fill it he would have nominated him in the patent as before. So that the successor to Mayor Gorges when named by the latter was probably for the term beginning March 25, 1642, and hereafter the list will follow as far as known, or surmised from collateral evidence.

1642-3

MAYOR
(unknown)

1643-4

MAYOR
Richard Bankes
(other officers unknown)

THE TWO CHARTERS OF 1641 AND 1642

1644-5

MAYOR

Roger Garde
(other officers unknown)

1645-6-7

(all officers unknown)

1647-8

MAYOR

Edward Johnson

ALDERMEN

John Alcock
John Gooch
Abraham Preble
Henry Norton, Recorder
Arthur Bragdon, Constable

1648-9—1650-1

(all officers unknown)

1651-2

MAYOR

Abraham Preble

ALDERMEN

John Twisden
Edward Johnson
Henry Norton
William Hilton
John Davess

(*Deeds i [ii], 14-15.*)

It is doubtful if the forty officials prescribed by the city charter were all chosen annually. It would have taken practically all the eligible adult freemen to have supplied the demand. It is credible that nearly all the principal residents of the place occupied some office during the twelve years of corporate existence. This situation practically rendered the city government the equivalent of a town meeting, and was in effect the most democratic form of managing town affairs. We have one little glimpse of the punctiliousness of the new mayor in his first term of office. John Winter of Richmond's Island, while on a return voyage from Boston to the Trelawney Plantation in

HISTORY OF YORK

July, 1641, "was taken with a Contrary wind & put into Accomenticus Rode." He explained that Mr. Gorges "hearing of my beinge in the Rode sent aboard his officer with 5 or 6 men more to command me ashore," (*Trelawny Papers*, 279). The Mayor was taking his office seriously. Anchoring in the roadstead required the dispatch of sergeants of the white rod to require the presence of the master of the vessel before his worship to explain the object of his entering into the corporate waters of Agamenticus. This was a customary procedure in English ports, especially at times when foreign craft were usually engaged in piracy and the Maine coast was not free from such marauders.

Although not so empowered in the charter, the Mayor and Aldermen took probate jurisdiction over estates of its deceased citizens, an evidence of which is found in the proving of the will of Henry Simpson by the city officials in 1648 and the approval of the executrix named. We also have knowledge of the special privileges conferred on this town by the two charters under which they were practically independent of the provincial authorities. The town and city as a corporation sent deputies to the General Court of the Province and always called attention to their chartered rights in doing so.

However much all this municipal paraphernalia may give rise to amused comment, as an over-canvassed ship of state, there is nothing of record to show that it failed to carry its passengers safely and satisfactorily along its course, as long as it was allowed to function. The people lived under it quietly and happily and made no effort to change the rig, and that is the test of its efficacy. It amounted to an organized town meeting, performing duties continuously throughout the year, instead of a headless affair operating in a haphazard way once a year, as developed in Massachusetts town meetings, and the officers were chosen freely by ballot without any restrictions, except an oath of loyalty to the sovereign.

CHAPTER XII

DIVISION OF THE GRAND PATENT, THE HOME LOTS, AND THE COMMON LAND

Possession of the soil in fee simple, or freehold, was one of the principal incentives of emigration to Maine. The religious factor was negligible, as most of the emigrants were adherents of the Church of England, conforming to its doctrine and ritual, and they had never been troubled by the ecclesiastical authorities. It was not so with a majority of the emigrants to Massachusetts who were influenced by the religious unrest of the period, and led by the Puritan clergy believed themselves "persecuted" and driven overseas to escape the "cruel Archbishop Laud," as they were pleased to characterize this church dignitary.

For generations, since the Conquest, the middle and lower classes of England had been dependents, in varying degrees of bondage, to the land-holding aristocracy. Land was entailed on the eldest sons and rarely could an ambitious person of the tenantry acquire a free hold interest which he might convey to his children. This long and grinding system of tenancy, of homage and fines, with no hope of freedom from the rent-roll, began to break out of the restraints of the past, coincident with the acquirement of religious freedom at the time of the Reformation, and the dissolution of the monasteries. Large tracts of lands belonging to these religious establishments were bought by the wealthy merchants and younger sons of the old aristocracy, but the upstart "gentry," thus created, generally made worse masters than the old. Gradually men eager to rise from this bondage could buy a small plot of ground, call it their own, and their children could inherit it; but the long intrenched Squirearchy parted with their holdings very reluctantly. Each acre alienated denoted to them so much less rent from the labor of others. It meant that landlordism was beginning to lose its strangle hold as a part of this selfish social system of kings and peers, and that in time human beings would not be forever paying tribute to a parasitic class battenning on the industry of others, less fortunate by the accident of birth.

HISTORY OF YORK

Gorges himself was a product of the ancient manorial land system of England and it was natural that he should wish to perpetuate it in his Province, and yet he created only one manor in Maine for the transaction of his personal business in this town. His aims in colonization were of the highest character from the patriotic ideal of extending English civilization and power. His philosophy of government was, of course, an outworn anachronism as we view it today. It will be observed, however, as this history develops, that during his lifetime he was most generous in his grants of land tenure to settlers, retaining for himself only a nominal quitrent of some token in kind or a small ground rental. As an example of his dealings with them he gave a two thousand year lease to Cleeves and Tucker of the peninsula of Machegonne (now Portland) at a yearly rental of £1-10, and all his grants or leases were of this type. It cannot be denied that he was entitled to a ground rent on his investment. This is very far from justifying the absurd charge recently set forth that Gorges was endeavoring to revive the long-abandoned and long-forgotten medieval villeinage system so laboriously argued by the editor of the "Provincial Court Records of Maine." To state what it means is almost to ridicule it; but as it has been made with apparent solemnity it requires equally definite refutation. Villeinage was a medieval form of personal slavery to the Lord of the Manor, by which he was restrained of his liberty of action and movement. It never had an extended vogue even in the palmy days before Runnymede and was gradually eliminated from English life two centuries before Gorges was born. To suppose that Sir Ferdinando entertained such a preposterous idea, of which there is not the slightest evidence, expressed or implied, and to formulate it into a definite charge without a scintilla of proof is unworthy of serious historical writing. It would puzzle anybody to point out a concrete case of villeinage in Maine. This has been amply answered elsewhere,¹ but in the history of the town of which Sir Ferdinando Gorges was its patron it is the duty of the historian to refute in as strong terms as possible the fantastic discovery that the Lord Proprietor of Maine ever undertook or even considered the revival in Maine of the discarded and forgotten system

¹ *Vide American Historical Review*, xxxiv, 131.

(Brixham)

DIVISION

LAND PATENT

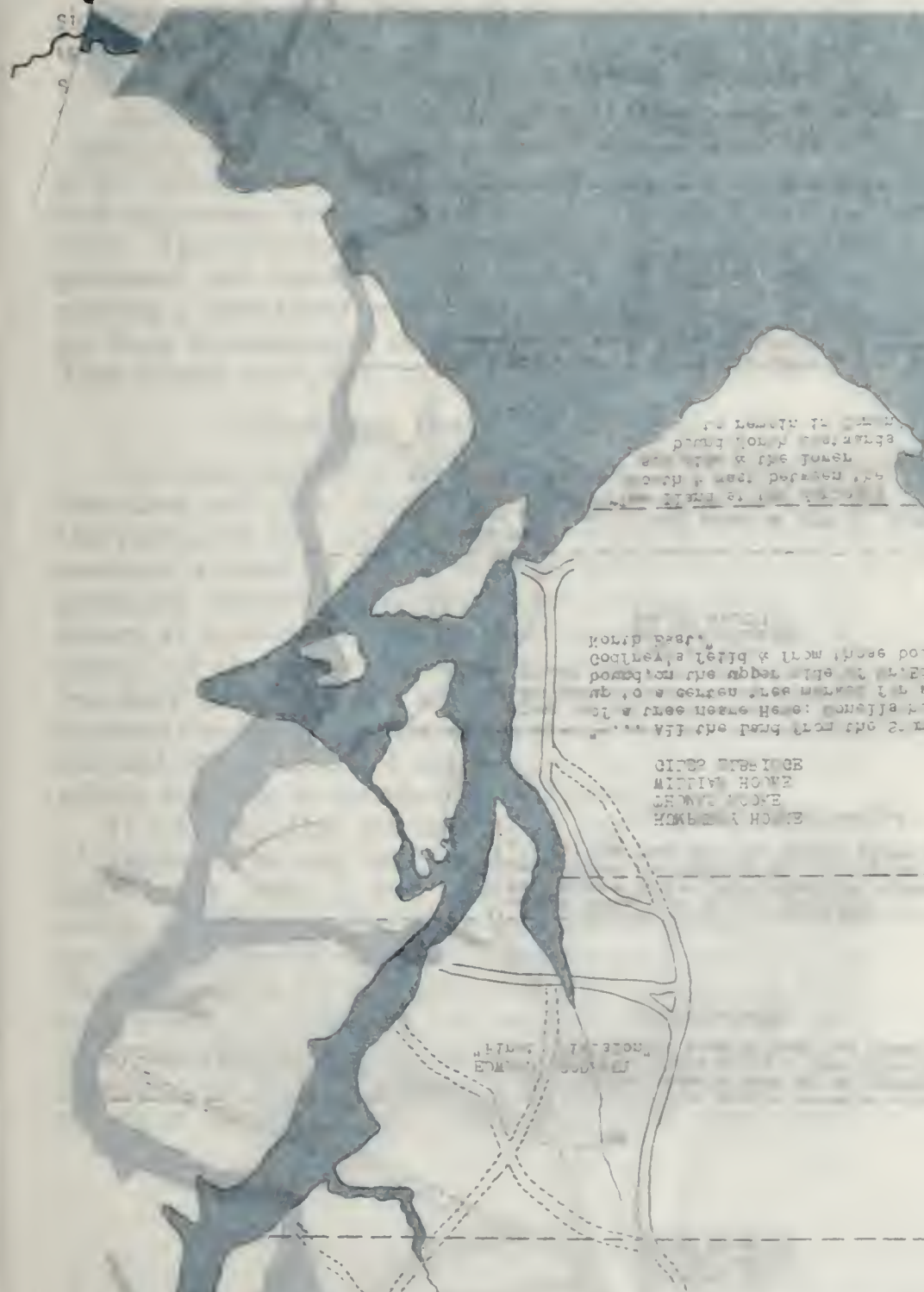
of Edward Godfrey

employed the ... that parcel of Land commonly called the Neck of Land

... that parcel of Land commonly called the Neck of Land ... to be established before sitting

1871

PLATE OF THE ...



... the ... of the ...

... the ... of the ...

GILES ...
MIRIAM ...
SERVA ...
MORSE ...

... 1871 ...

HISTORY OF YORK

Gorges himself was a product of the ancient manorial land system of England and it was natural that he should wish to perpetuate it in his Province, and yet he created only one manor in Maine for the transaction of his personal business in this town. His aims in colonization were of the highest character from the patriotic ideal of extending English civilization and power. His philosophy of government was, of course, an outworn anachronism as we view it today. It will be observed, however, as this history develops, that during his lifetime he was most generous in his grants of land tenure to settlers, retaining for himself only a nominal quitrent of some token in kind or a small ground rental. As an example of his dealings with them he gave a two thousand year lease to Cleeves and Tucker of the peninsula of Machegonne (now Portland) at a yearly rental of £1-10, and all his grants or leases were of this type. It cannot be denied that he was entitled to a ground rent on his investment. This is very far from justifying the absurd charge recently set forth that Gorges was endeavoring to revive the long-abandoned and long-forgotten medieval villeinage system so laboriously argued by the editor of the "Provincial Court Records of Maine." To state what it means is almost to ridicule it; but as it has been made with apparent solemnity it requires equally definite refutation. Villeinage was a medieval form of personal slavery to the Lord of the Manor, by which he was restrained of his liberty of action and movement. It never had an extended vogue even in the palmy days before Runnymede and was gradually eliminated from English life two centuries before Gorges was born. To suppose that Sir Ferdinando entertained such a preposterous idea, of which there is not the slightest evidence, expressed or implied, and to formulate it into a definite charge without a scintilla of proof is unworthy of serious historical writing. It would puzzle anybody to point out a concrete case of villeinage in Maine. This has been amply answered elsewhere,¹ but in the history of the town of which Sir Ferdinando Gorges was its patron it is the duty of the historian to refute in as strong terms as possible the fantastic discovery that the Lord Proprietor of Maine ever undertook or even considered the revival in Maine of the discarded and forgotten system

¹ *Vide* American Historical Review, xxxiv, 131.

(Brixham)

EDWARD GODFREY

"...that parcell of Land comanly called the Neck of Land, partly compassed about with the River & to take soe fare up as shall Contayne the like quantity that Mr Humphrey Hooke & partners hath on the East side."

HUMPHREY HOOKE and Partners

"...From the afores'd bounds North West nine Lynes in length at 9 poole per Lyne & from thence North East."

SAMUEL MAVERICK
WILLIAM JEFFREYS
JOHN BURSLEY

"... All the land from the bounds last mentioned up thr River side soe fare as It runnes North Westward...& fromthence North East

HUMPHREY HOOKE and Partners

"...All the land from the afores'd Hillocke to the Poynt or Cove of Marsh, next above the farm house & from the head of said poynt or Cove of Marsh North East."

SAMUEL MAVERICK
WILLIAM JEFFREYS
JOHN BURSLEY

"...All the Land above the Bass Cricke from Mr. Gorges Bounds there up the River to a little Hillock by the River, above the next poynt of Land."

FERDINANDO GORGES Esquire

"...All the Land from the Cricke below the house up to the bass cricke & soe North East from a Certen Oake marked for a bound on the upper side of the sayd Crick

EDWARD GODFREY

"...All the Land up from the lower Corner of Mr. Lynns feild to the Crick below Mr. Gorges House & from all sd bounds North East"

SAMUEL MAVERICK
WILLIAM JEFFREYS
JOHN BURSLEY

"...All the Land between those two parcells of Land last mentioned & from thence North East."

EDWARD GODFREY
"First Division"

HUMPHREY HOOKE
THOMAS HOOKE
WILLIAM HOOKE
GILES ELBRIDGE

"... All the Land from the Stumpe of a tree neare Here: Donells house up to a certen tree marked for a bound, on the upper side of Mr. Edw. Godfrey's feild & from those bounds North East."

"The Iland at the Harbours mouth & wast between the sea side & the lower bound North Eastwards to remain in Coman"

171320

COUNTY OF YORK

Edward Godfrey and his partners... land... called the Neck of... partly compassed about with... the River & to take use... as shall com-... the like quantity... that Mr Humphrey Hooke &... partners hath on the... East side."

Humphrey Hooke and partners... the above of bounds North East... in length at 3 rods for... the North East."

SAMUEL MAVERICK
WILLIAM TERRYERS
JOHN BURSLEY

All the land from the bounds in a... up the River side see here as it... North East... North East"

Humphrey Hooke and Partners... All the land from the above of Hillcock to... of Marsh, next above the farm house... from the head of said point or Cove of Marsh... North East."

SAMUEL MAVERICK
WILLIAM TERRYERS
JOHN BURSLEY

All the land above the Bass Cricke from... Gorges Bounds there up the River to a little... by the River, above the next point of... North East"

Ferdinando Gorges Esquire

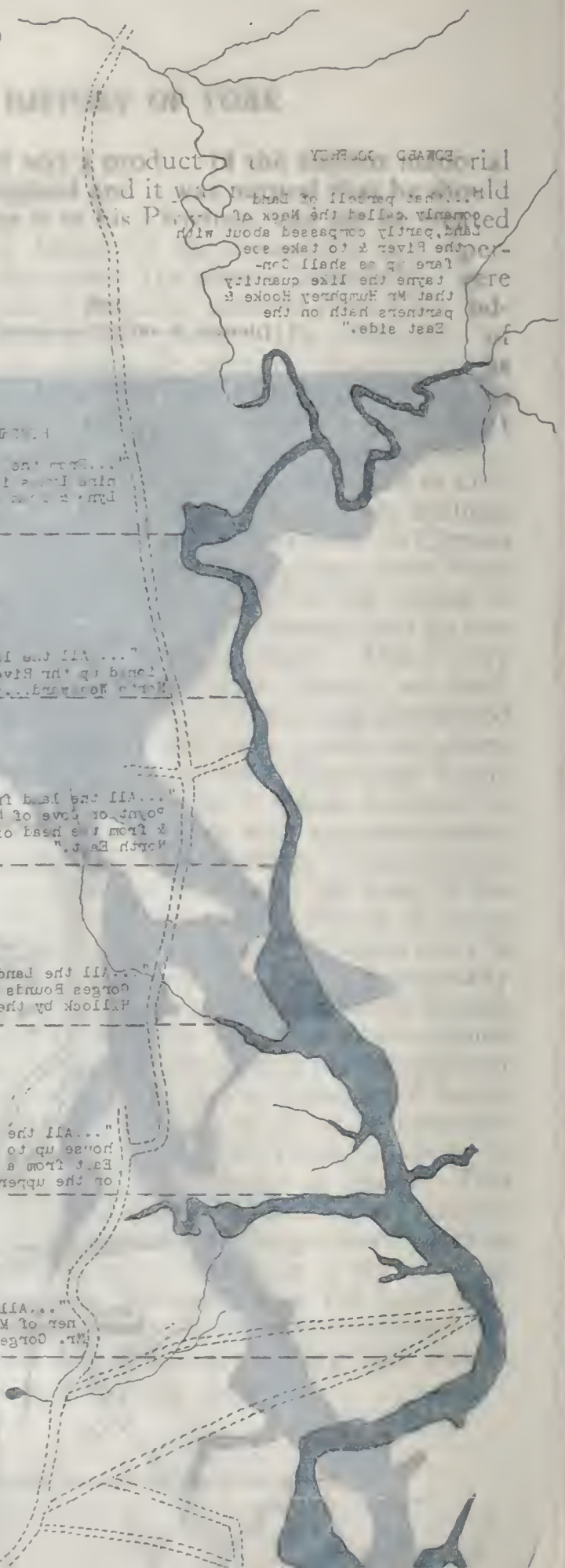
All the land from the Cricke below the... to the Bass Cricke & see North... from a Certain Oak marked for a bound... on the upper side of the said Crick

Edward Godfrey

All the land up from the lower... of Mr. Tynns sold to the Crick below... Gorges House & from all ad bounds North East"

SAMUEL MAVERICK
WILLIAM TERRYERS
JOHN BURSLEY

All the land between those... parcels of land last... North East"



DIVISION OF THE GRAND PATENT

of human bondage. Neither is there evidence that he employed this medieval tyranny on his own English estates, a fact which should be established before asking support of the notion that he tried to transplant it in Maine. There was enough repression of individual effort, in the manorial system, mildly patriarchal as it was, when Gorges was on the scene, but the tenants were not serfs.

The two great colonizing companies, with their subsidiary proprietaries, advertised for colonists and promised an hundred acres for each person emigrating and settling. This was a "Kings Ransom" in the vision of the more ambitious of the yeomanry. The prospect of obtaining free of cost this enormous acreage in the place of a "handkerchief plot," which they must always rent and do homage for was the real motive which sent them over. The proprietors of the Agamenticus patent had promised one hundred acres to each head of a family making a permanent settlement in the town, and hither, on these inducements, came some of the first settlers of York (*Deeds xxvii, 83*).

DIVISION OF THE GRAND PATENT

The basic patents of 1631 and 1638 have already been described and their provisions explained. The policy of the patentees was undoubtedly to establish a modified manorial system by which the land would be granted as promised, subject to certain nominal rights of the patentees as over-lords, evidenced in annual "acknowledgments" of the settlers by small quitrents or services of a few days' labor. It was a vast improvement over their old hopeless drudgery in England, where all the improvements accrued to the Lord of the Manor, but that it was not wholly accepted as satisfactory will appear later.

It is evident that the land on the east side of the river of Agamenticus was held in common by the patentees, before 1641, when it was divided between them in severalty, as will be shown on the accompanying map. In the ten years following the issue of the patent there were but eleven transfers by the owners of the patent, and these were made at places not yet assigned to any individual patentee. The first recorded sale was made before 1636, probably by William Hooke to George Newman, at the mouth of Meeting House Creek (*Deeds viii, 120*), and it

HISTORY OF YORK

can be assumed that the resident proprietors, Godfrey and Hooke, had a tacit agreement about these sales. If and when a division was made their shares would be assigned to cover these early transfers. This seems to be the only way to account for them.

Bearing in mind that the patents of 1631 and 1638 were held in common by a number of patentees, it is conjectural how the home lots, prior to 1641, were allocated in severalty. But four deeds of land, as home lots, in fee simple, were passed between the proprietors and settlers, in the first ten years of the settlement, and these were granted by Maverick and Hooke, as patentees (*i*, 118; *iii*, 85; *viii*, 216; *xxvii*, 83). Yet by 1641 there were definite locations of two dozen known residents along the waterfront up to Gorges Creek. Their tenure and fee must have been by a common agreement of the patentees that certain sectors should be assigned to specified owners, if and when the grand patent should be divided. Godfrey stated that "certen yeares after some settlement the Inhabitance peticoned to have ther lands laid out & deeds for the same, wch was granted, and by that occation the whole Bounds of the Pattent were devided."

These first settlers must have been on a sort of leasehold arrangement. It was not until the middle of the summer of 1641 that the first definite steps were taken to divide the grand patent. This was done on "petition of Roger Garde & others," and by a court order of August that year, the twelve thousand acres, east side of the river, were tentatively divided in principle, but not assigned to the thirteen members. Why Garde, who was not a patentee, should have petitioned for this is not known. The terms of this arrangement are as follows:

The Devission of 12000 m Acres of Land amongst the Pattentees of Agamenticus October 30 1641: by us whose names are here subscribed. 6 Miles & 4 long & 3 Miles broad makes 12000 which being devided into 13 parts each parte will contayne 154 r: which makes $\frac{1}{2}$ a Mile wanting 6 poole /

Fower of these partes putt together contayning 616 poole In breadth and 68 lynes at Nine poole by lyne make 616 poole & 2 poole over and above /

There is already layd out towards every of the fower parts 26 lynes & one over and above Soe there is more to be layd out for every fowerth parte 42 lynes & the salt Marsh ground to be devided in the like manner /

DIVISION OF THE GRAND PATENT

A Division already of the Land below Mr. Gorges house on the Lower side of the Crick/

Thomas Gorge
Edw: Godfrey
Roger Gard

This somewhat confusing description of the size of each of the thirteen parts may be roughly stated to provide lots about one hundred fifty-four rods in width, by the river side, while the division lines were to run on a northeast parallel to the eastern limits of the patent. The last line reading: "A Division already of the Land below Mr. Gorges house on the lower side of the Cricke," must mean that the seven lots below Point Christian, where Gorges house was located, had been tentatively allotted to certain resident patentees, subject to approval of the patentees absent in England or elsewhere. In November following the permanent assignment of the thirteen shares was ratified as follows:

DIVISION of the TWELVE THOUSAND ACRES 1641.

November A devission of twelve thousand Acers of Land amongst
 11 the Patentees of Agamanticus/ made by us Thomas
 1641 Gorges Esq and Edw: Godfrey Gentle: Chancellors of the
 Province of Mayn & Roger Gard, who are deputed In the
 behalfe of the sayd Pättentees/

Imprs to Fardinando Gorges Esqr, all the Land from the Cricke below the house up to the Bass Cricke & soe North East from a Certen Oake marked for a bound on the upper side of the sayd Cricke/

To Humfrey Hooke & Gyles Ellbridg Esqrs & Willia: Hooke & Tho: Hooke Gentlem: all the Land from the stumpe of a tree neare Hene: Donells house up to a certen tree marked for a bound, on the upper side of Mr. Edw: Godfreys feild & from those bounds North East: the yland at the Harbours Mouth & wast ground between the sea side & the lower bound North Eastwards to remain in coman amongst all the pattentees/

To Edw: Godfrey Lawrence Brinley, Willia: Pistor & Robert Tomson Gentlem All the Lands from the Last bound to a certen Oake Marked for a bound neare the path leading from the plantation to Mr Gorges house: alsoe all the Land up from the lower Corner of Mr Lynns feild to the Cricke below Mr Gorges his house & from all the sd bounds North East/

To Mr Samell Mavericke, Elyas Mavericke, William Jefferys, and Hugh Bursly Gentle: All the Land between those two pcells of Land last mentioned/ & alsoe all the Land above the Bass Cricke from Mr Gorges bounds there up the River to a little Hillocke, by the River side, above the next poynt of Land & from thence North East/

To Mr Humfrey Hooke & partners, all the Land from the aforesd

HISTORY OF YORK

Hillocke to the Poynt or Cove of Marsh, next above the farme house & from the head of the sayd poynt or Cove of Marsh North East/

To Mr Samell Mavericke & ptners, all the Land from the bounds last mentioned, up the River side soe fare as It runnes North Westwards, and soe over the sd River North West wards to a tree marked for a bound, & from thence North East/

To Mr. Humfrey Hooke & partners from the aforesd bounds North West nine Lynes in length at 9 pole *p* lyne, & from thence North East/

To Mr. Edward Godfrey & partners that pcell of Land commanly Called the Necke of Land, partly compassed about with the River & to take soe fare up as shall Contayne the like quantity that Mr. Humfrey Hooke & partners hath on the East side/

The sault Marsh devided as followeth/

To Mr Hooke & partners all the Marsh from the first Entrance to his farme house: All the rest upwards on that branch of the River to Mr. Mavericke & partners: And that on the Western branch of the River to Mr Godfrey & partners & to Mr Gorges the Pattentee/
154 poole in breadth, soe every Pattentee wch being measured by a lyne of 9 poole in length ammounts to 17 lynes & one poole/

The accompanying map shows this division in proximate detail. As far as existing records permit a statement the only members of the company, which owned this patent, who granted land to settlers were Godfrey, Hooke and Maverick. Of these Godfrey alone required in some cases two days work annually as a condition of sale and "acknowledgment" of his patent rights.

When the town came into possession of the land belonging to the patentees of Agamenticus in 1652, through the usurpation of government, it took over the fraudulent title of Massachusetts, as will be explained in Chapter XVII, and proceeded to parcel out lots to the inhabitants in its corporate capacity. What policy it adopted in respect to this distribution is not known, as the town records are lost, but from casual references in the partially restored duplicate record it is established that in addition to the homestead grants a further division took place sometime before 1672 and that they were known as "Dividend Lots." The few known participants in it had lots of varying size, from sixty to two hundred acres in extent. What constituted eligibility for them is likewise uncertain, possibly those who were here in 1652 and signed the Submission.

Outside of this early "division," indefinite in character, there remained the large ungranted and unoccupied

DIVISION OF THE GRAND PATENT

area in the backwoods, which had lain untouched for half a century, as the settlers were, for safety during the Indian troubles, obliged to keep in the restricted territory bordering on the main river. Individual grants to new settlers were usually made at first in definite acreage and bounds, with a condition of settlement within three years, but later the free and easy formula granted land, "clear of former grants, wherever he can find it." Evidently the grantee walked around the outskirts of the settlement until he had picked his location and then had it confirmed by the official lot layers. That this loose method resulted in overlapping by the pickers is evident from the numerous litigations following.

In 1699 the town took its first action towards creating a proprietary of the common land in York as expressed in the following vote:

*Land to
Lye Comon
vol. 1, p.
119*

5. It is voted and confirmed By us the freeholders and other prinsubble Inhabitance Belonging to this Abovesd town of York: that all the Land Lying and Being and is Bounded as followeth: which is not already Granted and Layd out within the Space of one year after this date: shall Be reserved, cept and Confirmed as and for commonage for the uses of sd town: upon the Southwest sid Bounded upon the heads of the Lotts Setteld; upon the Northeast Side of York river, and to Beginn upon the Southwest Corner of the rocky Ground, and then to run upon a Northeast Line to Cape Nedick river: and from thence as the river runs up to the head of said pond of it, runs upon the Southwest Side, and from thence North West to Bell Marsh Brook: and so as the Brook runs down to the head of the North East Branch of York River &c/

Abram Preble Junr Town Cleark

This problem, which had to be settled some time, lingered unsolved for a generation and the old procrastinating methods of transacting town business, where personal interests were involved, held sway in the meantime. Lots continued to be granted every year at each town meeting. Actual division remained in suspension, although in 1710 the town voted that the land on the northwest side of the southwest branch of the river should "remain Commons for ever." Doubtless two parties developed over this question, those inheritors of the "Ancient Grants" and the recent comers to town since the beginning of the

HISTORY OF YORK

new century. In 1728 the freeholders took preliminary nibbles at the question. The method of apportioning lots to "Young Men" born in the town, arose and a committee was appointed to arrange their shares on land "outside the Stated Commons."

At last the first of the final steps was taken that same year, when a committee was appointed "to lay out the Stated Town Commons." The fight was on. Capt. Peter Nowell, a large and wealthy landholder, dissented and demanded that a committee be appointed to consider the "Ancient Grants," evidently a complicated subject, as it took four years to reach a conclusion. On March 14, 1732 Jeremiah Moulton, Peter Nowell, Samuel Came, Samuel Clarke, Joseph Holt, John Stone, Richard Milberry, Ralph Farnham, Samuel Sewall, John Harmon, Arthur Bragdon, Abiel Goodwin, Alexander Junkins, Joseph Kingsbury and Joseph Preble were appointed a committee to present a plan for dividing the commons. They acted promptly and on June 20, after two meetings of the townsmen, their report was accepted, following "long debates" (*T. R. ii, 55*). Briefly stated the land was to be divided into shares and the maximum number of shares per person was set at eight, and "each mans name mentioned by the Moderator & that it be Severally put to vote." Three men were chosen as "Monitors," Peter Nowell, Jonathan Bane, and John Sayward, "to propose how many shares each man shall have," in both common land and stated town commons. The list of persons assigned shares is printed in the appendix to this volume, alphabetically arranged, for convenience of examination, with the number of shares allowed. It will be noted that the "monitors" fared well as each received the full number of eight.

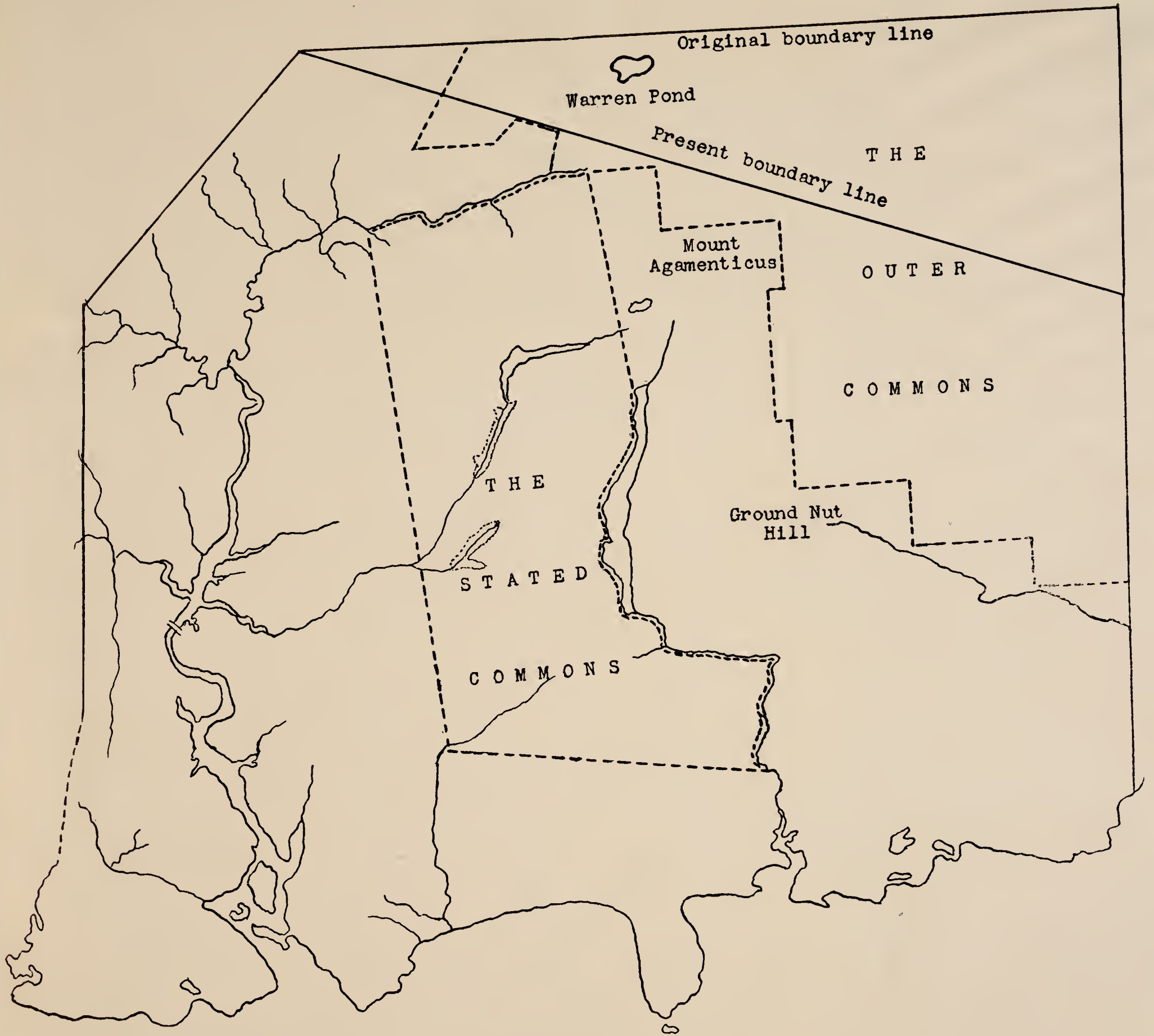
Two shares were voted to "such young men as were born in this Town, are more than Twenty one Years of age, now live in the Town & have paid Rates in the Town and have had no share granted to them before." After all this march up to the cannon's mouth they immediately retreated and solemnly voted that the "Stated Town Commons be not divided till after the Term of Twenty Years." Hezekiah Adams and Thomas Adams, Jr., entered their dissent against all votes passed except this last one!

HISTORY OF YORK

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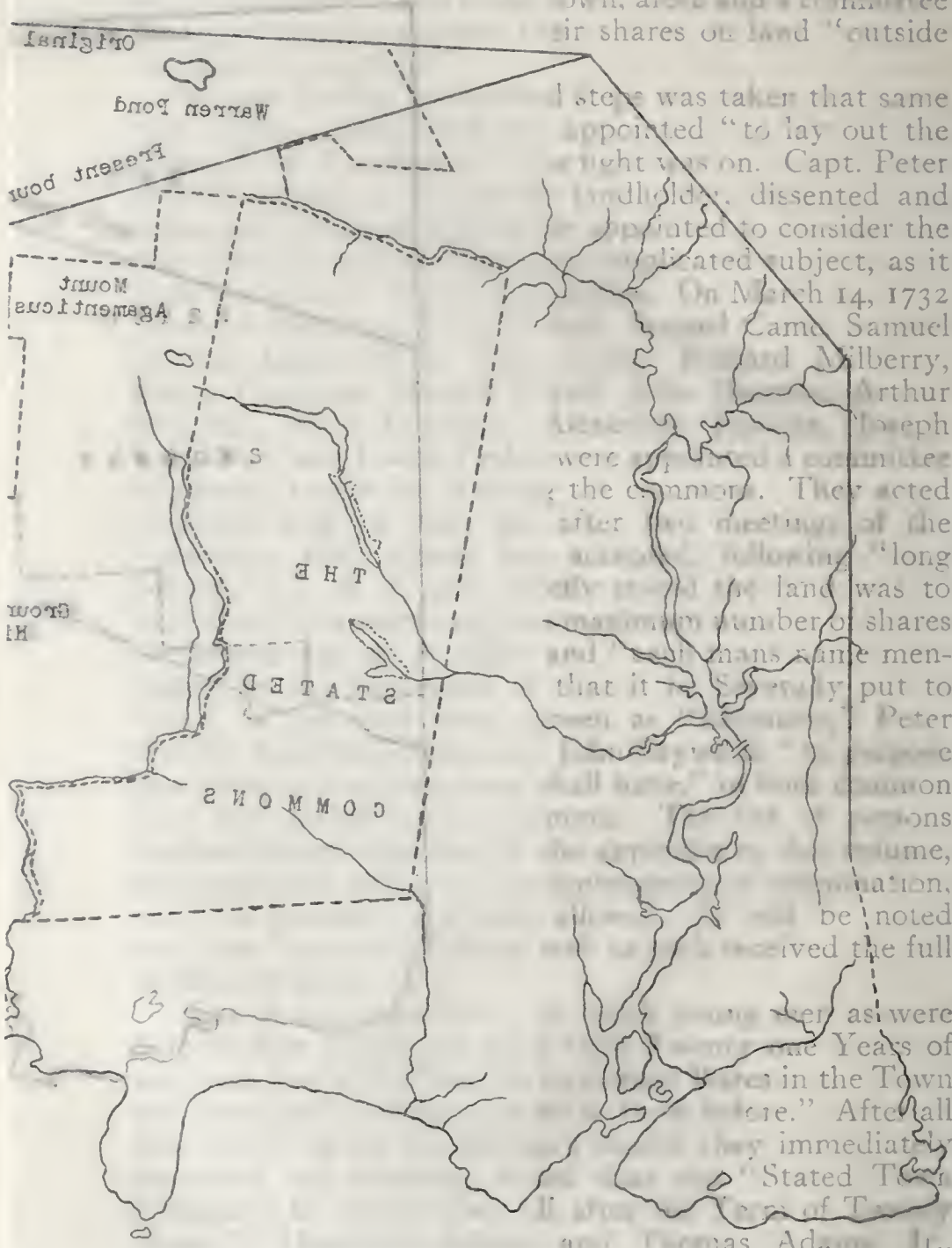
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THE STATED AND OUTER COMMONS

138a



THE STATED AND OTHER COMMONS

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On March 14, 1732 Samuel and Wilberry, Arthur Joseph were appointed committee the commons. They acted after two meetings of the committee, the land was to be divided into shares and each man's name put to

Peter received the full information, and it was noted that he received the full

as were the Years of in the Town "After all they immediately Stated Town of Town

and Thomas Adams, Jr., passed this

DIVISION OF THE GRAND PATENT

The Proprietors did not delay the full twenty years, however. In 1746 they held a meeting and unanimously voted

The com'tee chosen and Impowered to Divide the said Commons having taken a plan of the Stated Commons, so-called, presented the same to the Proprietors for Advice how large Lots to Divide the same into.

That the said Com'tee make two Divisions of the said Stated Commons so-called to be separated by a Line to run as near the Middle as conveniently as may be from the Sea Ward towards Berwick and Divide the said Two Divisions into Eight Share Lots equally both for Quantity and Quality according to their best Skill and Judgment

That the said Com'tee Lay out such Roads or Ways as may be necessary to accomodate the said Lots.

The last major division made by the Proprietors was made by them four years later. In 1750 they voted to allot the Outer Commons, so-called, being the area in the extreme northerly corner of the town, exclusive of grants already made to residents who had built homes in that region.

The extent is shown in the accompanying map which delineates the Stated and Outer Commons. The latter was divided into nine "ranges" beginning at Baker's Spring and extending southwest along the Berwick bounds, the lots varying in size from one hundred to two hundred and sixty acres according to the character of the terrain. These lots were further subdivided into shares varying from eight to thirty-six. "Only tis to be remembered," said the Committee, "That the Lot Number Four in the Ninth Range on the Letter H we have assign'd no share to, But recommend that Lot, (containing One Hundred Acres) to be reserved for the Use of the Ministry, or such other use or uses as shall hereafter be Ordered & appointed, in Satisfaction for a Grant of that Quantity made by said Town March 18, 1671." Thomas Bragdon, Samuel Milberry, Alexander McIntire, Abraham Nowell and Jonathan Sayward constituted the membership of this Committee. This lot, assigned to the town, was in the extreme northeast part of the Outer Commons about two hundred rods from the Wells line, near Josias River.

Certificates of these shares were issued and were soon marketed by the holders at a uniform price of one pound a share, and became an investment for those with ready money and willing to await the actual division into surveyed lots. The shareholders named in the preceding list

HISTORY OF YORK

became incorporated as the Proprietors of the Common Lands, January 13, 1732-3, and continued to hold meetings and function as such until 1820, by which time all of the original territory embraced in the patent of the Council for New England had become divided in severalty by metes and bounds. The last record of a meeting of the Proprietors is dated August 15, 1820. Jeremiah Moulton was the first Proprietor's Clerk.

STAGE NECK

This tongue of land is easily the most interesting and romantic heritage of the Colonial past. It has ever been the focus of public interest either as the gateway to the town or the last embarkation point of criminals. It began its civilized career as a "stage" for fishermen when the first settlers arrived, and for this purpose it was admirably suited. In the early years of this occupancy it was an island, the sandy bar connecting it with the shore being submerged at high tide, and the first reference to it as "Stage Island" in 1648 shows that it was owned by Edward Godfrey. He sold it to his son Oliver with two "houses & edifices" thereon, but reserved to himself "the use of the place for fishing if he have occasion & do require the same" (*i*, 4). Later it came into the possession of Henry Donnell who lived on the main shore adjacent to the Neck and he used it for a fishing stage many years.

Doubtless the patentees gave the town certain rights in the Island for public purposes and the first and most important of these was its use as a ferry terminal. By the narrowing of the river at this point Stage Island became the natural landing place for the travel that came east and west over the shore highway from Maine and Massachusetts. The first record of this use is in 1652 when the town licensed the ferry privileges to William Hilton, who was required to "attend sd ferry with Cannoes sufficient for the safe transportation, both of Strangers & Townsmen" as will be related at length in the chapter on Ferries. Here for over a century successive ferrymen transported man and beast on their journeys through the town, eastward and westward, until the completion of Sewall's Bridge gave a safer and quicker method of crossing this tidal river.

But if Stage Island had its uses to welcome the coming guest it also was made the scene of speeding the parting

DIVISION OF THE GRAND PATENT

guests for here was erected the town and provincial muniments of authority for the punishment of the condemned criminals and the lesser infractors of the law. Hence we find it called in 1795 "Gallows Neck," because on its southern end was erected the gallows whence swung by the neck until they were "dead, dead, dead" the convicted murderers of colonial and provincial Maine.

In the division of the Grand Patent in 1641 "the yland at the Harbours Mouth" was to "remain in coman amongst all the pattentees," and it is probable that there were houses for the use of fishermen who had "stages" on the island. Being "common" land the privileges of occupancy were leased at first and, as is usual in such cases, long use grew into claims of easement acquired, and in 1727 the town appointed a committee "to prosecute in the Law such as have or shall trespass on the Neck or Point of Land commonly called the Stage Neck or Point; so as to recover the same to the Towns use, or to demand such Quit Rents of them." As there is no further record of the results of this effort to reclaim the town's rights it may be assumed that trespassing continued as usual. In 1739 the town voted to sell the Stage Neck, "except half an Acre where Allen's House Stands," (*Proprietors Records, 14*), a vote that was repeated in 1748, which indicated that this land was a drug in the market. Again in 1750 there seemed a prospect of a settlement. The proprietors voted:

That upon Capt. Thoms. Donnell giving up to the Proprietors Clerk the Deed he has of Stage Neck so called, & paying all the Costs that has arose to the Proprietors in measuring & giving sd Deed He shall be acquitted of that Bargain and be repaid the Money he has advanced to the Proprietors for sd Neck. (*Ibid. 39.*)

Evidently Donnell had bought it at public auction at a low figure in 1748 and the transaction was not satisfactory or the conditions unfulfilled. A new method of sale was adopted "without public vendue." In 1767 nothing had occurred to change the status as in that year the Proprietors considered "whats proper to be done as to the Improvement or disposal of Stage Neck" (*Ibid. 41*).

CHAPTER XIII

NEW SETTLERS OF THE SECOND DECADE

1641-1650

At the end of the first ten years from the time when Godfrey built his house on Meeting House Creek there were about thirty men living here and it may be estimated that there were about one hundred fifty souls resident in the plantation. Colonel Norton had died, Bradbury, Blaisdell and Hooke had removed to Salisbury; Barnard to Boston; and nothing more is heard of Newman. There of the new arrivals, Young, Bragdon and Simpson, were to become the founders of families which exist to this day in the town. Those who joined these permanent settlers during the next decade will be taken up in order of appearance.

JOSEPH JENKS

The exact date of the coming of this settler to Agamenticus is not known, but he was here in the latter part of 1641 as a smith, and he is undoubtedly our first worker in metals, and a man of unusual ability in that occupation. His lot was adjoining the ministerial land on the northwest side, and doubtless there he had his shop and house. Whence he came is not in evidence, but he may be identical with Joseph Jenks who married Mary Tervy, September 30, 1630, at All Hallows, London Wall. The tradition is that he came from or near London. He removed hence about 1642 or 1643 to Piscataqua and thence to Lynn about 1645, where he lived the remainder of his life. He was born about 1600 and died in March, 1683. His wife's name was Anne (*Suffolk Deeds i, 58*), and he had issue: Joseph, Sarah, Deborah, John and Daniel.

HENRY DONNELL

The man HD of
Henry Donnell

As early as 1641 this pioneer was in town as a fisherman. Diligent and extended search

has failed to produce any direct evidence of his origin, but

NEW SETTLERS OF THE SECOND DECADE

there is some interesting circumstantial testimony which affords satisfactory clues to his probable English home. Whether the connection is good remains to be tested. He has left very little information about himself, beyond an affidavit, which places his birth in 1602 (*Deeds v, 4*), but there seems to be some reason to associate him with an early settler on this coast, one George Jewell, who had a fishing stage on what is still known as Jewell's Island, Casco Bay. Jewell was operating there in 1632 (*Trelawny Papers 17*), and appears as plaintiff and defendant in Court in 1636 and 1637, when he is called "marriner." As master of a vessel the next year he was drowned in Boston Harbor under circumstances set forth by Winthrop in detail (*Journal i, 281*). In some way, not of record, the island bearing his name came into the possession of Henry Donnell a few years after Jewell's death, perhaps by inheritance, through marriage. No sale is recorded to him. The names of Henry Donnell and George Jewell occur in the church and borough records of Barnstaple, Devonshire, the former in 1631-4 as a litigant in the Court of Sessions, and Jewell during the same years. There is also a record in the parish of the baptisms of children of George Jewell beginning 1610. A Samuel Jewell settled in Gorkeana in 1649, of whom a sketch will be given, but there is no further connection known between them, nor is it established that the Barnstaple Donnell and Jewell are identical with the Maine emigrants. It is the region and the place whence many Maine settlers came, and the association seems more than an accidental one, as Jewell and Donnell are rather rare names.

With town affairs Henry Donnell had but little association, being Selectman 1661, 1667, 1677 and 1678. All his interests were in his fisheries, which he carried on at Stage Island at first, later on Bragdon's Island, and in the latter years of his life at Jewell's Island. It appears that he lived there instead of York, for in 1672, when "stricken in years, and not capeable of manageing my fishing and my Island," he sold it to his son Joseph on condition that he should have maintenance there "So long as I please to continue with him there." (*Deeds vii, 86.*) In his early residence he kept an inn at his house on the road from Cape Neddick to the Ferry at Stage Island. The date of death is not known, but probably not long after June,

HISTORY OF YORK

1686, the last date when his name appears in the records

His wife's name was Frances, but her relationship to any family here is uncertain. The court records show that they were living apart prior to 1667 and she was authorized to retain for her own use what she had made by her own industry. She had a tavern license in 1669 and was living in 1673, which is the last record of her available. They are the ancestors of one of the permanent families of York, and left issue as follows:

- i. Thomas, b. (1630); m. Elizabeth Weare.
- ii. Sarah, b. (1632).
- iii. Margaret, b. (1634); d. 1685.
- iv. Benjamin, b. (1636).
- v. Joseph, b. (1638).
- vi. John, b. (1640); d.s.p. 1663, by falling into an open pit at the end of Robert Wadleigh's house in Wells.
- vii. Nathaniel, b. (1642).
- viii. Mary, b. (1644); see *Deeds iii, 112*.
- ix. Samuel, b. 1646; m. Alice Chadbourne; she m. (2) Jeremiah Moulton.

The genealogy of this family will be found in Volume III of this work.

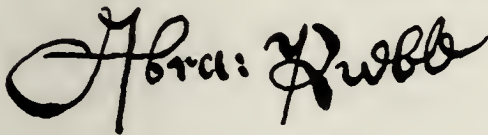
THOMAS CHAMBERS

This planter is to be credited with being the source of a special body of immigrants who came here and settled what is known as Scituate Row. When he arrived in Agamenticus is not known, but in 1642 he was the owner of a lot of ten acres where the old Hutchin's house stood, to the northwest of the library, but it is doubtful whether he actually occupied it. His residence was Scituate where he first appeared with his wife Richardene, widow of one Thomas Curtis of Ash-juxta-Sandwich, Kent, England, whom he had married May 25, 1632, and had brought over with him all the Curtis children, four sons and one daughter. Chambers either sold or gave this lot in equal parts to his stepson Thomas Curtis, and Richard Bankes who had married the only daughter, Elizabeth Curtis, as they shared it ever after and Chambers is heard of no more in this town. It is probable that he was induced to come to York, by Godfrey, who visited England in 1637, and as they belonged in the same county the suggestion seems well taken. He emigrated the following year.

NEW SETTLERS OF THE SECOND DECADE

Shortly after arrival in Scituate he was charged on December 4, 1638 with receiving "strangers" into his house without permission of the authorities. Perhaps these strangers were Abraham Preble and John Twisden, his countrymen who soon followed him hither. On March 5, 1638-9 he was propounded to be a freeman, and on December 3, 1639 was accepted and admitted to the franchise, on both occasions John Twisden being one of the number listed. He was a grand juror 1640, surveyor of highways 1641, juror 1642, and is found on the records in these capacities from time to time until the last record of him July 5, 1666, when he was rated as a taxpayer. He was a "planter." Doubtless he died not long after and the estate of his widow Richardene was administered October 29, 1673, by her son John Curtis. It is evident therefore that Chambers was only a landholder here, not a resident. He may be considered the founder of "Scituate" in Old York as the first proprietor in the "Row."

ABRAHAM PREBLE



The ancestor of the most distinguished family in York came from humble origin in Kent, where the

family had been residents for nearly four centuries before his emigration. In fact it may be said that the name is not found in any other county in England. It is essentially a Kentish family from its earliest beginnings, but it never rose above the ranks of the yeomanry. The family is not and never was armigerous, never had a coat of arms granted to it, and the one given in the genealogy prepared by the late Rear Admiral Preble, as granted to one George Preble of York, England in 1587, is apocryphal. There was no such person and the arms therein given belong to another family.

Having cleared the field of the things that do not belong to this fine old yeoman family it will be shown that it has an unusually long record for one of its social class in England. Few of them can be traced back so many generations, although it has not been possible to carry back the emigrant's line beyond his grandfather, with certainty. Extensive searching in all kinds of documentary sources in Kent and in the national archives of

HISTORY OF YORK

England makes it certain that the first recorded Preble was a William Prebbel, living in Strood near Rochester, Kent in 1332, with his wife Joanna. He then bought a house and land in that parish "in the octave of St. John the Baptist" 6 Edw. III (*Kent Fines*), and this fact estab-



ST. MARTIN'S CHURCH, WOOTTON, COUNTY KENT
Where Abraham Preble was baptized

lishes that he was born, probably, as early as 1300, in the reign of Edward the First.

The origin of the name is obscure. The Oxford Dictionary gives the word as meaning gravel, and uses as illustrations early instances of it in 1541, "a certain barre of prebill driven in at Dover." and in 1577 "claye, preble or carbuncle" is mentioned in Googe's *Husbandry* (i, 17). Another theory derives it from a French town named Preville. The spelling of the name from the earliest times has been singularly consistent, varying only in doubling the consonants b and l in lessening frequency to the present time. It is found as Prebbil, Prebyll, Prebell, Pribble and Prybell, but for three centuries past it has not changed from the form in which the emigrant wrote it. There is one singular fact that in Kent, even in parishes where

NEW SETTLERS OF THE SECOND DECADE

Prebles lived, occurrences of the family name of Treble is found, apparently a distinct family.

No further references to the name in Strood is found there or elsewhere for a century, when it reappears in East Farleigh, a parish about ten miles to the south of Strood. Walter Preble of that parish appears in a list of "Rebels" pardoned in one of the uprisings against Henry VI, in the year 1450, and from that date this family resided there for the next two centuries, and in the adjoining parishes of West Farleigh and East Barming. In the last named place one Robert Preble, a greatgrandson of a Stephen Preble, lived and died, and by his wife Joan Casynghyrste had a son Abraham, baptized in 1554, the first occurrence of this biblical name in the family. This Abraham was a "servant" of one James Clarke of East Farleigh, and died unmarried in 1625 (*P. C. C. 37 Clarke*). Doubtless the emigrant belonged to this line, but his own ancestors had removed to Wootton, in East Kent, many years before this Abraham, who lived contemporary with the emigrant for twenty years. They were cousins of some undetermined degree. Abraham of Barming was baptized as son of Robert Preble "the Younger," and this presupposes an "elder" Robert belonging to the same line in the parish, or perhaps in an adjoining one. Wateringbury, the next parish west, furnishes the necessary Robert, but it is not possible to establish his relationship to the Barming family.

Robert was a name used in this generation by those two Preble families and Robert is the name of the first Preble who went to Wootton to live, and he became the grandfather of the Abraham who emigrated to York. When he went to Wootton is not known, probably about 1565, the first known date when his name is of record. Wootton is a small parish about eight miles southeast of Canterbury and thirty-five miles distant from the parish of Barming. A mile separates Wootton from Denton whence came the Twisden family, neighbors of the Prebles, to York to become next neighbors in this town. Robert Preble, by estimation, was born about 1530, and by wife Eleanor had three sons and two known daughters. He was buried July 23, 1589 as a "householder" and his widow Eleanor, surviving two years, was buried July 19, 1591 as "widowe of this parishe and leevinge by the Almes of said parishe." Robert, probably the eldest son, born

HISTORY OF YORK

about 1560, was a carpenter by trade and the record of his family exists in both the parish registers of Wootton and Denton. In his will dated March 2, 1634-5, proved July 7, 1635, he makes bequest to his son Robert of twenty pounds and to Abraham twenty pounds; to daughter Eleanor Benjamin, six pounds; to daughter Frances Jacobs, eight pounds and to daughter Margaret Preble, four pounds (*Arch. Cant. lxxix, 85*). He was buried in Denton March 7, 1634-5. By wife Joan he had the following-named children:

- i. Robert, b. (1586); m. Aphra Hanbrooke June 20, 1614.
- ii. John, bapt. June 10, 1589; died young.
- iii. John, bapt. April 5, 1590; died young.
- iv. Eleanor, bapt. Jan. 16, 1591-2; died young.
- v. Frances, bapt. Sept. 20, 1595; m. — Jacobs.
- vi. Margaret, bapt. April 1, 1599; unmarried.
- vii. Eleanor, b. (1601); m. Thomas Benjamin.
- viii. ABRAHAM, bapt. Jan. 1, 1603-4; the emigrant.

John and Richard Preble, his uncles, both married, leaving issue, and Robert, his nephew, likewise, and from them descend the present family of Prebles in Kent belonging to the Wootton-Denton branch of the old family. Abraham Preble probably followed the occupation of carpenter and his inventory taken here seems to justify this inference, but there is nothing of record in his English home to throw light on this. He was living in Lydden, a small parish about five miles from Wootton in 1631 as "servant" of Edward Clement, a yeoman (*Arch. Cant. lxxviii, 164*). The death of his father four years later left him free to join the increasing numbers who were then leaving Kent for a new home on the Massachusetts coast in America. It is reasonable to suppose that in this voyage across the Atlantic he was accompanied by John Twisden, once his playmate in Denton, Richard Bankes of Alkham, a parish four miles to the south, and by the Curtis family, lately resident of Ewell, equidistant from Denton, all of whom are found resident in Scituate, Mass., together, a few years later, and finally living in a row of adjacent lots in this town, a perfect example of neighborhood emigration. The exact date of this emigration cannot be stated, but it was before October 10, 1639, when Abraham Preble was a witness at Scituate with Thomas Chambers, the stepfather of the Curtis sons, of whom Thomas, the eldest,

NEW SETTLERS OF THE SECOND DECADE

came to York with Preble, Bankes and Twisden. While in Scituate he married January 3, 1641, Judith, daughter of Nathaniel and Lydia (Huckstep) Tilden, one of the Barons of the Cinque Ports, formerly of Tenterden, Kent. She was baptized October 22, 1620 in that town, and by this marriage the carpenter's son and once "servant" of a yeoman made an advantageous social alliance which his father-in-law accepted in view of the promise of the groom's natural abilities, which were shown later in his rise in official life in York.

The rest of the story of this pioneer is connected with this town to which he came in the fall of 1642, where his home lot situated just to the northwest of and adjoining the parish lot remained in the occupation of his descendants for over two centuries. He became a provincial Councillor in 1647 and 1650-1, and mayor of Gorgeana the last year, holding that office when Massachusetts in 1652 usurped the government. In 1658 he became a county magistrate as well as commissioner for the town. But few references to him occur after this date and he died January 23, 1662-3 aged sixty years. His old neighbors, Richard Bankes and Thomas Curtis, made the following appraisal of his estate on March 30, 1663:

	£	s	d
His wearing apparel, shoes and stockings	5	7	0
Bedding and bedsteads	9	15	0
Cabbine and bedding in the chamber	5	0	0
Chests and other small things	2	5	0
2 pair bandoliers, 1 warming pan, 1 old lantern		11	0
5 sheets, 1 sword and shot bag	2	16	0
4 hogsheads, 1 tub, 1 trough		15	0
4 saws and "several working tools"	2	12	0
4 scythes and tackling		10	0
1 small wheel, 6 bags		10	0
Tubs and small things in Leanto	1	13	0
2 wheels, one cradle, books and pails	2	10	0
Tables, chairs, stools, 2 old brands, kettles, 1 skillet		15	0
2 iron pots, 1 kettle, pot-hooks, etc.	2	1	6
Pewter and a frying pan		18	0
2 fire-lock guns	1	15	0
1 frying pan and a hammer		9	0
6 dishes and spoons, 1 white porringer, 2 platters		9	0
Beetle rings, 4 wedges, 1 cheese press	1	6	6
1 hair cloth	1	10	0
2 troughs, 1 grindstone etc.	2	5	0
2 yokes, 1 chain, coppes and yoke tire		17	6

HISTORY OF YORK

	£	s	d
1 cart, 1 pair wheels, 2 sleds	2	0	0
2 plows with the irons, 2 pitchforks	1	13	0
In ginger	1	5	0
1 canoe, $\frac{1}{4}$ part of 4 canoes	1	18	0
Dwelling House with outhouses	65	0	0
Marshes fresh and salt	36	0	0
Small piece of meadow bot of Richard Howell	4	0	0
2 lots, being 40 acres at the seaside	15	0	0
Lot at seaside exchanged with — Alcock	10	0	6
20 acres, next Henry Sayward	5	0	0
10 acres "given Mr. Godfrey" added to his home lots	5	0	0
1 parcel of wool 20s, parcel of sheep £6	7	0	0
4 oxen £36, half the cattle 30s	37	10	0
2 yearlings and a calf £4, 3 cows £14	18	0	0
3 steers, 1 heifer £10, swine 5-12-0	15	12	0
18 bushels barley and malt	4	10	0
45 bushels Indian corn	9	0	0
7 bushels wheat 35s; 8 bushels peas 32s	3	7	0
1 bushel oats 5s, pork and beef £3	3	5	0
	£289	1	0

Edward Rishworth
Richard Bankes
Thomas Curtis

By his wife Judith, who survived, he had the following named children:

- i. Abraham, b. 1641; m. Hannah Sayward, (14) May 13, 1685.
- ii. Stephen, b. 1645; m. Rachel Main.
- iii. Nathaniel, b. 1648; m. Priscilla Main
- iv. Joseph, b. (1651); m. Sarah —.
- v. Sarah, b. (1654); m. (1) Abraham Parker; (2) Henry Coombs.
- vi. Benjamin, b. (1657); m. Mary Batson.
- vii. John, b. (1659); m. Hannah —.
- viii. Mary, b. (1662).

In justification of the opening sentence in this sketch of Abraham Preble that it was the most distinguished family originating in York, it can be stated that from his eldest son Abraham, himself a justice of the County Court, has descended a number of the name distinguished on the bench and in the bar of this state; while from Benjamin, the fifth son, came several locally, nationally and internationally famous in military and naval history. Jedediah Preble, son of Benjamin, rendered distinguished service in the French and Indian Wars serving under Wolfe at Quebec and reaching the rank of Brigadier-General in that service. He was appointed Major General

NEW SETTLERS OF THE SECOND DECADE

and Commander-in-Chief of the Massachusetts Forces in 1775, but age prevented his active service in the Revolution. He was also a judge of the Court of Common Pleas. His seventh son was the famous Commodore Edward Preble whose exploits with the Algerine pirates brought him lasting renown. His eighth son, Enoch, was father of the distinguished naval officer Rear-Admiral George Henry Preble, and Lieutenant Edward Preble, U. S. N., his cousin, was the executive officer of the *U. S. S. Kearsarge* at the time of her decisive battle which sank the Confederate cruiser *Alabama*.

JOHN TWISDEN

John Twisden

This pioneer bore a surname which is one of the oldest and most renowned in the history of Kent from which he came. The Twysdens are an armigerous family whose pedigree in the Visitation of that county extends back to the reign of Edward First, but though the emigrant's line can be proven back to 1450, it has not been possible to attach it to the Visitation family, although they lived in the same locality. The emigrant's first known ancestor was Thomas Twisden of Newenden who died in 1522 leaving a son John, resident of the same parish who died 1542; and he was succeeded by a son John called "gentleman" who resided in Sandhurst, an adjoining parish. He died in 1591 leaving by wife Anne six sons and three daughters, of whom Robert, born about 1550, became a clergyman and was the father of the emigrant. Rev. Robert Twisden was rector of Staplehurst 1576-86, whence he removed to Denton 1588, where he remained until his death (date unknown), but after 1608. He was also vicar of Swingfield (two miles distant) from 1590, a living which he held for the same period. By his wife Sarah, whose maiden name is unknown, he had six sons and five daughters, viz.:

- i. Elizabeth, bapt. 1576; m. Ambrose Drainer June 13, 1597.
- ii. Henry, bapt. 1578; m. three times.
- iii. William, bapt. Oct. 16, 1580; m. Alice Cave.
- iv. Samuel, bapt. July 29, 1582.
- v. Sarah, bapt. July 5, 1584.
- vi. Susanna, bapt. Oct. 14, 1586; m. William Smith.
- vii. Elisha, bapt. May 4, 1590.
- viii. JOHN, bapt. Sept. 10, 1592.

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- ix. Hannah, bapt. Feb. 28, 1595-6.
- x. Elizabeth, bapt. 23 Sept. 1599.
- xi. Roger, bapt. July 6, 1602. This was the name commonly used in the armigerous family for many generations.

John Twisden, the emigrant, born in September 1592, at Denton Court, was the oldest of the four neighbors who came from Kent to Scituate and thence to York. He married May 8, 1620 Susanna Stuppell, daughter of Thomas and Mary (Shrimpton) Stuppell. His eldest brother Henry had married in 1612 the widow Mary Stuppell. Shortly after his marriage he removed to Frittenden where he was living at the time of his emigration. His last child was baptized there in the spring of 1636, and he had arrived in Scituate some time before August 1638, when his next child was born. He was admitted to the church in 1639, to that section of it which remained after the departure of Rev. John Lothrop and his followers to Barnstable. Difficulties which followed this schism resulted in the formation of a separate organization. In February 1642 with Mr. William Vassall, Thomas Lapham and Thomas King, he opposed the settlement of Rev. Charles Chauncey over this church (*Deane, Scituate, pp. 59-63*). He was a juror in September 1642 at Scituate and in December following he bought his homestead lot in York adjoining Henry Simpson on the southeast. His life in York is almost a blank as far as public appearances go, and only one appointment on a committee, for the mill in 1652, covers the extent of his public services in the town. He died before November 1660 leaving by his wife Susanna, who survived, the following named children:

- i. John, b. (1621); died unmarried.
- ii. Peter, bapt. March 28, 1623-4; m. Mary Alcock.
- iii. Samuel, bapt. May 13, 1627.
- iv. (child), b. Nov. 2, 1629 (still-born).
- v. (child), b. Dec. 13, 1630 (still-born).
- vi. Mary, bapt. Feb. 19, 1631-2; buried April 12, 1632.
- vii. Elizabeth, bapt. Mch. 31, 1633; m. Joseph Tilden 1649.
- viii. Susan, bapt. May 22, 1636.
- ix. (child), b. Aug. 9, 1638 (still-born).
- x. Lydia, b. (1640); m. Arthur Bragdon, Jr.

No descendants of this name remained in York after the Massacre, and only those in the female line of Tilden and Bragdon can claim descent from this fine old family of Kent.

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THOMAS CURTIS

Thomas Curtis This settler, the youngest of the four who came here from Scituate in 1642, was the son of Thomas and Richardene (—) Curtis of Ash-juxta-Sandwich, County Kent. By the odd name of his mother it was possible to identify him and his antecedents. His father was a well-to-do yeoman living successively at Worth, Ewell, again at Worth, and finally at Ash, where he died and was buried December 11, 1631, having made a will which named his wife executrix (*Consistory Cant. xvii, fo. 51*). Unfortunately this will is missing from the files, but the inventory is extant which shows the large property valued at £426-16-0.

Of the parentage of Thomas Curtis, the elder, nothing certain can be stated. An ancient and well-known family of this name was resident of Appledore, Kent, as early as 1450, and several descendants were mayors of Tenterden, from whence came several emigrants to Scituate, but extensive search fails to find a place for this Thomas in it. This Appledore-Tenterden Curtis family were armigerous and appear in the "Herald's Visitations." With all the evidence available it is the author's opinion that he is probably identical with the Thomas, son of John Curtis of Folkestone, Kent, who was baptized in that parish November 28, 1574, having younger brothers William and John, which were the names given to his own children. Thomas Curtis of Ash was twice married, first to Bennett Lott (*Lic. Dec. 22, 1612*), by whom he had issue:

- i. Nicholas, b. (1613); d. y.
- ii. John, bapt. Sept. 3, 1615; buried Nov. 12, 1616 at Worth.

His wife Bennett died in childbirth, and was buried September 8, 1615, and he married about 1617-8 Richardene —, by whom he had the following issue:

- iii. Thomas, bapt. Nov. 2, 1619, the emigrant to York.
- iv. Richard, b. (1621); emigrated to Scituate, 1638.
- v. Elizabeth, bapt. Aug. 1624; m. Richard Bankes the emigrant to York.
- vi. William, b. (1626); buried Sept. 16, 1630 at Worth.
- vii. William, b. (1628); emigrated to Scituate, 1638.
- viii. Stephen, bapt. Dec. 5, 1629; buried Sept. 10, 1630 (Ash).
- ix. John, bapt. May 13, 1632; emigrated to Scituate, 1638; d.s.p. 1680.

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After the death of Thomas Curtis the elder, his widow married June 25, 1632, Thomas Chambers, and in 1637-8, as previously stated, he emigrated to Scituate, Mass., with his wife and all the above children of his predecessor.



VIEW IN ASH-JUXTA-SANDWICH, KENT
The Home of Thomas Curtis

Thomas Curtis came to Gorgeana in 1642, with the other Scituate men, to take up, with Richard Bankes, his brother-in-law, a moiety of the lot which Chambers had bought of Godfrey some time before, and there he lived until his death in the massacre. He held no public office until 1668 when he was a Selectman, and again in 1674, 1675, 1683 and 1684. He was twice married: (1) Elizabeth — and (2) Abigail —, but their maiden names are unknown. It is probable that the first wife was of Scituate, as her first child was sent to that town for baptism. He had the following issue by one or both wives:

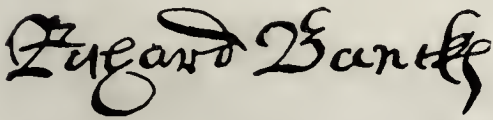
- i. Elizabeth, bapt. Aug. 19, 1649 (Scituate).
- ii. Joseph, b. (1651); m. Sarah Foxwell Sept. 2, 1678; resided Kittery.
- iii. Abigail, b. (1653); m. Benoni Hodsdon.
- iv. Job, b. (1655); m. Bethiah Marston about March 1717.
- v. Benjamin, b. (1657); m. Martha Farrow of Wells.
- vi. Samuel, bapt. 1659 (Scituate); removed to Scituate and died there.
- vii. —, b. (1661); m. John Cooke.
- viii. Dodivah, b. (1663).
- ix. Hannah, b. (1664); m. Jabez Jenkins.

NEW SETTLERS OF THE SECOND DECADE

- x. Sarah, b. (1665).
- xi. Rebecca, b. (1667).
- xii. Lydia, b. (1669).
- xiii. Anne, b. (1671); m. Alexander Thompson.

His will dated April 19, 1680 was not offered for probate until 1706, when an inventory of his estate was brought in showing property to the value of £100-15-0.

RICHARD BANKES



This early settler, a direct ancestor of the author, came to Gorgeana with Abraham Preble; his brother-in-law, Thomas Curtis, and John Twisden, Sr. from Scituate, Mass., in 1643 where he, with his three associates, settled on land since known as Scituate Row because of their origin in that town. He is the ancestor of a family which has existed in this town for three centuries.

For over half a century the English origin of this settler has been the object of a more or less intensive search and the author regrets that it is not possible, for lack of definite means of identification, to state this positively, but it is believed that he can be definitely placed as a Kentish man coming from the same locality as his New England associates in Scituate who migrated with him to this town. It is sound genealogical reasoning to assume that this fourth member of the Scituate party came from the same region in Kent as his fellow townsmen, particularly as he had married a sister of one of them. Such a person bearing the name of Richard Bankes has been found as a resident of the parish of Alkham in that county, about three miles from Denton and Wootton where Preble and Twisden lived and about two miles from the parish where his brother-in-law, Thomas Curtis, and stepfather, Thomas Chambers, lived. This Richard Bankes was called a tailor, aged about twenty-four years, when he was licensed to marry October 25, 1631 at St. Andrews, Canterbury, to one Joan Harrison of Elham of the same age. If this identification is accepted, as there is no evidence to the contrary, three children were born to them and the last one baptized September 5, 1641. This family disappears completely from the parish records of Alkham and is not

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found later in any parish in Kent. One child had been buried.

Richard Bankes appears in Scituate, Mass., where he took the oath of fidelity at some unknown date before 1644, probably about 1642, and there is nothing to show that he came with a family, and it is assumed that this



CHURCH AT ALKHAM, KENT

wife and the two young children died before his emigration. The Scituate records yield no information on this, or the known fact that he married for a second wife Elizabeth Curtis, sister of Thomas Curtis, and step-daughter of Thomas Chambers above named, about 1644. He had by her one daughter, Elizabeth, born about 1645, who married (1) William Blackmore, 1666 and (2) Jacob Bumpus, 1676-7. She was living in 1709 in Middleborough, Mass., but what became of the mother is unknown, perhaps dying in childbirth. Richard Bankes married for his third wife Elizabeth, daughter of John and Elizabeth Alcock of this town, about 1655, by whom he had two known sons, viz.:

- i. John, b. about 1657.
- ii. Joseph, b. 1667.
- iii. Job (?), named for her brother; died without issue, probably in the Massacre of 1692.

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Richard Bankes assumed early his share of the burdens and responsibilities of office as a leading citizen, before and after the usurpation. It will be helpful to group these public activities in order: Provincial Counsellor or Assistant, 1651, 1652, in the administration of Governor Godfrey; Selectman, 1653-4-6-9, 1676-9, 1680; Juror, 1649, 1653, 1655-6-8, 1661-2-4-5-8-9, 1671; Trial Justice or Commissioner, 1669, 1672, 1679; Court Appraiser, 1659, 1663, 1671-6-9, 1681-6, 1691, besides several other special appointments, as Tax Commissioner, 1652, Overseer of County Prison, 1673. He figures once in court as defendant in a suit of trespass, 1654, involving the title to marsh land in which he was mulcted for costs of the suit. In 1673, with Edward Rishworth, he was the joint signer of a letter to the churches inviting the churches to send delegates to a council to settle Rev. Shubael Dummer (his brother-in-law) as pastor of the church at York.

He was killed in the Indian Massacre January 25, 1692, and his widow and two sons made an agreement April 22, 1696 as to the division of the estate (*York Deeds vi, 123*). The genealogy of this family will appear in Volume III of this history.

ROBERT KNIGHT

The only definite fact known about this settler is that he was born in 1585 (*Deeds i, pt. 2, fo. 14*), but where this occurred has not been solved. From association of names here in York it is possible that he came from Shepton Mallet, county Somerset, where a Samuel Adams and a Tapp family resided, as also a Robert Knight. This surname is of such common occurrence that identification is not easy without additional facts. He was a mason by occupation and may have been encouraged to emigrate for employment about the mills. His first recorded appearance in York is on July 22, 1642 when he bought of Ralph Blaisdell, then of Salisbury, a house and lot (*Deeds iii, 42*). This was on the east side of the river, bordering on Meeting House Creek, and came into the possession of Rowland Young who had married his daughter. On November 26, 1646 he bought a house and lot of Bartholomew Barnard of fifty acres at Old Mill Creek (*Ibid. i, 30*). He was a juror 1646-1647 and in 1650 and 1666 was a grand juror. He was chosen Selectman 1650, 1652, 1653, 1654,

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1656, 1658, 1659, 1661, 1663 and 1667. He signed the Submission 1652 and the petition to Cromwell in 1656.

He may have settled first in Hampton, N. H., as he owned property in that town which he sold after he had come to York. His son, Richard, was of Hampton in 1640. The wife of Robert Knight, whose name is unknown, testified in 1650 in a case concerning Mrs. Jane Bond, and 1659 "Goodwife" Knight of Accomenticus owed the estate of Bozoun Allen of Boston £2-16-10, presumably the wife of Robert.

Sometime before 1676 he removed to Boston where he lived with his son, Richard, who had been a resident there for some years. It is believed that Robert Knight died in that town in 1676, leaving the following will:

The last Will & Testament of Robert Knight of Yorke/ Concerning the small Estate left by the prouidence of god vnto mee, I doe bequeath & dispose of as followeth/ Impr: fiae Acres of Marsh bounded West & by South, on the one side, West & by North on the other side, vpland butting on the land of Thomas Beeson, & soe back vnto the swampe vntill It come to a Prcell of Land of Mr Samll Mauericks, with an house and barne on the sayd Land, of Robert Knights, also two Cows & a bull all wch as aboue expressed, alsoe wtsoeuer else shall be found to mee belonging, on or in the sayd house land or barne, I do whoolely & for euer. bequeath, vnto my sonn Richd Knight liueing in Boston, & to his Assignes for euer/ In witness of all which as aboue written, I haue here vnto sett my hand & seale this 23d day of June 1676:

Owned & Delivered
In the Prsence of
Nicholas Willmott/
his marke X
John Tucker/
William Bartholomew/

The marke of

Robert × Knight (Locus)
(Sigilli)

Sworn to by the attesting witness 24 Aug. 1676; recorded 28 Feby 1678.

He left the following named children:

- i. Richard, b. before 1619; of Hampton, N. H. 1640, where he was called a miller and carpenter.
- ii. Margaret, b. about 1622; m. John Redman of Hampton; d. May 30, 1658.
- iii. Joanna, b. about 1625; m. Rowland Young as his second wife about 1648.

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THOMAS MORTON, GENTLEMAN

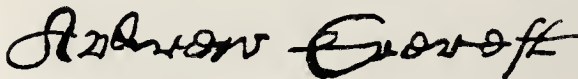
Immediately following a year's imprisonment in irons in a damp dungeon in Boston, with no charge against him except that of publishing a book, there came to this town to spend his last days in the land that he loved and praised, the famous Thomas Morton, author of "New England's Canaan." He had been held "in expectation of further evidence out of England," but as nothing was forthcoming he was fined one hundred pounds, which was not collected and "set at liberty," which he improved by leaving their jurisdiction and came to York. Winthrop said they refrained from inflicting corporal punishment on him, in addition, as he was "old and crazy"¹ (*Journal ii, 196*). He was undoubtedly broken in health as a result of his confinement and in marked contrast physically with the Tom Morton of 1624 who tried to revive the old English custom of celebrating dances round the Maypole at Merry Mount. The story of his conflicts with the Pilgrims and Puritans, his two banishments from the colony, are well advertised and need no rehearsal here. He was the one emigrant to our shores who added something to the joy of life in the drab communities that surrounded him and it is not symbolic of the square deal to accept the prejudiced views of the Puritan journalists, Bradford and Winthrop, as unsubstantiated stories of his career in Massachusetts. He was a foeman worthy of their steel, and that he held them up to deserved ridicule in his book, the most readable volume on the time he was here, proved to be the cause of his arrest in 1643 as "our professed old adversary," said Winthrop. It is not intended here to offer a plea in abatement in his case. He was an English gentleman, educated in the law at Clifford's Inn, London, a lover of outdoor sports, hunting, hawking and fishing, simply a square peg in a round hole with Pilgrim beadles and Puritan catch-poles watching his every act to hale him into their courts. He is his own best advocate. It has been noted that he was a witness to the charter of Agamenticus, and it is more than probable that he came here to be with his friend and contemporary, Edward Johnson, who had lived at Weymouth next to Braintree, the residence of Morton when in

¹ In that period the word "crazy" had a meaning which has become obsolete. It referred to bodily infirmities, not mental aberration. Testators frequently used the term, "crazy in body, but of sound mind."

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Massachusetts. In fact, Morton refers to Johnson, but not by name, in his "New England's Canaan." While here he did legal work of which evidence still exists and probably had the first experience of a peaceful life, unharried by religious zealots, that he had ever enjoyed. He is known to have been living August 15, 1646, but the time of his death is unknown. "Master Temperwell" (Morton's nickname for Winthrop) entered his last invective against his tormentor in his Journal: "poor and despised, he died within two years after." If that were permitted to remain as the epitaph of this valiant champion of the religious and civil freedom which his struggle finally developed in New England it would be an unworthy recompense for his sufferings. Doubtless he was poor in money because of their persecutions. He was a victim of the justice of the jungle. His will, however, disposes of his rights to large tracts of land in Connecticut and in the province of Lygonia.¹ The little cemetery in Clark's Lane on the banks of the river of Agamenticus where the first settlers are buried encloses the dust of this man "despised" in death by Winthrop, but of whom he had a wholesome fear in life. He lies unhonored but not unsung among the town's distinguished dead.

ANDREW EVEREST



The name of this early settler seems to belong to Kent and suggests that he was one of the emigrants from that county who came here under the influence of Godfrey. In the parishes of Southfleet and Horton Kirby, about five miles from Wilmington, the home of Godfrey, families named Everest lived there at that period and it seems a fair presumption that he came from that vicinity. His earliest records here are a grant of marshland in 1646 (*Deeds i, 29*), and as a witness in 1650 (*Ibid. xiv, 144*). He signed the Submission in 1652 and the protest to Massachusetts in 1662. Possibly he was a school teacher as he was referred to in a document in 1716 as "Old Master Everest." The last record of him is in 1680 when

¹ The author collected a large amount of new material concerning this picturesque character which was published in the Proceedings of the Massachusetts Historical Society, LVIII, 147-192, and LIX, 92-95, including a copy of his will.

NEW SETTLERS OF THE SECOND DECADE

he sold a lot of land in that year, but the time of his death is not known. His fine signature, spelling it Everest, in 1654, is evidence that this was his correct name, and not Everett or Everill, as frequently written by careless scribes. His home lot of eight acres was across the road from Godfrey.

Information about his marriage is wanting. In 1680 he had a wife Barbara (*Ibid.* iii, 87), and as she was not called "my now wife," as was the practice in cases of second or third wives, it may be assumed that he had no previous one. He left issue as follows:

- i. Isaac, b. about 1645; removed to Guilford, Conn., where descendants still reside.
- ii. Ruth, mentioned in will of her brother Jacob.
- iii. Lydia, witness in 1682 (*Deeds* iii, 122); was probably his daughter.
- iv. Job, b. about 1652; had a land grant in 1673.
- v. Jacob, b. about 1655; a glazier; removed to Boston in 1678. Will dated 1692 and William Evernden, a barber of Boston appointed administrator Jan. 27, 1692-3. Probably unmarried.

CHRISTOPHER ROGERS

He was "a servant in tyme past to Sir Ferdinando Gorges" (*Deeds* ii, 179) and was a witness in 1643 (*Ibid.* i, 24). He was called of Piscataqua in 1645 and nothing further is known of him. Christopher's Point and Kits Point on the river may derive title from him.

RICHARD BURGESS

This settler, perhaps previously of Sandwich, Mass., first appears of record in York about 1646, but he must have come here earlier (*T. R.* i, 15). His name frequently occurs with Henry Norton, but there is no evidence that he was related to anybody or had any family. He sold land in various parts of the town, the last time in 1673 near Trafton's Ferry (*Deeds* ii, 248) and nothing further is known of him. He had two grants from Godfrey, unrecorded, before 1655, of ten and forty acres.

ROBERT MILLS

He was here as early as 1637 when he sued John Heard of this town for debt. He was the owner of a lot of marshland on the southwest branch of the river and died before

HISTORY OF YORK

July 1647. His widow, Dorothy, was the wife of John Harker on that date. He left a son, James, who was living in Lynn in 1666 (*Deeds ii, 5*). A John Mills was an apprentice to Mrs. Godfrey in 1659 (*Court Record*).

SAMUEL ADAMS

The name of this early settler is recovered from a single reference in a list of land grants made by Governor Godfrey, but the date is not known. After that he disappears from the records, and Philip Adams is referred to as living on the lot "sometimes his fathers." Samuel Adams probably came from Shepton Mallet, Somersetshire, where his name with Robert Knight, Mary Topp and her daughter Jane (all names seen later in York), are found in the parish records. If this surmise is correct this Samuel married Alice Stone July 10, 1623 and had, among others, Philip, born about 1632, but unrecorded. The family genealogy appears in Volume III.

HENRY NORTON



He was a nephew of Col. Walter Norton and son of Henry, the eldest son and heir of Thomas and

Margaret (Cranmer) Norton of Sharpenhoe, county Bedford. Henry, the father, had married for his second wife Sarah Lawson, June 29, 1613, at Streatley. It is probable that he removed to Stepney, London, soon after and there was born to Henry Norton, gentleman and Sarah, his wife, on November 26, 1618 a son baptized as Henry. He probably came to look after the property interests of his uncle Walter who was dead in 1633, and he remained here thereafter.

He became Provost Marshal of the Province in 1646, an office which he held continuously until the usurpation. In 1657 he was Marshal of the county and in October it is recorded that in the latter part of this year he "Intends his viage for England." From this he never returned and on August 14, 1659, the Court held that "Mr. Henery Norton is conceaved to be dead" and granted administration of his estate to his widow. Where he died is un-

NEW SETTLERS OF THE SECOND DECADE

known. Inventory of his estate £103-18-0 was not filed until April 3, 1679 when George, his son, was named as administrator.

He married about 1639 Margaret —— who survived, and they had issue as follows:

- i. George, b. about 1640.
- ii. Elizabeth, m. Sylvester Stover.

RICHARD ORMSBY

He appeared in York about 1641, later removing to New Hampshire 1643, Salisbury 1645, Haverhill 1649, Rehoboth 1653 where he died in 1664. His house is mentioned as being formerly on the east side of the river at Ferry Neck. He was evidently only a transient resident with his wife, Sarah, and their first son, John, was born here. They had two other sons, Thomas, 1645, and Jacob, 1647.

OLIVER GODFREY

The eldest and only son of Edward Godfrey, perhaps baptized by his mother's surname, was born in 1624, came to Gorgeana in 1642 before he had reached his majority. He became identified with his father's interests in the town and, in fact, was in copartnership with him in 1638 in connection with the lease of land east of Cape Neddick River (*Deeds viii, 120*). In 1648 his father granted to him two hundred acres on the south side of the river, two houses on Stage Island, and one-third of the undivided land of the Agamenticus Patent, about four thousand acres. In addition to this he gave him land at Point Bolleyne adjoining the land of Henry Norton and extending a mile and a half towards Cape Neddick (*Ibid. i, 4*). How long he remained in York is unknown, but probably had returned to England before 1650, residing at Seale, county Kent. The parish register records the burial of Mr. Oliver Godfrey October 23, 1661. He had made his will September 10 previously, which was proved May 16, 1662, in which he makes bequests to his children as follows: fifty pounds each to his sons Edward, Oliver and Charles, and forty pounds each to his daughters Mary, Elizabeth, Sarah and Susanna, all under eighteen years of age and unmarried. His will also contains these specific bequests:

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Item I give and bequeath unto my sonne Edward Godfrey all that house and Barne with theire appurtenances and all that Tract of Land granted me by my father Situat att Accomenticus in New England as by the grant hereof appares/

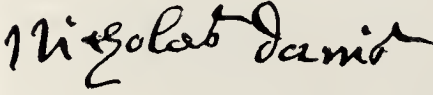
Item I give to my sonne Charles Godfrey all that pattent granted me by King Charles I and all remainder or remainders, reversion or reversions which may fall to me by any means whatsoever.

These bequests refer to his patent of 1638 at Cape Neddick and the grants of 1648 from his father. An Oliver Godfrey of Seale, Kent, gentleman, was living there in 1735, perhaps his son. It is probable that descendants of the first governor of Maine, bearing his surname, may yet be living in England. Oliver Godfrey, Sr. married Mary Smith of Seale.

JOHN HARKER

In 1650 this name occurs as a witness in York (*Deeds i, 9*), and as a debtor to Robert Button of Boston. He was a fisherman by occupation, and had been here for some years before this, as he had married before 1647, Dorothy, widow of Robert Mills (*Court Record i, 117*). He came into possession of one of the islands inside of Stage Neck where he carried on the fishing business. He signed the Submission in 1652, had a land grant in 1653 and was living in 1673, when he sold his island to his son John, also a fisherman residing at Winter Harbor (*Deeds ii, 193*). The latter sold it to William Moore (*Ibid. ii, 160*), and after that the name disappears from our records.

NICHOLAS DAVIS

 Among the passengers of the *Planter* emigrating to New England in 1635 were Nicholas Davis, aged forty, a tailor of Wapping Wall, London, his wife Sarah, forty, a son Joseph, aged thirteen, and a young boy William Locke, aged six years, for whom Davis was guardian (*Commissary of London, Act Book, fo. 189*), son of William and Margaret Locke of Stepney. He settled in Charlestown, later removing to Woburn where his wife died in 1643. He married (2) Elizabeth Isaac, widow of Joseph, a few months later, and brought his son Joseph with him when he settled in this town. He

NEW SETTLERS OF THE SECOND DECADE

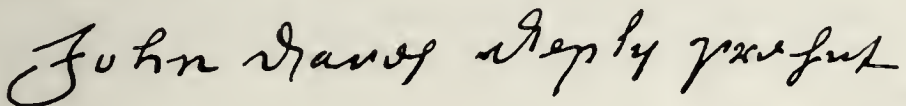
died in 1670 and his will proved that year (dated April 27, 1667) left his estate to his grandchildren Mary, Elizabeth and Mehitable Dodd, children of his daughter Mary who had married (1) George Dodd.

Nicholas Davis came to this town about 1648 and soon established himself as a tavern keeper in Lower Town where the main street leads to Stage Island. He is not known to have been connected with either of the three other Davises living here at the same time. He had issue:

- i. Joseph, bapt. 18 Nov. 1621; witness, York 1659; no further record.
- ii. Mary, m. (1) George Dodd; (2) Matthew Austin; (3) William Wright.

JOHN DAVIS

About 1650 there came to this town one John Davis (*Deeds i, 100*), who in the next third of a century rose to the highest official position in the Province, that of Deputy President. Of his origin nothing is definitely provable as

A handwritten signature in cursive script that reads "John Davis Deputy President". The ink is dark and the handwriting is fluid and somewhat slanted to the right.

his name is too common to identify without positive proof. In fact, there was another John Davis living here at the same time besides two others of the same surname. Our settler was a merchant by occupation and conducted his business where the Jonathan Sayward house stands (now the residence of Dr. Leonard Wheeler), and he had a wharf and warehouse adjoining. A deposition in 1683, giving his age as seventy years (born 1613), is the only personal fact known about him for purposes of identification. The property on which he lived was two acres in extent, and on it was a house and barn. It was either a part of, or adjoined, the George Puddington home lot where the widow, Mary Puddington, lived with her young children when Davis came to York. Sometime after 1659 he married the widow and for about thirty years they lived together, keeping a tavern, but there was no issue of the marriage. He signed the Submission in 1652 and succeeded Henry Norton as marshal in 1658. A statement of his official activities in the town would include the usual frequent services on grand and petty juries, Selectman

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(1669, 1670, 1671, 1672, 1675, 1676, 1679, 1680 and 1681). He was a member of the standing council of the Province (1680) and Deputy President 1681 for ten years until his death. He died intestate and on October 6, 1691 administration was granted to his widow Mary. Inventory showed property to the value of £367-19-0 of which two hundred pounds was for his house and land (*Deeds v, 65, 66*). In addition to his innkeeping and trading he was interested in shipping and owned a vessel at the time of his death. The New Hampshire records contain an amusing account of an exploit at Great Island in which he was the leader of a merry party in 1673 probably under the influence of West India rum. This was during the troubles with the Dutch and a raid was expected by their vessels. With his associates he sounded an alarm late at night, going from house to house arousing the people with the cry: "The Dutch are coming!" Great excitement prevailed during which he withdrew and promptly returned to York. He was indicted for creating a disturbance but explained that he was simply testing the faithfulness of the watch, all of whom he found asleep (*N. H. Records ii, 383-4*).

JOHN TAIR

A person of this name appeared in Dover 1642 and before 1649 had removed to this province where he was a grand juror and in 1650 on a jury of "life and death" (*Court Records i, 135, 139, 143*). He is given the prefix "Mr." in both cases, and on July 16, 1650 he witnessed a deed in York, Hooke to Heard (*Deeds iii, 107*). As York and Kittery were the only towns left in the province it is assumed that he lived here, but there is no further record. A family of Tayer (now written Thayer) originating in Thornbury, county Gloucester, came to Braintree about 1640, and this transient may be from that source. A John Tayer lived in Stinchcomb, next parish to Slymbridge, the home of John Gooch.

STEPHEN FLANDERS

This is a very rare English name but is found frequently in Yorkshire where it appears as Flunder and Flounder, and in the adjoining county of Lincoln as Flanders. The name of this emigrant is found only once

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in the records in 1649 when his wife (Jane) was "presented for abusing her husband and his neighbors." (*Court Records I, 135.*) As there is no further report of the case he must have removed immediately to Salisbury where he was taxed in 1650 and lived there until his death June 27, 1684.

ANTHONY ELLINS

This person was also a transient. He was an early settler of Portsmouth, but apparently came to York about 1649 as his wife, Olive, called "of Agamenticus," owed Isaac Gross of Boston for wine. No further record of either of them has been found. He died in Portsmouth in 1681 and his second wife, Abigail, administered on his estate.

RICE CADOGAN

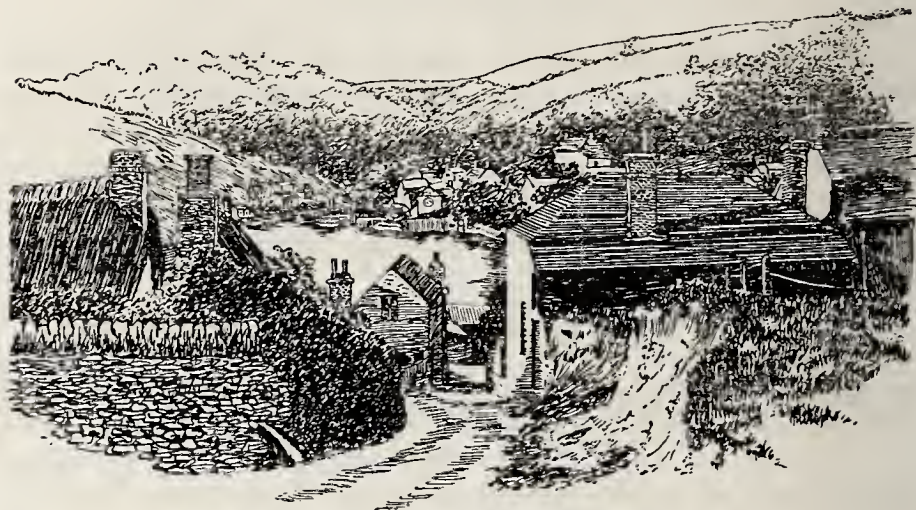
Rice Cadogan This settler was probably a Welshman, perhaps originating in Gloucestershire, and by occupation he was a fisherman. He first appeared of record in June 1648 as plaintiff in a case of trespass for the killing of three of his swine, indicating that he already had a homestead (*Court Records i, 124*). This location is unknown, but in 1650 he bought four acres part of which is now occupied by the Jonathan Sayward mansion (*Deeds i, 10*). In 1652 he signed the Submission to Massachusetts and in the next year he had a town grant of ten acres at Bass Cove. The conditions of this grant were never fulfilled, as he removed to the Isles of Shoals that year where he afterwards resided. He must have removed again to Charlestown, Mass., where one "Ri: Cadogan," called an indigent person, died November 5, 1695, aged sixty "or upwards." He was probably much older than that.

PHILIP HATCH

He was a native of Newton Ferrers, Devonshire, baptized December 28, 1615, as the son of John Hatch of that parish. He entered with his elder brother, Charles, into the service of John Winter at the Trelawney plantation in 1633 where he remained for ten years. He probably removed immediately after to this town where he bought land November 23, 1648 (*Deeds i, 7*) in Lower Town. He

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served on a jury "of life and death" in 1650, and in 1652 he signed the Submission. He administered the estate of his brother Charles in 1655 and signed the petition of 1656 to Cromwell. He was granted ten acres of land on



NEWTON FERRERS, DEVONSHIRE
Where Philip Hatch was baptized 28 December, 1616

Alcock's Neck in 1659 and in 1663 was chosen Town Constable. He died between 1665 and June 12, 1674 when his widow confirmed a sale of house and land to Jasper Pullman (*Ibid. ii, 152*). His last appearance on record in 1665 was a defendant in a case of debt (*Court Records i, 230*). He married, date unknown, Patience (—) who survived him and married for her second husband Edward Wolcott and was living in 1709 at Berwick (*Deeds ii, 180; vii, 135*). He had the following known children and probably others:

- i. Philip, b. 1651; resident of the Isles of Shoals (*N. H. Probate i, 139*).
- ii. Patience, b. (1653); m. Joshua Downing 1676.
- iii. Samuel, b. 1661; removed to Wells as a child.
- iv. Elizabeth (?), b. —; m. Baker Nason.
- v. John (?), b. —; m. Sarah —, mariner of Portsmouth.

A Francis Hatch witnessed a deed in York in 1677 (*Essex Antiquarian vi, 132*), but relationship with the above family is problematical.

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JOHN PARKER

The first record of this settler is in 1648 when he was called of Marblehead, carpenter, as grantee of John Heard of his house and all his land in Gorgeana, for the sum of twelve pounds payable in money, coin or board, in three annual payments (*Deeds iii, 72*). Whether this property became his homestead is uncertain, but it is known that he lived on the northwest side of Meeting House Creek and north of the Lindsey Road. He signed the Submission in 1652, and in 1656 the petition to Cromwell. He was county jailer and hangman for many years. The date of his death is not known but he was living in 1686 (*Deeds IV, 61*).

The name of his wife is also unknown except that she was living in 1654. He was excused from military duty in 1681. He had the following named children:

- i. Mary, b. (1640); m. William Roans (*Deeds vi, 176*).
- ii. John, b. 1644.
- iii. Abraham, b. (1647).
- iv. Hannah, b. 1658; m. Thomas Adams.

The genealogy of this family will appear in Volume III.

GEORGE PARKER

He appears to be the George Parker, carpenter, who came to New England in the *Elizabeth and Anne* in 1635, aged twenty-three years, as the settler of the same name in this town followed the same trade. Of his residence, before he came here, sometime before 1648, nothing is known. In that year he had already been granted, and on November 23, 1648 he sold a house and lot to Philip Hatch in Lower Town, showing prior occupancy (*Deeds i, 9*). At some date unrecorded before 1650 Parker bought of John Gooch about eight acres adjoining the ministerial glebe on its south side, and abutting on Henry Norton's land on the northeast, (*Ibid. xiv, 144*). He had land grants, 1653, 1668, 1672 and 1679 (*T. R. i, 23, 37, 44, 63*). He served as a juror 1650-1, signed the Submission 1652, and in 1656 joined in the petition to Cromwell. He was elected constable in 1659, signed the protest to Massachusetts in 1662, and in 1668 petitioned Massachusetts against Gorges. On April 10, 1683 he gave all his property

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to Peter Bass, his son-in-law, in consideration of support for himself and wife until death (*Deeds iii, 123*), but on a petition to the Court next year, owing to the decease of Bass, his estate was restored to him June 25, 1684, subject to a payment to the minor son of Bass.

He married Hannah (surname unknown), and had the following issue:

- i. (daughter), b. about 1650; m. Peter Bass.
- ii. George, died before Sept. 27, 1677; Inventory £9-11-8.

NICHOLAS BOND

This early settler came here sometime before 1650, signed the Submission in 1652 and lived on the Lindsay Road, but beyond his age (born in 1619), nothing is known of his origin. His principal claim to notice is his marriage to Jane the widow of Henry Simpson and daughter of Col. Walter Norton. In May 1650 as Jane Bond she preferred a charge of criminal assault against Robert Collins, and got an equivocal verdict of *crim. con.* but without assault. She died before 1680 when he had married a second wife Margaret, who was fined that year for "turning up" the wife of Sampson Angier and spanking her *au naturel*. He left no record here and after a few years is found in Portsmouth as tithing man. Date of death unknown, but as "Goody" Bond, his wife became in 1701 a town charge there.

CHAPTER XIV

DEVELOPMENT OF GORGEANA UNDER THE CITY CHARTER

1640-1649

The little loyal settlement, now numbering perhaps three hundred souls, began the second decade of its ambitious career with all the paraphernalia and privileges of the second largest city of the kingdom. The new mayor, Thomas Gorges, Esquire, and his sergeants of the white rod, the twelve aldermen and twenty-four councilmen, recorder and town clerk may have absorbed all the adult males of Gorgeana, but if so its city government was only a glorified town meeting affair and carried with it no suggestion of imbalance.¹ Instead of three selectmen to manage the corporate affairs it had forty and thus was more democratic than the triumvirates of the Massachusetts towns.

Contemporaneously with the opening of the second decennium the Civil War in England was in full action and the kingdom was rent between the Royalist and Parliamentary armies joined in a fight to the finish. This atmosphere of deadly social and religious enmities was reflected in the New England colonies. Every success of the Roundheads was the occasion of muffled hymns of praise to the Lord of Hosts in Massachusetts, Plymouth and Connecticut for giving Cromwell the victory, while in this loyal Province and New Hampshire the adherents of the king were correspondingly depressed by the ominous news. It meant more than life or less than death to them, for the Lord Proprietor was becoming an octogenarian and practically past his active participation in and direction of colonial affairs. He was on the losing side of life and the losing side of politics. His age and the temper of the times were hurdles that he could not leap. Nevertheless, the leading men of the leading town of the province were carrying on their duties and giving no undue attention to

¹ The General Court of Massachusetts in 1641 had given William Pyncheon autocratic power to govern the new settlement at Springfield and authorized juries to consist of six persons only because the small population could not supply a full quota. (*Mass. Col. Rec. i, 221-2.*)

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political affairs in the mother country. It was enough to conduct their own civic and personal business at home in clearing the wilderness and battling the elements for the convenience and habitation of the slowly growing population.

A tragedy which cast its blighting effects upon the town grew out of the irregular mode of life of a married hussey, who had in previous years given the authorities of Massachusetts, during her residence there, frequent occasions to hale her into court. One Richard Cornish, the husband and victim of this woman, had been a resident of Weymouth with his wife Katherine as early as 1634, for in that year he was held responsible for her appearance to "answer such things as shalbe objected against her." (*Mass. Col. Rec. i, 123.*) What "such things" were, in all probability, may be inferred from a like reference to her four years later, when she was "found suspitious of incontinency & was seriously admonished to take heede" (*Ibid.*). Two years later they had come to Agamenticus, he probably to start life anew in other surroundings and she to follow her unfaithful practices as the sequel showed. He had come to be in her way and one day in 1644 he was found drowned in the river with a weight attached to his body. Suspicion naturally fell upon her, the only one interested in his taking off. The details of this affair were gathered by Governor Winthrop for embellishing his Journal and are entered under date of February 1645 from which the following statements are gleaned.

Sometime in this month, "one Cornish," formerly of Weymouth, was found dead in York River. "His wife being a lewd woman," was suspected and brought "before the Mayor, Mr. Roger Garde and others of the province of Maine and strong presumptions came in against her, whereupon she was condemned and executed."¹ She finally confessed to have led an adulterous life, and "charged two especially, the said Garde, the mayor, and one Edward Johnson, who confessed it openly at the time of her execution; but the mayor denied it, and it gave some likelihood that he was not guilty because he had carried himself very zealously and impartially in discovery of the

¹ In accordance with the ancient superstition that a murdered person bleeds afresh in the presence of the murderer, when she was brought to her husband's corpse it "bled abundantly"; as it did also when an alleged paramour was likewise brought before it, but no evidence was found against the latter (*Winthrop Journal ii, 219*).

DEVELOPMENT OF GORGEANA

murder.” (*Winthrop Journal ii, 219.*) With characteristic bias against everything and everybody connected with the Province of Maine, Winthrop comments on the mayor’s denial: “but there might be skill in that and he was but a carnal man and had no wife in the country” — an insinuation made in ignorance of the fact that Garde’s wife was dead.

In 1647 an event occurred which could not have been unexpected but which precipitated an element of confusion into the already unsettled state of public affairs in the province and in the kingdom. The Civil War was at its height with the faction under the lead of Cromwell gradually overpowering the loyal forces of Charles. In the midst of the clash of arms the old knight of Long Ashton, too old and feeble to unsheath the sword for his prince, lay dying in his country estate in Somerset. Already fourscore years of an active life had been numbered in his days. Half of this busy career had been spent in extending the power, influence and glory of the English nation. He was one of the foremost of Britain’s imperialists, and merits a place beside Gilbert, Raleigh, Drake and wherever the development of America, New England, Maine and York is called up in the minds of men. His early and forceful activities in promoting the discovery, exploration, settlement and development of the territory of New England helped to make possible the Popham venture, the fishing settlements on the coast, the Pilgrim movement of 1620 and the subsequent colonization of New Hampshire and Massachusetts Bay.

On May 27 he breathed his last, and one need not have a sentimental vision to think of him on his deathbed, looking with dimmed vision to the Western horizon beyond which lay the land of his hopes, where his name had been fixed as a heritage for his descendants forever. He had not been privileged to see with his own eyes the new land of his dreams, but in the last light that comes to the passing soul there must have been revealed to him a picture of the river of Agamenticus, the Manor House on its banks, and the scattered houses and fertile acres that made his city of Gorgeana the final and crowning memory of his life. In the chapel of Long Ashton the almost forgotten remains of this patron saint of Maine’s colonial era lie. Only the mental distortion of the times in which he

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lived and the fanatical religious enmities and jealousies of contemporaries have deprived him in the past of his due meed of honor for his public services.

His final elimination from the religio-political arena must have been welcome news in Boston. As by the death in 1635 of Captain John Mason, who left only a widow and a minor grandson to become the responsible, guiding hands in New Hampshire, with its resulting confusion of council (of which Massachusetts took prompt advantage by annexing it as her own), so in 1647 the death of Gorges, leaving as his only heir a grandson, also a minor, deprived the Province of Maine and York of similar vigorous and authoritative support. The Civil War, gradually waged victoriously by the Puritans in England, completed the eclipse of the power of the two proprietaries as factors in the development of northern New England. Added to these unfortunate events were the internal distractions of a divided province fomented by George Cleeves of Casco, quietly encouraged by Massachusetts.

These events, transpiring almost simultaneously in England, had a profound effect on the fortunes of Gorgeana. Added to this was the creation of the Province of Lygonia, within the bounds of his Province of Maine. On March 27, 1647 the Commissioners of Foreign Plantations, having heard the claims of Colonel Alexander Rigby for the legalization of the resuscitated Plough Patent, gave judgment in favor of Rigby to the full extent of his claim. Puritan politicians prevailed. Colonel Rigby had enlisted on the Parliamentary side, and Gorges, as is well known, was a Royalist. When George Cleeves, of Casco, the arch-trouble maker in the Province, dug up this abandoned patent, called "a broken tytle," he laid the foundation for bisecting the Province of Maine and disrupting its government. The hitherto futile schemes of this sinister figure had now come to complete fruition. A tract of land of uncertain boundaries, but decided to be forty miles square, extending from the Pejepsco to the Mousam Rivers, was carved by his enemies, out of the heart of the province granted to Gorges, and a new government set up independent of the lawful Lord Proprietor. Two months later to a day the old knight died. This last blow to his prestige perhaps hastened his end. All that was left of his magnif-

DEVELOPMENT OF GORGEANA

icent domain was reduced to the towns of Kittery, York and half of Wells to the Mousam (*Maine Recorder ii, 65, 145*).

Gorgeana, "the Metropolitan of the Province," was indirectly affected by this event, and the death of Gorges completed this double stroke of misfortune. The Civil War in England did the rest. In July 1649, despairing of receiving directions from the heirs of Gorges, the inhabitants of these three towns, "with one Free and *unius animus* Consent," formed a new government by electing "by most voysses" a set of officials to carry on the affairs of the Province; to be operative "tell further order power and authority shall come out of England." Under this condition it will be seen that this town constituted about half of the original province remaining, and the acts of this assembly were consequently that much the acts of the people of Gorgeana. Mr. Edward Godfrey was chosen Governor, Abraham Preble, Edward Rishworth and Nicholas Shapleigh, Assistants, and Basil Parker, Recorder.

FREEDOM OF RELIGION GUARANTEED

At the first Court held on October 1649 the following law was enacted respecting religion:

It is ordered this Court and power thereof: That all gode people within the Jurisdiction of this province who are out of a Church way and be orthodox in Judgment and not scandalous in life, shall have full liberty to gather themselves in to a Church estate, provided they doe it in a Christian way: with the due observation of the rules of Christ revealed in his worde:

And every Church hath Free liberty of election and ordination of all her officers from tyme to tyme provided they be able, pious and orthodox (*Maine Court Records i, 136*).

As three out of the four members of the government were residents of Gorgeana this epochal pronouncement, guaranteeing freedom of worship, places this town and the Province of Maine among the earliest torch-bearers of religious liberty in America, and was a challenge to the theological oligarchy of Massachusetts as distinct as that of Rhode Island and Maryland. The charter of the province decreed the religion of the Church of England as the "official" form of worship, but this ignored that requirement and deliberately sanctioned the gathering of all "gode people," complete freedom in establishing churches

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and of choosing their own officers. This bold stand has never received the attention it merits from historical writers, and is here set forth in precise detail as a testimonial to the public men of this town who enacted it. That it proved their undoing, as it was diametrically opposed to the doctrines and policy of the Puritans of the Boston hierarchy, is evident from the rapid development of their scheme to seize this Province which they had long coveted. They could not permit such a flaunt from those who "ran a different course from us both in their ministry and civil administration," wrote Winthrop, to become crystallized into a permanent and recognized custom on their borders. It was a challenge to Cotton, Dudley and Wilson in their clerical hegemony of New England. Such an example of freedom of action set before their victims in Massachusetts could not be permitted to exist as a menace to their grip on the civil government of that colony.

For the three following years this emergency government functioned satisfactorily and this town is to be credited with an equal share in shaping the general policies of the Province. In 1651 Abraham Preble was added to the Governor's Council and in 1652 he was replaced by Richard Bankes. It is interesting to note that at the inception of this temporary government, "the priviledg of Accomenticus charter" was excepted from the action of the provincial authorities, as claimed under previous administrations. The city was still guarding its independence.

CHAPTER XV

THE LAST YEARS OF FREEDOM

1650-1651

Because of the preponderating influence of Gorgeana as the chief town of the Province, ever since it had been adopted by Gorges as his official residence, it has been and now is necessary to relate the progress of general political affairs in Maine, as it primarily affected the welfare of the town, the nerve center of provincial activity. The Royalist cause had been dealt a deathblow in January 1649 when the head of Charles the First rolled off the executioner's block at Whitehall. The adherents of the king in Gorgeana were correspondingly depressed and hopeless, while the opportunists who can always be counted on to desert a losing side began to find excuses to join the chorus of hosannas sung by the followers of Cromwell and the Puritans in Massachusetts. With the loss of friends at court through the death of the Lord Proprietor, and the final collapse of the royal cause, the adherents of the king and Gorges faced the future with misgivings, as they saw their powerful opponents to the south preparing to institute a claim to their ancient heritage. With the exception of Rhode Island it was the only frontier colony in New England where freedom of worship was legally established by law, and Maine had been marked for extinction as a political entity by the heresy hunters of Massachusetts. Religious freedom was calendared as a dangerous doctrine in the *Index Expurgatorius* of the Boston Theocracy. It was not the official explanation, publicly avowed, but the private letters and journals of the conspirators reveal it as the real motive which had been carefully nursed for the past dozen years. They had only delayed for an opportune time to start the job, and the fall of the monarchy provided the reward for their watchful waiting. It is an interesting study in Puritan morals and ethics. The plausible fiction which they decided to employ in justification of their rape of the Gorges property was that their northern boundary line ran into Maine and as a consequence it was under their jurisdiction. It will be necessary, to understand this

HISTORY OF YORK

extraordinary "claim," to ascertain what territory belonged to Massachusetts by its charter. The Company of the Massachusetts Bay had been granted in 1629 "all that part of New England, in America which lies and extends between a great river there commonly called Monomack alias Merremack & a certain other river there called Charles River." This case of encroachment on the Maine province only relates to the northern limits "which lie," as the grant specified, "& be within the space of three English miles to the Northward of the said river called Monomack alias Merrymack; or to the Northward of any & every part thereof." To mark this clear limit they had in the year 1638 set up a "Bound House," so-called, on the coast three miles to the northward of the mouth of the Merrimack. The then province, and the present state of Maine lying altogether to the *east* of "any & every part" of the Merrimack River could not by any logical interpretation of the Massachusetts charter fall within the limits of it as above expressed. It would be equivalent to stating that an extension of the north bounds of York due east would include Augusta in its jurisdiction.

As soon as the leaders of the Massachusetts Colony got fairly settled in their allotted territory in 1630 and set their house in order, they began to look around them to see who their neighbors were, what their patent rights covered and why they had emigrated to the same New England. To the south of them the Plymouth Pilgrims, like themselves religious doctrinaires and Separatists, could be approved as sympathetic and agreeable neighbors, and they could be dismissed as causes of anxiety in respect to ecclesiastical divergences. To the north of them lay the Province of New Hampshire, settled six years before the Massachusetts charter was granted, and being governed under the charter held by Capt. John Mason and his associates. Beyond this lay the Province of Maine in the propriety of Gorges, long settled under a like charter, physically separated from Massachusetts by many miles of seacoast. This seems like a lesson in primary geography, but it is at the foundation of the whole "illegal and arrogant" claim which was cunningly concocted in later years, with pious protestations of honorable interpretation of their boundary line three miles to the north of the Merrimac. They saw that these two provinces had commodi-

MAP of the LOWER TOWN

GEORGE PUDDINGTON 1641

BARRELL'S WAREHOUSE

SAMPSON ANIER 1640
10/29 Sold to Jos. Sayward

DINAH'S HILL

The basis of all titles in this section rests on the original transfers from William Hooke, one of the principal patentees. Being the smallest in area, earlier and more thickly settled, it can not be properly shown except by a large map in detail to give the many changes of ownership in two centuries.

Some important deeds were not recorded, as the sale by Alcock to Rishworth, about 1650, although he was Recorder of Deeds. This tract, now covered by the "Emerson" and "Harmon Park" was mortgaged by him, these mortgages transferred, holders died and Rishworth died with the lien unredeemed. It became a part of his estate, which was finally bought of the mortgagee in 1694, (17,109). From Moulton this passed to the Harmons by will.

MARKET PLACE
7/140 Abraham Preble 1740
11/171 Richard Milberry 1720
14/15 Peter Nowell. 1735
16/141 Abraham Nowell 1737

KEATING MARF

Capl. Samuel Derby

CLARKS LANE

FIRST CHURCH 1635

Old Burying Ground



1/98 HOOKE to ALCOCK 1693
EDWARD RISHWORTH
Sold by Mortgagees,
or heirs, various dates
To
JEREMIAH MOULTON
2/180; 4/109; 3/135; 8/66
Bequeathed to
JOHNSON HARMON
1727

Jeremiah Moulton's "Back Pasture" 1685
(Town Grant 34 X 150 Rods)

34/253. James Donnell, 1765
Capt Peter Young

Harmon Est. Divided 1752

ALCOCK'S GARRISON 1692

Jere Moulton 1694

WILLIAM DIXON

James Dixon 1666
4/47 John Brawn 1667
William More by will 1703
John More }
3/45 John Kingsbury 1710

JOHN BRAWN

William Dixon
1/10 George Parker
1/7 Philip Hatch. 1648
2/52 Jasper Pulman. 1674
Joseph Moulton
17/169 Nath. Donnell 1735

Tavern of
NICHOLAS DAVIS 1648
Heirs sold 1680 to
Samuel Donnell
Nathaniel Donnell 1710



HENRY DONNELL 1640

GEORGE WAY TO CAPE NEDDICK 1708

Old Fresh Water Brook

"SUNKEN MARSH"

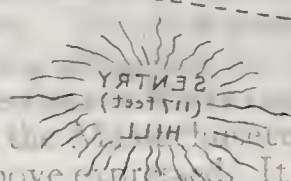
PRESENT ROAD TO CAPE NEDDICK

T.G. Abraham Preble
9/105 Abiel Goodwin 1718

MAP of the LOWER TOWN

The basis of all titles in this section rests on the original transfers from William Hook, one of the principal patentees. Being the smallest in area, earlier and more thickly settled it can not be properly shown except by a large map in detail to give the many changes of ownership in two centuries.

Some important deeds were not recorded as the sale by Alcock to Rishworth, about 1680, although he was Recorder of Deeds. This tract, now covered by the "Emerson" and "Harmon Park" was mortgaged by him, these mortgages transferred holders and Rishworth died with the lien unredemmed. It became a part of his estate, which was finally bought of the mortgagee in 1694 (14, 109). From Moulton this passed to the Harmons by will.



TERESA Moulton's "Back Pasture" 1682
(Town Grant 34 X 150 Rods)
James Donnell 1765

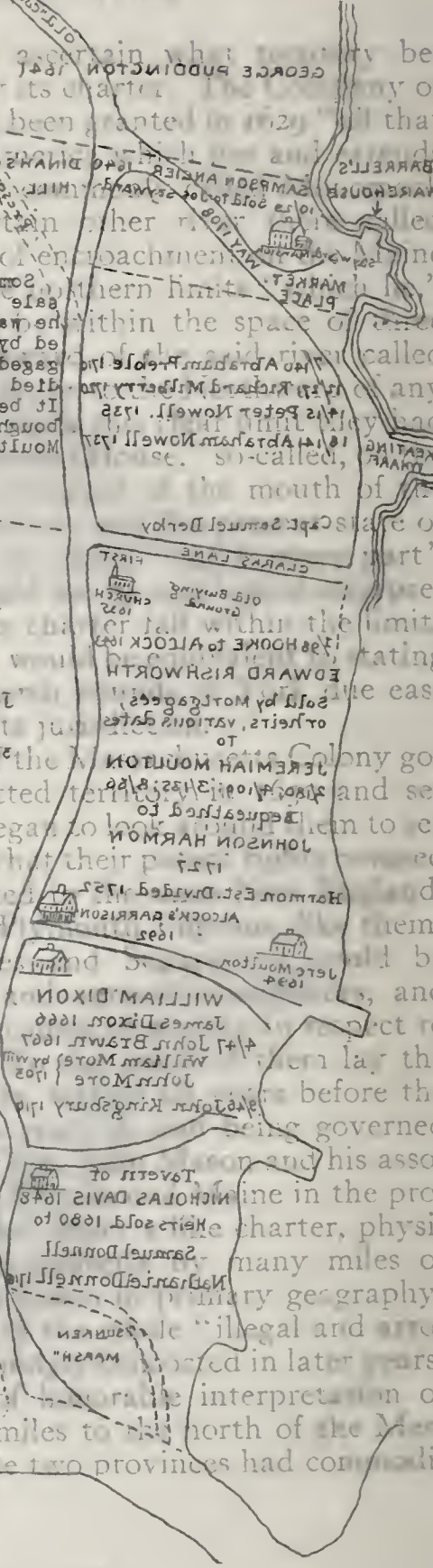
JOHN BRAVIN
WILLIAM DIXON
James Dixon 1666
John Dixon 1667
William More 1702
John More 1702
John Kindersley 1710

RED WAY TO CAPE NEDDICK

HENRY DONNELL 1670

PRESENT ROAD TO CAPE NEDDICK

Abraham Phelps
Abiel Goodwin 1718



THE LAST YEARS OF FREEDOM

ous harbors which Massachusetts lacked, and judged that in time this distinct commercial asset would constitute a manifest advantage in maritime rivalry. Emanuel Downing, a wealthy lawyer of London, brother-in-law of Winthrop, and the "friend at Court" of the Massachusetts Colony, had been apprised of this aspect of the situation, and in a letter to Secretary Coke, in 1633, asked that the charter limits of Massachusetts be extended further north "where were the best firs and timber." Nothing came of this dishonorable request as it could not be granted except by robbing Mason and Gorges of their possessions. However it illumines the path of encroachments we are to tread in following their devious ways to attain their coveted end. Mason died in 1635, leaving the Province to his heirs, who, like himself, were absentee landlords, and naturally the management of affairs became unsettled through the interference of local politicians seeking power in the confusion. Two years later came the great, as well as ridiculous "Antinomian" controversy in Massachusetts, in which Anne Hutchinson, its final victim, played the leading part. It was the first real opportunity the theological hairsplitters of Boston had found to stage a picturesque heresy inquisition. To understand what it was all about is beyond the comprehension of a sane mind. Mrs. Hutchinson believed in a "Covenant of Grace" and the heresy hunters in a "Covenant of Works." As it happened that Mrs. Hutchinson was attracting too many adherents to her beliefs, which were opposed by Winthrop and his party, she was imprisoned and later banished out of the jurisdiction, with all her followers. Some of them went to Rhode Island and others to New Hampshire. Among the latter was Rev. John Wheelwright, her brother-in-law, who found a temporary sanctuary in Exeter. Temporary is the correct word, for no sooner had he reached his destination, at the beginning of winter, ere these relentless priests of persecution, like a pack of hounds in full chase, started a campaign to drive him elsewhere, anywhere, beyond the haunts of men, into the northern snows. Disfranchised, denied an appeal to England, he continued his exile into Maine, where such religious deviltry was impossible under the liberal government of Gorges. From this incident dates the programme of the purpose of the clerical oligarchy of Massachusetts to crush or absorb their northern neigh-

HISTORY OF YORK

bors. They began promptly. In 1638 this entry is found in Winthrop's Journal (*i*, 276):

By order of the last General Court the Governour wrote a letter to Mr. Burdet, Mr. Wiggin and others of the plantation of Pascataquack to this effect: That whereas there had been good correspondency between us formerly, we could not but be sensible of their entertaining countenancing, etc., some that we had cast out, etc., and that our purpose was to survey our utmost limits and make use of them.

This threat implied that nobody could live in New England, in any territory adjacent to them, unless approved by the petty religious tyrants who had adopted the "Covenant of Works" as the doctrine and polity of the Massachusetts church and state. It was a monstrous proposition but they hesitated at nothing to accomplish it. Surveyors, or "Artists," as they were designated, were employed to "lay out the line 3 miles Northward of the most Northermost part of Merrimack," by order of the General Court September 6, 1638 (*Mass. Col. Rec. i*, 237), and in their travels and triangulations they learned that this river after running in a westerly direction for about forty miles it then turned abruptly at right angles to the northward. This astonishing information was reported to the Court and on May 22, 1639 the chief surveyor was granted additional funds "for his journey to discover the running up of Merrimack" and the news was so full of possibilities that the Governor and Deputies later increased the reward (*Mass. Col. Rec. i*, 261). As a result of this exploration it was learned that the Merrimac had its source in Lake Winnepesoggee, many miles north of any point they had ever known before. It is not unlikely that Peter Weare was one of this party, as in later years he was called upon to testify to these facts in behalf of Massachusetts, and it is equally probable that this discovery and its employment by Massachusetts to extend its bounds was known in York soon after. Weare, who was ever after one of those disloyal to Gorges, and always received his rewards when Massachusetts was in power, testified that in 1638 he was "upon the north side of the sd lake upon a great mountaine" (*Mass. Col. Rec. iv, pt. 2, page 243*). It may not be inappropriate to compare this scene to another like event of sacred history when on another mountain temptation was laid before the great Exemplar of our Christian religion, whose teachings prompted Him to spurn the evil

THE LAST YEARS OF FREEDOM

whisperings of an immoral domain. Unlike their professed leader these saints fell before the vision of an extension of their sectarian empire, undreamed of in their calculations or in the intent of the king who granted their limits by metes and bounds. In their joy at this turn of affairs the General Court voted that their line extended east and west "from sea to sea," whoever might happen to be within this circle, legally established by prior rights.

No pent-up Utica contracts our powers
The boundless universe is ours.

Violent application of this impudent claim to unknown bounds, involving trespass on, or extinction of, the legal rights of others was not thought advisable at this time. It was felt necessary to prepare the victims for the sacrifice by gradually gnawing at their edges as chance gave them excuse; by skilful propaganda through visiting clergy preaching pleasing prospects to the southward; by boring tactics from the inside engineered by renegades or settlers favorable to Massachusetts "planted" there for the purpose, and by any and every Jesuitical means encouraging disloyalty to the local authorities to accomplish the end they had planned. For the present it was a programme of peaceful penetration. The notorious Hugh Peter was sent into Maine in 1640 on such an errand. He thus reports his observations to Winthrop:

They are ripe for our government as will appeare by the note I have sent you. They grone for Government and Gospell all over that side of the country. I conceive that 2 or 3 fit men sent over may doe much good at this conflux of things. These will relate how all stands in those parts (*4 Mass. Hist. Coll. vi, 108*).

This example will suffice to show the character of this dishonorable scheme of sapping the allegiance and mining the property of others. At the same time when Exeter had protested against actual encroachment on her territory one is unprepared to hear the Massachusetts General Court say that it looked upon the protest as "against good neighborhood, religion and common honesty"! A church quarrel in 1641, between two clergymen in Dover, doubtless fomented by the means described, gave Massachusetts the chance to intervene in New Hampshire, at the instance of one of the persons it had banished in 1638 for heresy. As a renegade he was now useful, and New

HISTORY OF YORK

Hampshire was gathered into the fold by an act "more clearly an usurpation," says a neutral historian, "than was any later act of the crown which affected New England" (*Osgood, American Colonies, i, 377*).

This accomplished, the next step in the development of Massachusetts hegemony came through the confederation of the New England colonies in 1643, an offensive and defensive alliance of those faithful to the general spirit of the Puritan dogma. Both Maine and Rhode Island were omitted in this useful combination for mutual protection, either refused admission or ignored altogether. Winthrop assigns the reason for the exclusion of Maine in his "Journal" under date of May 15, 1643, as follows:

Those of Sir Ferdinando Gorges his province beyond Pascataquack were not received nor called into the confederation, because they ran a different course from us both in their ministry and civil administration; for they had lately made Acomenticus (a poor village) a corporation, and had made a taylor their mayor, and had entertained one Hull, an excommunicated person and very contentious, for their minister (*Journal ii, 100*).

"one Hull" was the Rev. Joseph Hull, a graduate of Cambridge University, who was a victim of their "excommunication" and was naturally "contentious" as an opponent of their tyrannical proceedings. But this was not the true explanation of the omission, masked behind these puerile reasons. In the plan of Winthrop, Maine was to be plucked for her own purposes, and to have now acknowledged her representation with the other colonies on an independent basis would have proved an awkward problem to solve when they should find the usual lucky opportunity to stretch their line around her territory to make good their claim to its ownership. So the stealthy game was played with much pious phrasing in journals, letters and public documents, year after year. The full story, with contemporary evidences in complete abstracts reveals the Puritan at his worst. It was the "ministry" of the Church of England, provided by the Gorges charter, and not the "civil administration," that Winthrop feared on his flanks.

The Governor and Council of Maine were by this time fully aware of the intent of these natural enemies to overthrow the newly established government and began to employ defensive measures to forestall hostile action. One

THE LAST YEARS OF FREEDOM

plan was to petition the government of Cromwell, now in power in England, to confirm the "Combination," adopted in 1649, as the lawful substitute for the old Gorges government, and accept them as a member of the English Commonwealth. The usual "informers" in the service of Massachusetts warned the Boston officials of this plan, adopted by Governor Godfrey and his Councillors, of whom Richard Bankes and Abraham Preble were of this town, with three from Kittery. It was now necessary for the Massachusetts officials to drop the mask of hypocritical friendship and come out in the open. Therefore on October 23, 1651 the General Court having been informed "that there hath been a late endeavor of severall persons thereabouts to draw the inhabitants of Kettery &c. who govern now by combination, to peticon the Parliament of England for a graunt of the said place," and taking into consideration "*the comodiousnes of the River of Piscataque* and how prejudiciall it would be to this government if the aforesaid place and river should be possessed by such as are no friends to us," it was ordered that "a loving letter and friendly" be sent to Maine to tell them that by the north line of the patent that Kittery was within the jurisdiction of Massachusetts, and a committee had been appointed "to treat with them." (*Mass. Col. Rec., iv, pt. I, 70*). It is manifest that a programme was to be tried of dealing with one town at a time, and if successful the whole Province could be stolen by piecemeal. The counter move of Godfrey's government was taken December 3, 1651, when it was ordered: That Mr. Godfrey, Mr. Leader & Mr. Shapleigh are within 10 days tyme to draw out a petition to the Parlamant in the behalfe of this province for the confirmation of this present Government here established.

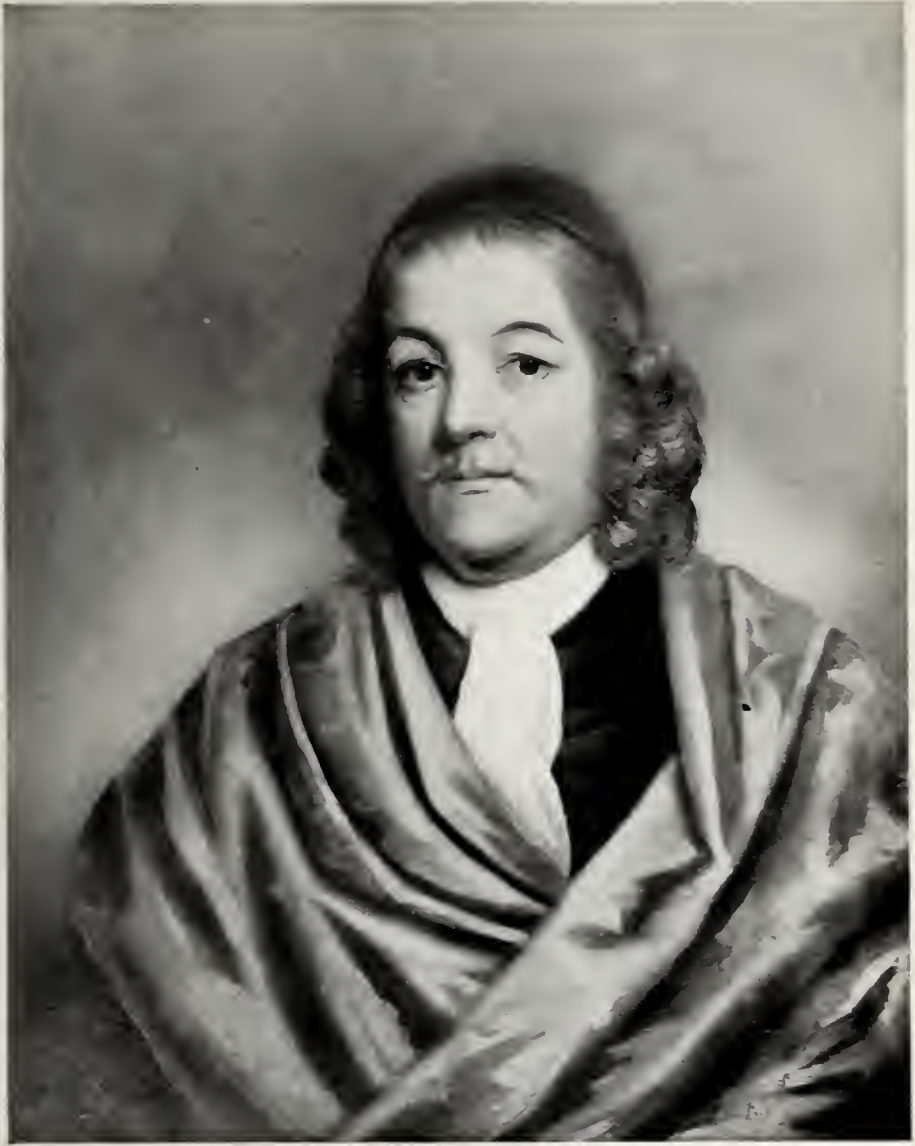
The letter was completed two days later. After reciting that through the death of Gorges, and his heir having "taken no order for our Regement," the Council of State was requested to declare the inhabitants of the Province of Maine "Members of the Coman Wealth of England," and to enjoy an equall shayre of the favours bestowed on the Colonys in these parts." (*York Deeds i, 20-24.*) Richard Leader of Kittery sailed at once for England to present this petition in person. It need not be said that with the Puritans in the saddle in England any requests

CHAPTER XVI

PASSING UNDER THE YOKE

1652

It may be imagined that excitement ran high in Gorgeana as the news came across from Kittery that the Massachusetts commissioners had successfully coerced their neighbors, and driven them under the yoke of alien control. Although Sunday intervened, these victorious emissaries lost no time to carry the campaign to this place while the spirit of conquest was in the saddle. The usual "loving letter and friendly" was sent here immediately addressed to Nicholas Davis and Capt. John Davis, who were charged with the duty of warning the people of "Acomenticus" to assemble at the tavern of Nicholas Davis "between seven and eight of the clock" on Monday the twenty-second, and appear before the commissioners "to settle the government." The letter concluded with the usual pious expression of hope that the results would "tend to the Glory of God." On a like occasion when Massachusetts had sent her agents to seize territory belonging to Plymouth, Governor Bradford, though a Puritan himself, after listening to their canting claims, alleging that "Providence had tendered it to us," could not help commenting that it were better to "abuse not God's providence in such allegations." The ground had already been prepared for this mockery in associating their use of power with Divine approval. A careful list of the inhabitants had been made showing the sequence of houses and occupants for the use of their campaign agents. This advance guard had gone "from house to house threatening and perswading if they did submit wee should enjoy all our Rights and priviledges either by Patent or otherwise." (*Egerton Mss. 2395, British Museum.*) After the experiences of those in Kittery who had the temerity to criticise the proceedings in that town, threats were not needed to affect their judgments, and no amount of persuasion could convert an independent citizen of Gorgeana into a slave ready to sign away his liberties, without a mental reservation. Whatever the result it would have



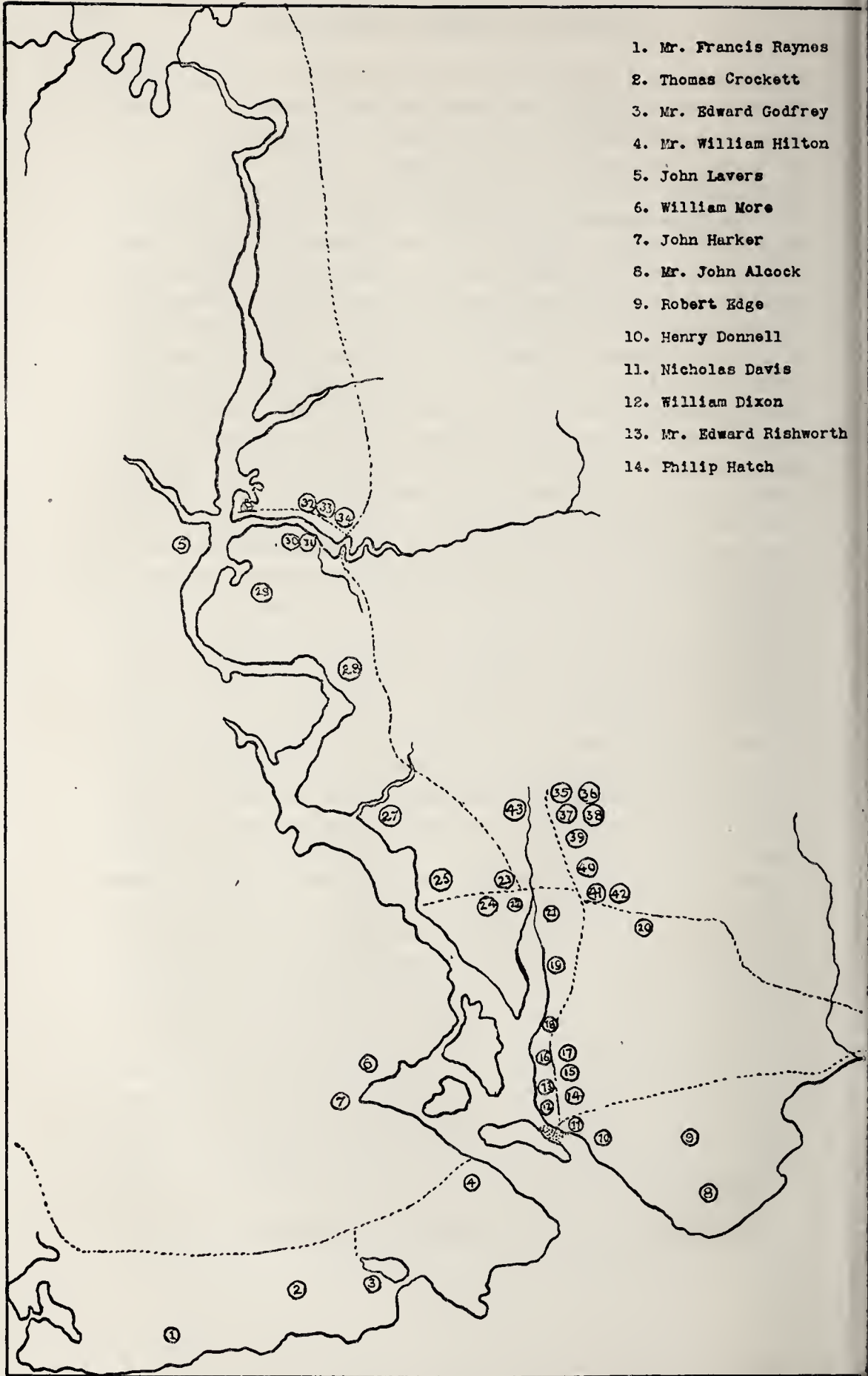
SIMON BRADSTREET
Leader of Commission to Demand Submission of Maine,
1652

PASSING UNDER THE YOKE

to be achieved by an illegal show of force. Accompanied by their marshal and retainers, with authority to call upon the militia of Norfolk and Essex "to compel us by force of arms" the fateful meeting began. There exists no circumstantial account of the conference, except that given by the Massachusetts commissioners, and that only gives the most meagre details.¹ It was reported that "some time was spent in debatements," and we can only suppose that Governor Godfrey, with his Councillors, Bankes and Preble, were the principal local orators. Of course it was a moot "debate" allowed for the sake of recording the generosity of the usurpers. "Many questions" were asked, and it can only be surmised what they were. It will not be far from the truth to say that the intruders were asked whether they could have a free church service; whether the franchise depended upon membership in the Puritan church; whether they had the right of appeal to the supreme government in England, and whether the laws of Massachusetts were held to be paramount to the laws of England. It is stated that "objections" were raised but what they might have been, we can easily infer. Aside from the general objection to the entire proceedings, based on such a distorted rendering of their charter in its geographical relationship and the overturning of an established government, it is probable that objections were made to the prospect of domination of the clergy in civil administration, to the banishment of ministers of the Established church and to the savage treatment meted out to persons charged with holding alleged "heretical" views. The report goes on to say that the "objections were removed" but whether by argument or removal of the objectors, as at Kittery, does not appear. The result was a foregone conclusion. The commissioners had come to "settle the government" as decreed by the Massachusetts authorities with an instructed commission sitting as judges! The stage show had been enacted and posterity was informed by these drill sergeants that the verdict was unanimous! "With a full and joint consent," they say, the people of Gorgeana "acknowledged themselves subject to the Government of the Massachusetts in New England." That is, all but one did so. The report adds:

¹ Stackpole says of their Kittery report that it was "amended or doctored" and that names were reported as submitting who did not sign (*Old Kittery*, 141).

1. Mr. Francis Raynes
2. Thomas Crockett
3. Mr. Edward Godfrey
4. Mr. William Hilton
5. John Lavers
6. William More
7. John Harker
8. Mr. John Alcock
9. Robert Edge
10. Henry Donnell
11. Nicholas Davis
12. William Dixon
13. Mr. Edward Rishworth
14. Philip Hatch

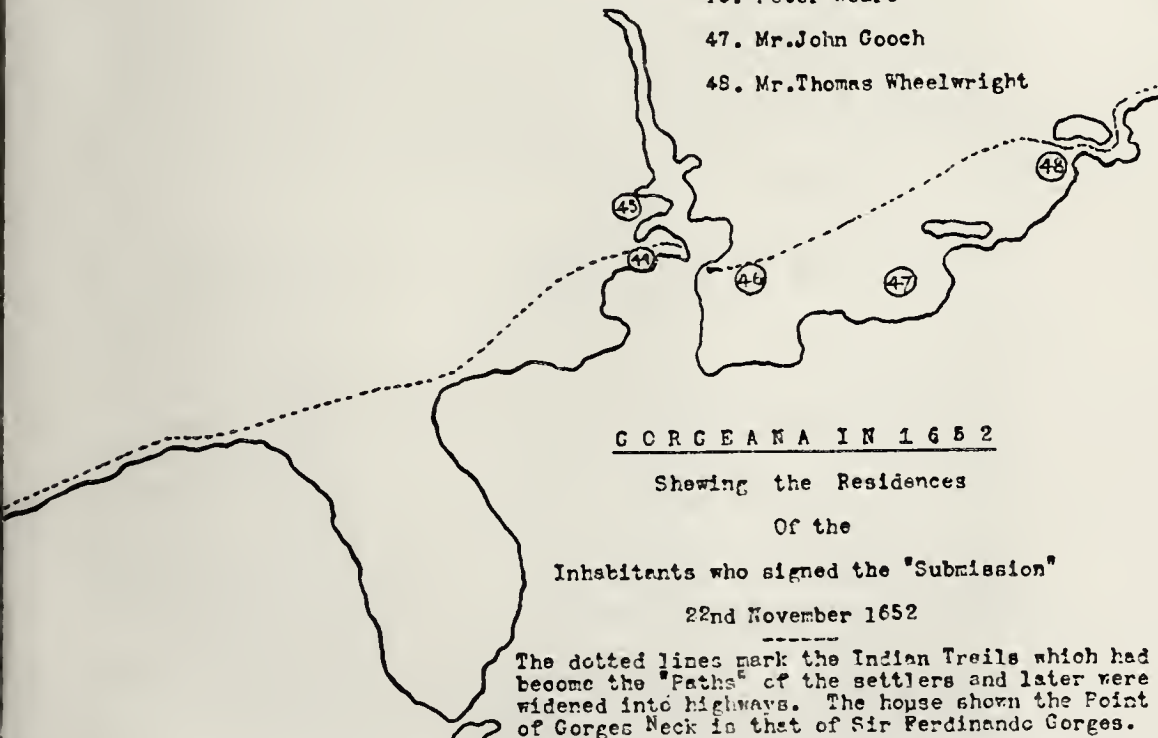


- 15. Edward Start
- 16. Sampson Angier
- 17. Rice Cadogan
- 18. John Davis
- 19. Rowland Young
- 20. Mr. Henry Norton
- 21. George Parker
- 22. Nicholas Bond
- 23. John Parker
- 24. Robert Hethersay
- 25. Andrew Everett
- 26. Mr. Edward Johnson
- 27. Arthur Bragdon
- 28. William Freethy
- 29. Robert Knight
- 30. William Ellingham
- 31. Hugh Gale
- 32. John Davis (the Smith)
- 33. William Rogers
- 34. William Carnesey
- 35. John Twisden, Senior
- 36. John Twisden, Junior
- 37. Samuel Alcock
- 38. Richard Banks
- 39. Thomas Curtis
- 40. Mr. Abraham Freble
- 41. Joseph Alcock
- 42. Mary Topp

43. Philip Adams

CAPE NEDDICK

- 44. Sylvester Stover
- 45. Edward Wanton
- 46. Peter Weare
- 47. Mr. John Gooch
- 48. Mr. Thomas Wheelwright



GORGEANA IN 1652

Showing the Residences
Of the
Inhabitants who signed the "Submission"
22nd November 1652

The dotted lines mark the Indian Trails which had become the "Paths" of the settlers and later were widened into highways. The house shown the Point of Gorges Neck is that of Sir Ferdinando Gorges.

The list of inhabitants is taken from a document in the Massachusetts Archives prepared for use on that occasion by the Commissioners sent by the General Court to take over the Government of Maine

HISTORY OF YORK

“only Mr. Godfrey did forbear until the vote was passed by the rest, and then immediately he did by word and vote express his consent also.” (*Mass. Col. Rec. iv, 1, p. 129.*) But Godfrey has told of this scene, the bitterest moment of his life, in simpler phrase. “Whatever my Boddy was inforsed unto Heaven knowes my soule did not consent unto.” (*P. R. O., Col. Papers xiii, 79.*) No one who has followed the story of his struggle against an unscrupulous and powerful opponent will doubt his words. This act of his was a tactical error that will naturally affect historical judgment on his public career. It would have made no difference in the result if he had refused to submit, but it would have added to our estimate of his character if, by an uncompromising adherence to a principle of action he had refused acquiescence. In a crisis like this the moral effect of numbers is difficult to resist and it is easier to lay a course of action for others than to follow it ourselves.

The original document containing the signatures, as well as the order of signing the Submission, has disappeared from the Massachusetts archives and we have to rely on the list of names set down in the report of their commissioners as comprising those who “submitted” (*Mass. Col. Rec. iv, pt. 1, 129.*)¹ From this it would appear that the “meeting” voted on the question as a body and then the townsmen, fifty in all, signed, as follows:

Edward Godfrey	John Davis	Thomas Curtis
Thomas Crocket	Nicholas Bond	Silvester Stover
John Alcock	Edward Johnson	Thomas Donnell
William Dixon	William Garnesey	Edward Rishworth
Rice Cadogan	Hugh Gale	John Harker
George Parker	Richard Bankes	Nicholas Davis
Andrew Evered	Edward Wanton	Sampson Angier
Robert Knight	George Brancen	Henry Norton
William Rogers	William Hilton	Robert Heathersey
Samuel Alcock	William Moore	William Freethy
Joseph Alcock	Henry Donnell	John Davis
Peter Weare	Edward Start	John Twisden Senior
Philip Adams	Rowland Young	Abraham Preble
Francis Raines	John Parker	John Gooch
John Lavers	Arthur Bragdon	Thomas Wheelwright
Robert Edge	William Ellingham	Mary Topp
Philip Hatch	John Twisden Junior	

¹ It is to be observed that the document signed by the Kittery people was preserved by the Commissioners and is printed in facsimile by Stackpole in his history of that town, pages 143-4.

PASSING UNDER THE YOKE

For some unknown reason Mary Topp was required to sign and it is noted in their report that she "acknowledged herself subject &c only."¹

It will be noted that in the printed list of those who "submitted," as taken from the records of the General Court of Massachusetts, the name of Godfrey, like that of Abou Ben Adhem, leads all the rest, notwithstanding he was the last to consent. This arrangement was undoubtedly made in the record for its historical effect to show his signature at the top of the list. Assuming that the other signatures are placed in their proper sequence, it will be observed that Mayor Preble was among the last of four of the principal citizens to submit. As printed the title of "Mr" precedes the names of Godfrey, Raynes, Johnson, Hilton, Rishworth, Norton, Preble, Gooch and Wheelwright. The last named was son of the Rev. John Wheelwright, who had been banished from Massachusetts in midwinter of 1638 during the Anne Hutchinson theological tempest in Boston's teapot. He had reason to dread the coming of these Puritan persecutors of his father.

Meanwhile Godfrey, fearing for the safety of his title to lands in the town, owing to the threats of the Massachusetts commissioners that property holders who resisted them would suffer loss, presented a statement of his legal and equitable rights to his share in the patent of Agamenticus as granted to him and others in 1631. His claim read as follows, which was drawn up for the signature of the commissioners:

Whereas wee whose names are here under subscribed being ap-
poynted Comissioners from the Generall Court (of the) Massachew-
sets to settle the Estern parts under the Government of the Mache-
chussets by power from them delegated to us finding that Mr. Godfrey
of Agamenticus hath not onely binne first planter in the sayd River
liveing here Twenty one yeares long before, and ever a great furdurer
for ppagating and popilating the Country in general to his great
charge and payments procured a pattent for him selfe and every asso-
tiate for this River, which by the petition of the inhabitants and order
of Court was divided amongst them as by it and the dividants apeare;
11: years past upon which dividents of his and his owne asso-
tiate he hath settled divers of his servants unto whom he was and is bound
to give 50 acres a man and divers other families as by his patent he
might: 15 families already settled and divers of his aliants are to come
thither to setle for these Considerations and others there moving do

¹ Mary Bachiler was the only woman who signed in Kittery, and the reason for either of them signing is not understood.

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ratifie and Confirme unto him and his owne Associates there Ayres Executors forever all such lands and dividents as were ether devided possessed and apropriated to him or them ratifying and Confirming the same and what lands or hereditaments by virtue thereof or by his wright he hath alienated given or disposed of for any servises or reservations and his grant we hold good and valuwed without any molestation from the jurisdiction of the Mathechusets and these we ratifie and confirme to him and his Eyers Given under our hands 22 November: 1652

The Massachusetts commissioners took this problem, the first test given to them of the sincerity of the usurpers, and slept over it. On the following day they gave the ex-governor this evasive reply:

Though we cannot subscribe to this wrighting of Mr. Godfry because we have not certaine knowledge of what is aledged nor time at present regularly to examin the mater yet we thought meet to express our desires that neither Mr. Godfry nor any other may be injured nor suffer any damage by reason of this Change of Government and for such lands as were orderly divided and layed out to him and his particular assosiats before they were apropriated to or improved by any other we think it but equall that he and his Eyers should in Joy the same forever notwithstanding if our desire and present thoughts give nott satisfaction to any that it may Concerne we leave it to be determined by a due course of Lawe/
Yorke Novem 23, 1652

SIMON BRADSTREET
SAMUEL SYMONDS
THO: WIGGIN
BRIAN PENDLETON

At this meeting, which the commissioners called a "court," Nicholas Davis was chosen constable; Henry Norton as marshal, and Edward Rishworth as recorder and "desired to exercise the place of clark of the writts." The commissioners also appointed Edward Godfrey, Abraham Preble, Edward Johnson and Edward Rishworth as commissioners with magistratical power, "to heare and determine smale cawses," civil and criminal, and with one assistant from Massachusetts to keep one county court yearly at York. Further authority given them related to their general powers as county officials and are not enumerated here.

It will have been noticed that the Boston commissioners addressed their notices to the "Inhabitants of Acomenticus," a name which had been superseded ten years since by that of Gorgeana.¹ The use of this name

¹ That the name of Gorgeana was long cherished by the residents of York is shown by a deed drawn by Edward Rishworth in 1667, fifteen years after the Usurpation, for Robert Knight, who was called "of Gorgeana alias York" (*Essex Antiquary* iv, 132).

PASSING UNDER THE YOKE

was purposely ignored by the Massachusetts officials, as the legal title carried with it a recognition of the name of Gorges, whose inheritance they were despoiling, and the retention of it would be a continual reminder of their illegal proceedings. It must be wiped off the map so that no more remembrance of it would remain in the minds of men. In the progress of their usurpation through the Province of Maine it was the only name of a settlement which they changed, and it is impossible to escape the conclusion that it was a deliberate exhibition of petty spite heaped on the memory of the dead knight. In bestowing his name on the town, almost at the close of his long efforts in promoting colonization in Maine, he had indulged the pardonable hope that it would be his lasting memorial whereby future generations might recall the part he had played in establishing English civilization on the American continent. It was not to be. They had reached down into the dead decade to pluck his name from the town he had incorporated and fostered and gave it the entirely meaningless name of York. It had then a significance as the name of an English city which had been recently surrendered by the Royalists to Cromwell in the Civil War. They were adding petty larceny to their programme of grand larceny.

On the morrow of this eventful meeting the people who had passed under the yoke learned that they had been accorded certain rights and privileges as citizens of the Massachusetts Bay Colony. In the first place they were accorded the several privileges and liberties which were just granted to Kittery, and had been granted, in 1641, to Dover when that settlement was absorbed in the usual benevolent assimilation already described. They were to retain and enjoy "all their just properties, titles and interests in houses and lands which they doe possess, whether by grant of the towne or of the Indians or of the Generall Courts." The present inhabitants of York were to be "freemen of the Countrie," after taking the prescribed oath, and could vote for Governor, Assistants and other general officers. They were to have and enjoy "proteccon, equall acts of favour & Justice with the rest of the people inhabiting on the South side of the Piscataque River." Like Dover they were "exempted from all publique charges other than those that shall arise for or from

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among themselves," and to have liberty of fishing, planting and felling timber.

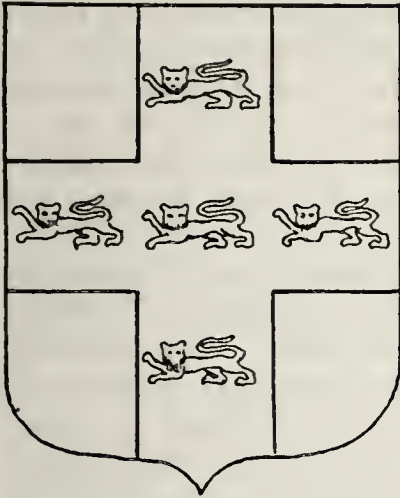
As a town York was to have the same bounds "that are cleare betweene towne and towne"; to enjoy the privileges of a town as others "of this jurisdiction doe have and enjoy; and that it should have one Deputy yearly to the General Court, or to send Two, if they thinke good." The freemen could be "chosen to any office of honor or trust." That the franchise was not encumbered with the qualification of church membership was a singular concession, but as none of them belonged to the Puritan church, it would have resulted in denying the vote to everybody; a situation that would have been equivalent to civil slavery. In this predicament it was found wiser to waive the requirement which laid so heavily on the inhabitants of Massachusetts, and as an act of grace bestow the freedom of the Province on all who were otherwise eligible.

Thus was York torn from her natural, ancient and legal associations and made subject to a distant colony, alien in purpose and ideals and covertly hostile to all it had stood for. Might had triumphed over Right. The scheme planned twenty years before "that the patent be enlarged a little to the North, where is the best firs and timber," was now realized by force. This subserviency to an absentee landlord was to last while five generations of her children were born and died.

Successful in their task of annexing the towns of Kittery and Gorgeana the Massachusetts commissioners returned to Boston and received "due & hartly thanks for their paines and service" and a promise of grants of land as a reward. Bradstreet and Symonds got five hundred acres each, and Wiggin and Pendleton two hundred each as their share of the spoils, but none of it was taken in the Province of Maine.

CHAPTER XVII

THE TOWN RENAMED YORK UNDER PURITAN RULE 1652-1662



ARMS OF THE CITY OF YORK,
ENGLAND

With the autonomy thus conferred on the newly baptized and incorporated town the inhabitants of York entered into another career under the conquering overlord. The changes necessary to adjust themselves to this new condition were fundamental. It became requisite to adopt a different style of local government, to conform to the usages of the Massachusetts Bay Colony, and thus the picturesque officials of Gorgeana, the Mayor, Aldermen, Recorder and White

Rod, passed out of existence and Maine lost its colorful reminder of ancient English pageantry. The abdicating Mayor, Abraham Preble, doffed his robes of office, and proceeded to make the best of a humiliating situation. His "submission" to it was made, like all the others, under duress.

With the wreck of the Gorges title went all ownership of the soil, *de facto*, and the rights of the Lord Proprietor and the patentees of Agamenticus became vested in the new town of York as a corporate body, created by the usurping government, with authority to deal with it and them as they pleased. In Massachusetts all towns held title to the soil within their prescribed boundaries, and whatever portions of such terrain as were not held in fee simple were "common lands" subject to disposal to residents or prospective settlers, by the Selectmen. Having deprived Gorges and the patentees of their patrimony, Massachusetts conferred on the new town the right to dispose of the hitherto ungranted remainder of the Aga-

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menticus Patent as "common land." In this manner the Selectmen of York became officially "receivers of stolen goods," in effect, and to divide the spoils meant giving away land that belonged, by every moral and legal right, to Gorges, Godfrey, Maverick, Hooke and their associates, personally, who had acquired it by competent authority created by the Crown. This ownership was distinct from the power to administer civil government over the patent. Yet the first Selectmen had to face a condition that was of more practical insistence than the technical rights involved. Whatever of the twenty-four thousand acres remained ungranted by the lawful owners now became subject to the control of the town officers, William Hilton, Francis Raynes, Richard Bankes and John Alcock.

They began this spoliation promptly and vigorously. Before a year had passed after the "Submission" twenty-seven grants of the now "common land" were made to as many residents, and one of the principal victims was Godfrey, who saw his private property given to others without compensation, and without his consent. Neighbors were robbing the founder of the town. Godfrey was helpless in means to protect his property from the local imitators of the greater malefactors, and in October 1654, he appealed to the General Court of Massachusetts for redress. His petition was as follows:

30 Oct. '54. To The Hon. Gov. Deputy Gov. The Magistrates And Deputies Of The Court Now Assembled, The Humble Petition Of Edw. Godfrey of The Town Of York.

Sheweth that he hath been a well willer, encourager and furrerer of this Col. of N. E. for 45 years past and above 32 years an adventurer on that design, 24 years an inhabitant of this place, the first that ever bylt or settled ther; some 18 years passed by oppression of Sir Ferdinando Gorges was forced to goe to England to provide a Patten from the counsell of N. E. for himself and partners, the south side to Ferdinando Gorges, and only the North side to himself and divers others his associates. Certain years after some settlement the inhabitants petitioned to have their lands laid out and deeds for the same, which was granted and by that occasion the whole Bounds of the Pattennt were divided as upon Record appeareth, but since that time the inhabitants have been so Bould as amongst themselves to share and divide those lotts and proportions of land as were so long time since allotted being not proportionable and considerable to our great charge, as by a draft of the river and division of the same will appear to this Hon. Court this division was made by order of Court and by all freely allowed in Anno 40 and 41 and since, when wee came under this govern-

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ment confirmed as will appear. And the proportions to be lesse than many that came servants, all the marshes almost disposed of by the inhabitants and their petitioners, rentes and acknowledgements detayned having not marsh left him to keep 5 head of Cattle, in this cause it pleased the Council to send a summons to the inhabitants and some of York by name which I heere was faithfully and safe delivered unto them in time which I presume they will obey.

Humbly desireth his cause may be heard and judicated by this hon. Court.

The magistrates desire the case in the petition shall be heard by the whole Court on the fourth day next desiring their brethren the deputys consent thereto.

The deputies consent hereto

E. RAWSON, Secretary
WM. TORREY, Clerk

The General Court appointed Rev. William Worcester of Salisbury, Valentine Hill of Dover and Rev. John Brock of the Isles of Shoals as the committee to examine and report. Their findings are embodied in the following document:

We whose names are under written being appoynted comifsion^{rs} by ye Genril Courte held at boston ye 6th of Nour. (54) for ye hearinge & determininge of all differences betweene Mr. Ed: Godfrey & ye towne of yorke, after due inquiry made thereinto haue determined as followeth:

Impr That all such grants of land as have beene made by mr Ed: Godfrey to any person or persons we confirme ye the same to him & them accordinge to his agreement made wth them (. . .):whereof are as followeth:

Acres of Upland & Meadow

To Mr. Hen: Norton	40	0
To Rich Bankes	10 & a prsill of swampe	
To Edw: Wanton	30	6
To Tho: Curtus	10 & a prsill of swampe	
To John Twisdell Senr	10 & a prsill of swampe	
To Rich: Burgis	10	0
To Sam: Adams	10	0
To Siluester Stover & partners	30	0
more to Rich: Burgis	40	0
To Phillop Adams	40	0
To Will: More	40	0
To Peter Wire	100	0
To John Gouch	100	0
To mr Preble	020 & prsill of swampe	
more to him	10	0
more to him	20	0
To John Alcoke	10 & a prsill of swampe	
To ye ministers house	0	6

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To Phillop Adams & More	0	4
To Ellingham & Hugh Gayle	50	5
To George Parker	08	0
To Andray Everit	06	0
To Phillop Adams	40	0

Likewise we confirme all other grants made by ye sayd mr Godfrey before ye day of ye date hereof:

2ly We confirme to ye sayd mr Godfrey his heires & Assinges for euer all such landes as belonge to his house on ye North side of ye riuer continge 30 acres more or lesse of upland wth three acres of medow:

Alsoe 50 acres of upland lying below ye tide mill by ye Riuer side provided yt ye pyne timber be reserved for ye townes occasions:

Alsoe 500 acres of upland lying on ye necke of land betweene the too branches of ye sayd Riuer to be layd out to him by the towne next adiasent to such grants as he hath there formerly made:

Alsoe 200 acres of upland lying on the south side of the sayd Riuer acknowledged by the Inhabytants to be his:

3ly Now conserning ye marsh land in ye towneship upon due search we find ye Complnt thereof not to exceed 260 acres his grants thereout being confirmed as before expressed: we doe moreouer confirme to him 8 acres of Medow more or lesse lying at ye partinge of the Riuer, Alsoe 7 acres more or lesse of Marsh lately made use of by John Twisdell senr wth 3 acres more of good marsh to be layd out to him by the sayd towne in some convenyent place, All wch sayd parsills of lands wee confirme to him his heires & Assinges fforever

lastly Conserninge the sayd mr Godfreys his charge in attendinge the sayd Genrll Courte we doe determinge yt the sayd towne shall allow him five pound in corrent pay wthin six weeks after ye date hereof

These our determinations beinge accordinge to our best lyght iust & equall, we intreate mr Ed: Godfrey & the towne of yorke to take in good parte ffrom

Their Verry loueing frinds

WILLIAM WORCESTER
JOHN BROCKE
VALENTINE HILL

Dated this 20th off Aprill 1655:

(*Mass. Arch. iii, 238*)

As far as can be now determined this seems to have been a fairly balanced compromise. By it Godfrey was awarded his own house lot of thirty acres on Point Bolleyne, five hundred acres of marsh between the two branches of the river and two hundred acres of upland on the south side. Yet about a score of the inhabitants were dissatisfied with the award and petitioned for a reconsideration in accordance with the following representation of their objections:

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To the Honor'd Generall Court now assembled at Boston The Humble petition of the Inhabitants of the Towne of Yorke, Sheweth That where as there was certen Complaynts exhibited against us, the Inhabitants of sd Towne, at the Last sitting of the Generall Court by Mr. Edward Godfrey, declaring, as if we had unjustly detained severall of his Lands, & Impropriations from him; for the rectifijng whereof this Honor'd Court taking cogniscence, soe farr as to Commissionate Certen Gentle: with the consent of partys therein concerned, to heare & determine such matters of diffirence as were betwixt us: Accordingly a hearing was attended by the Commissioners, a returne of there resolutions since there departure under there hands have beene transmitted to us: Although dissatisfactory, for these reasons: first because it confirmes to Mr. Godfrey such generall unknowne grants, & Consequently rights, as at present cannot be known to us, in certenty, althoe hereafter more may be known there in to our prejudice.

2ly because it is not commensurate with the minds of the Commissioners themselves onely declared to us in Justification of our dealings with Mr. Godfrey, which there returne absolutely denys.

3ly In stead of excluding all other pleas (mr Godfreys onely excepted) which the Commissioners seemd principally to ayme at, haith by casting us as the Injurious, rather opened a wider doore for all others to come in as sharers in like rights, whose grounds are aequally valid with Mr. Godfreys.

4ly respecting the charges given, The Towne in generall . . . the Commissioners . . . wrong . . . they could perceave to Mr. Godfrey: How then? . . . must be censuros to satisfy any whom these persons have not wronged, we leave to the wisdom of this Court to Judge.

Our Humble request therefore to this Honor'd Court is that they would be pleased to take into consideration, how little safety may follow the Confirming of unknown grants, how great prajudice must redowne to the well being of a Towne where considerable quantitys of Land are disposed of to particular persons in convenient places for the settling thereof; and how fare either in reason or Justis, persons, Can be engaged to any charge towards such, whome they have not wronged: for Judgment whereof, we submissively attend the Just pleasure of this Court, for whose guidance & direction herein, as in all matters of greater weight, humbly taking our leaves, we pray unto the Everlasting Conseller to assist & Counsell/

Georg A Parkers marke
John Alcocke
Nicholas Davis
The mark HD of Henry Dunnell
Robert Knight his R marke
Willi: Hilton
Thomas Cur(tis)
Ed: Start his I mark
Andrew Everest
John Perse his P mark
John Parker his S mark

Edw: Rishworth
Abra: Preble
Edward Johnson
Henry Norton
Arthr Bragdons mark A
Willim: A Dixons mark
Silvester ff Stover his mark
Richard Bancks
John Twisden

(*Mass. Arch. iii, 237*)

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This list of signatories represented less than half of the inhabitants of York. To meet this protest the General Court made the following order:

(23 May 1655) Whereas Mr William Worster, Mr Joh Brock & Mr Valentine Hill were chosen as commissioners by this Court & invested with full power to heare & determine all matters in difference betweene the towne of York & Mr Godfry, in relation to the graunts of certayne lands, which accordingly they have endeavoured to doe, & made their returne to this Court, agaynst which the inhabitants of Yorke have made some objections respecting the confirmation of unknowne graunts made by the sd Mr Godfry before the date of their returne, as also the graunt of lands prejudicial to the towne, which this Court having considered off, doe thinke meet to reinvest the foresd commissioners with full power & doe hereby desire them, with all convenient speed, to make review of their returne, & if it may be by consent of all persons engaged to compose the same to mutuall satisfaction; or if otherwise to make use of such their powre to correct or amend what in their understanding, uppon further information shall be of evill consequence to the towne, or any person concerned therein/
(*Mass. Col. Rec. iii, 385*)

As far as the records disclose no change was made in the original award, and it probably stood as the final decision in the case. That the decision was unsatisfactory to Godfrey, as well, is shown by his complaint made several years after to the Cromwell government: He wrote his views as follows:

My Pattent Judged by them void after 25 years possession, They making it a Township — could not performe my Covenants with Tenants and Servants: all or the greatest part of my lands Marshes and all priviledges taken away.

And in another document he amplified this complaint in more vigorous terms:

They subjugate all other Pattents and make them Town-ships; We that first ventured must petition our sometimes servants to be good to their master's children. What Law can we have or expect that be of the Church of England, they Independents so our Antagonists, incompetent Judges being parties in action, and opposite in Religion.

The position of Godfrey had become impossible to one of his temperament. He had undoubtedly seen the folly of his submission, tactically considered, and his overthrow by outsiders was being supplemented by his own neighbors who had been demoralized, ethically, by the success of the Boston officials in their usurpation of the rights of others. In his old age these indignities were being heaped

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upon him and he resolved to seek redress from the authorities in England. It was a forlorn hope to flee from the Puritans of Massachusetts to the Puritans of England, but he took a gambler's chance, strong in the belief of the justice of his cause. He probably sailed for England late in 1655, leaving his personal affairs in the hands of his wife, and the management of his lands to his old friend Edward Johnson.

The departure of Godfrey for England was the signal for activity on the part of Massachusetts, and she appointed immediately (in November) John Leverett as London agent to watch events in the English capitol. He sailed in December 1655, and soon reported that Godfrey was busy trying to interest the Protector in the wrongs which he and others had suffered at the hands of Massachusetts. It is probable that he suggested the desirability of obtaining a petition from the inhabitants of Maine expressing their satisfaction with the new government set up by Massachusetts to counteract the complaints of Godfrey and other victims of their usurpations, north and south of their patent. Such a petition was drawn up and circulated by Edward Rishworth, who held a lucrative office by appointment of the Massachusetts officials. It was addressed to Cromwell, and referred to the complaints presented to him by "some gentlemen of worth" for restitution of their right of jurisdiction, and asked that they be not heeded, intimating that they are fomented by "professed Royalists whose breathings that way . . . have been so farre stifled." Rishworth who was doing this "chore" for Massachusetts wrote to Endicott that the small result of his labor was due to "some difficulty and other opposition." Of the one hundred forty-four who had signed the "Submission" in the towns of Kittery, York and Wells in 1652-3, only fifty-one of that number could be induced to say that they were satisfied with the change of government. Of this number the following were from York:

Sampson Angier
Richard Bankes
Thomas Curtis
Nicholas Davis
John Davis
Henry Donnell
William Dixon

John Gooch
Philip Hatch
Edward Johnson
Robert Knight
Henry Norton
Abraham Preble
George Parker
John Parker

Edward Rishworth
Francis Raynes
Silvester Stover
Samuel Twisden
John Twisden
Peter Weare
Thomas Wheelwright

(1 *Maine Hist. Coll.* i, 299)

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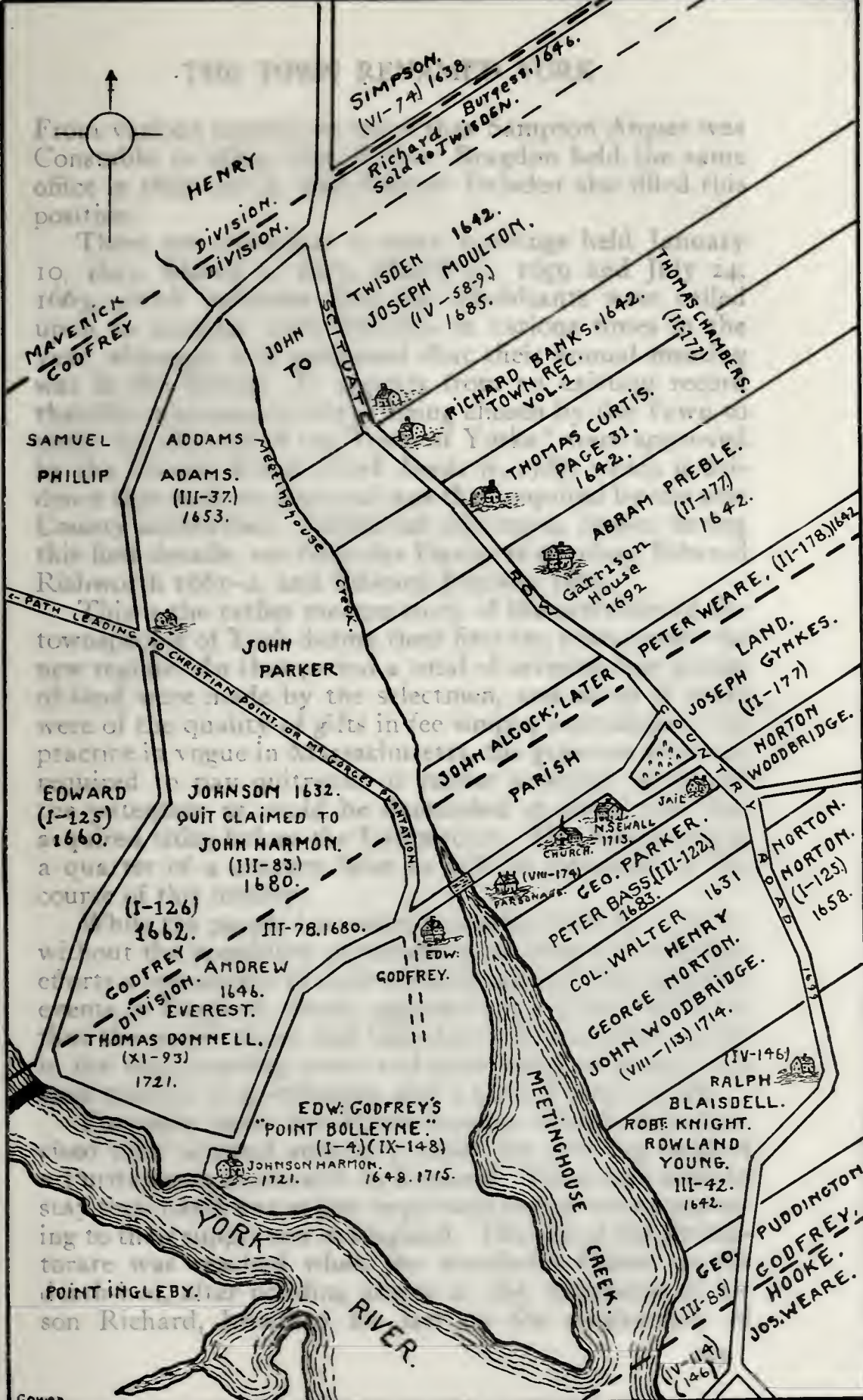
Twenty-two of the fifty York submitters of 1652, less than half, were willing to testify their contentment with the situation. The other twenty-eight, not being under duress, refused to further stultify themselves. This indicates the alleged popularity of the usurping government, and is a sufficient answer to such claims.

The following named persons who signed the Submission did not sign this address to Cromwell:

Thomas Crockett	Robert Edge	Rowland Young
John Alcock	Nicholas Bond	Arthur Bragdon
Rice Cadogan	William Garnesey	William Ellingham
Andrew Everett	Hugh Gale	John Twisden (Sr. or Jr.)
William Rogers	Edward Wanton	Thomas Donnell
Samuel Alcock	George Brauncen	John Harker
Joseph Alcock	William Hilton	Robert Heathersey
Philip Adams	William Moore	William Freathy
John Lavers	Edward Start	John Davis (2d)

The official government of the town was chosen for the first time under the new regime at a "town meeting" after the New England custom on December 8, 1652, less than three weeks after the Submission. It is probable that selectmen were then chosen, five in number, *viz.*, John Alcock, Richard Banks, Robert Knight, Peter Weare and William Hilton. At least these men were serving as such in June 1653, although the name of Arthur Bragdon appears as a selectman, apparently alternating with Robert Knight in that capacity. The absence of the original Town Records (destroyed in 1692) accounts for this uncertainty. These names show that Cape Neddick and the West Side were represented on the board with those from Lower Town, Scituate and Ferry Neck. For this loss we are also deprived of any record of the ordinary business of the town meetings, except such actions of the officials granting lots of land in various parts of the town. A record of each of these grants was given to the grantees by the selectmen as their title deeds, and after the Massacre of 1692 they were collected by the then town clerk in office and copied into a new volume acquired for the purpose. These records, beginning in 1644, constitute our only authority for the activities of the town for over fifty years.

The name of Peter Weare as Town Clerk is found for the first time in 1659 and again in 1660, but no existing records give us information about other town officers.



MAP OF YORK VILLAGE AND VICINITY
 Showing Home Lots of the First Settlers



MAP OF YORK VILLAGE AND VICINITY
Showing Home Lots of the First Settlers

THE TOWN RENAMED YORK

From various sources we learn that Sampson Angier was Constable in 1654, that Arthur Bragdon held the same office in 1657 and in 1660 Samuel Twisden also filled this position.

There are references to town meetings held January 10, 1653, March 9, 1653, March 31, 1659 and July 24, 1663, which indicates that the inhabitants were called upon to consider town business at various times in the year, although it is presumed that their annual meeting was in the Spring. It appears from an existing record that the selectmen of 1653 "being chosen by the Town to order the affayres of the Town of Yorke" were approved by the County Court (*York Deeds ii, 178*), which is evidence that such an approval was then required by the new County authorities. Additional selectmen, chosen during this first decade, are Nicholas Davis, 1656-1659; Edward Rishworth 1661-2, and Edward Johnson 1662.

This is the rather meagre story of the activities of the townspeople of York during their first ten years under the new regime. In that period a total of seventy-four grants of land were made by the selectmen, and as all of these were of the quality of gifts in fee simple, according to the practice in vogue in Massachusetts, the grantees were not required to pay quitrents or render personal service to the patentees as could be demanded of those who had acquired titles before the Usurpation. This was changed a quarter of a century later as will be explained in the course of this history.

While the people here were accepting their lot quietly, without the possibility of obtaining by their own unaided efforts a restoration of their ancient right of independence, events in England, slowly approaching a crisis, indicated that the people there had had their surfeit of Puritanism in the ten preceding years and were ready to return to a sane method of government and a normal mode of life.

For eight years the Massachusetts officials had exercised their usurped authority under the favoring skies of a Puritan commonwealth in England. There was none to stay their hand, but at last important events were happening to their supporters in England. The end of the Protectorate was reached when the wonderful Oliver on his death-bed, after nodding assent to the succession of his son Richard, breathed his last on the anniversary of

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Dunbar and Worcester. It was not the end literally but the beginning of the end for there was none of the Protector quality in the gentle Richard. A council of military officers on April 22, 1659 dissolved Parliament. The hour and the man were come. In came the "Merrie Monarch" and the Cavaliers. Out went the Puritans and the "Croppies." In came Nell Gwynne and "Lovelocks." To gaol went stout John Bunyan and to the palace came gossiping Sam Pepys. The unsavory jackboots of Cromwell's Ironsides left the tapestries of Whitehall to the curled wigs and the perfumed linen of the banished gentry. On May 29, 1660 the exiled king rode into London between his two brothers, amid the fluttering of flags, the welcoming shouts of a happy people and the noisier welcome of bells, trumpets and cannon. In all this elegance the new Lord Proprietor (now of age), and his adherents thought they saw the omens of a humbler restoration for the patient waiters in the far-distant Province of Maine. The foot of the throne was soon besieged by petitioners with their claims of every description, and in the front rank of the clamorous throng, a multitude of persons who had grievances against the Massachusetts Bay Colony were to be found banded together in a common cause. They were of all shades of civil and religious opinions and occupations, Anabaptists, Quakers, churchmen, iron-workers and political refugees, forming a strange combination of victims of her repressive laws. The Province of Maine was represented principally by Governor Godfrey, as the Lord Proprietor did not present his petition for redress until the following Spring. Leverett thus describes the course of events: "The complaynants against you to the Kings Majesty as I am informed are Mr Godfrey and that company, Mr Bex and Gifford and company of iron workes, some of the sometymes fyned and imprisoned petitioners whoe thought first to have made theyr complaynts severally, after resolved in joint by petition." He adds: "To this petition they get what hands they can of persons that have been in New England though never inhabitants." The political changes disturbed Leverett deeply and at the close of this letter he thus bewails the effect of the Restoration: "Episcopacy, common prayer, bowing at the name of Jesus, sign of the cross in baptism, the altar and organs are in rise and like to be more.

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The Lord keep and preserve his churches!" He was then without instructions and informed the General Court that he had engaged the good offices of Lords Say and Sele and Manchester to ward off any hostile legislation. An extraordinary General Court was convened by the magistrates who, in anticipation of the session, had addressed these noblemen urging continued interest in their behalf. The General Court at once assumed an air of loyal homage and shouted with the rest to hide their real sentiments. They humbly solicited alms from his royal bounty and referred in affectionate terms to "his Royal father" whom they said "was sometimes an exile as they were." Nor did they forget to reinforce this address with a bountiful supply of Scriptural texts to supplement this extraordinary verbal camouflage. Notwithstanding all these protestations of loyalty, the restoration of Charles II was not formally proclaimed by the General Court for more than a year until August 8, 1661, when they were forced to do it by a specific order of the Council for Foreign Plantations. This body had superseded the old Parliamentary Commission which functioned during the early years of the Civil War. This new Council, early in March, 1661, summoned Godfrey and Samuel Maverick to appear before them with documents and personal evidences relating to the past and present conditions in New England. Godfrey had already submitted documents on this subject (*Col. Papers xv, 32*). Leverett was present at all these meetings to hear the testimony and report to the Boston officials what was presented against them (*Ibid. xlvi, 410*). The boot was now on the other foot. The loyalists were in the house of their friends and could get a sympathetic hearing.

CHAPTER XVIII

THE SCOTCH PRISONERS' SETTLEMENT

To the two victories of Cromwell with his Ironsides at Dunbar and Worcester we are indebted for about a dozen Highlanders sent over as "prisoners" who became the founders of the settlement and parish which has ever since been known by the name of "Scotland." Their story furnishes one of the picturesque chapters in early New England history, and this town, like a number of others in the other provinces, shared in their romantic experiences and later careers.

Having defeated the Royalists in England and beheaded the king in 1649, Cromwell proceeded to the conquest of Ireland where his fanatical "Croppies" spent the following summer in turning that country into a bloody shambles. Defended or defenseless towns were laid low and his butcheries spared neither the armed or unarmed. The fanatical Puritan, feeling that he had wiped out the hated Catholics for a generation at least, was aroused by a new challenge in his ruthless progress. The Scottish Parliament had proclaimed the youthful Prince Charles, then a fugitive at The Hague, as their king. The proclamation was provisional, however, requiring him to subscribe to their Covenant and accept Parliamentary direction in civil affairs and to the Presbyterian Assembly in ecclesiastical matters. Embarrassing as these terms were, he decided to comply with them, and this situation created a new menace to the Commonwealth and to Cromwell. With his veterans from Ireland as a nucleus the insatiable "Noll" gathered an army of about sixteen thousand, of which a third were mounted troops. With these he invaded the last kingdom remaining loyal to the Crown and, reaching Edinburgh after some skirmishes, he marched his army to Dunbar, a town on the east coast of Scotland just south of the Firth of Forth. By this time his new levies were rapidly decreasing in numbers through disease and fatigues of the forced marches. Supplies could only reach him by sea at Dunbar as Gen. David Leslie in command of the Scotch troops had seized the passes

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which furnished the only retreat from Scotland to Durham and Berwick on Tweed. Leslie's troops outnumbered Cromwell's army, but they were undisciplined clansmen of their Highland chieftains unused to war in its technical aspects, and the Scottish general declined to give open battle hoping to starve out Cromwell then hemmed in on the narrow peninsula of Dunbar. Meanwhile the young King Charles had arrived from Holland and joined this motley military organization to the great joy of the clansmen and made himself popular by sharing their rough camp life and engaging in some of the daily skirmishes of the outposts. These "braw" laddies showed their preference for his leadership over the capped and gowned committee of argumentative Covenanters, who were busy purging the force of unbelievers until they had eliminated all or most of its skillful soldiers. Then, satisfied that they had an army of approved saints, they demanded that the king retire from the front and leave the direction of the campaign to them. Wishing to take an advantage of a favorable opportunity, Leslie proposed to attack Cromwell on Sunday but the fanatical dominies would not permit him to break the Sabbath even for this desirable purpose. Night and day these theological crusaders wrestled with the Lord in prayer and finally had assurance in a "revelation" that the Lord of Hosts would deliver Agag (Cromwell) into their hands. They ordered Leslie to attack. Descending from the heights of Lammermoor, which overlooked the camp of Cromwell, he reached the plains of Dunbar. Cromwell, observing this movement, did not need any "revelation" to tell him that the Lord of Hosts was about to deliver them into his hands. He had been waiting for that hour as his only salvation. He gave orders for an immediate attack in force and though greatly inferior in numbers his disciplined troops soon showed their superiority over the untrained but brave clansmen. Leslie's army was routed and the cavalry of Cromwell pursued the disorganized Covenanters with great slaughter. The chief if not the only resistance to his onslaught was made by a regiment of Highlanders who fought with great desperation as they had learned from his conquest of Ireland the tales that Cromwell would put all men to the sword and thrust hot irons through women's breasts. Three thousand Scotchmen fell

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in this disaster fighting hopelessly to the last. Ten thousand were taken prisoners. About half of the latter were so exhausted by their flight and disabled by wounds that Cromwell immediately released them. He wrote that he had lost only twenty men in this battle and he had every reason to believe, as Joshua believed in his battles with the Canaanites, that the Lord of Hosts had given him the victory.

The able-bodied prisoners, five thousand in number, were marched down to Durham and Newcastle on Tyne. The cathedral at Durham was converted into a prison and there these unfortunate Highlanders were destined to spend an indefinite period as captives of war. Their disposition was a problem both from a sanitary and political standpoint. This noble edifice was not constructed to house thousands of men day and night and a decision had to be reached rapidly. A providential opportunity was presented to the officials of the commonwealth in London. Laborers were greatly needed in the new American colonies and on September 19, 1650, only sixteen days after the battle, there was an order in council passed to deliver nine hundred prisoners for transportation to Virginia and one hundred fifty for New England. The request for the latter contingent was made by John Bex & Company of London, who were interested as managers of the iron mines at Saugus. They were transported in the *Unity*, Augustine Walker, master, a resident of Charlestown, Mass. Those sent hither in this ship were picked as "well and sound and free from wounds." Captain Walker received orders for the voyage on November 11, 1650 and doubtless started shortly after with his human cargo over the tempestuous wintry seas of the Atlantic. Sixty of them were destined for the iron works and the remainder were distributed throughout numerous towns in Massachusetts and New Hampshire in a kind of modified slavery or compulsory service which was to terminate in seven years. They were bought by their masters at twenty pounds and thirty pounds each, which went for the expenses of their transportation.

This discreditable transaction of traffic in human lives was thus shared by our pious Puritan forebears, but it can be said that they had none of the ruthless spirit of Cromwell in their dealings with their newly bought bond-

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slaves. Even John Cotton had his qualms of conscience about this camouflaged slavery. In a letter to Cromwell dated Boston, July 28, 1651 he said:

The Scots whom God delivered into your hands at Dunbarre and whereof sundry were sent hither, we have been desirous (as we could) to make their yoke easy. Such as were sick of the scurvey or other diseases have not wanted Physick and chyrurgery. They have not been sold for slaves to perpetual servitude. But for 6 or 7 or 8 yeares as we do our own. (*Prince Mss.*)

While their plight here was pitiful yet it was not so disastrous as befell those who were left behind in Durham. Half of them died there in a few months of contagious filth diseases. Here they were looked upon as aliens and their Gaelic accent was scarcely understandable. Town clerks could not interpret the broad speech when writing their names, and many curious and sometimes undecipherable puzzles were the result. A family bearing the name of Tosh is a relic of the once proud Scotch clan of McIntosh. Our own McIntire was recorded as "Micom the Scot" in Dover. A year to a day after the Battle of Dunbar the young king and his followers decided to try conclusions once more with Cromwell at Worcester, and on that day the "crowning mercy of the Lord," as Cromwell expressed it, fell to his victorious troops. More Scotch prisoners were taken and two hundred seventy-two of them were shipped to Boston in the *John and Sarah*, John Green, master, and their names, in all sorts of fantastic spellings, have been preserved (*Suffolk Deeds, vol. i*). These also were sold into slavery. It is not easy to determine to which lot of prisoners the twelve or more Scotchmen who finally settled in York belonged, Dunbar or Worcester. Most of this dozen were placed in New Hampshire towns, principally Dover and Exeter, and after their term of servitude was accomplished, they scattered to secure favorable opportunities for improvement of their condition.

Alexander Maxwell, who had been sold to George Leader of Berwick, was the first of the Scotchmen to settle in York in 1657 and he was followed in order of appearance by those listed below:

James Grant ("The Drummer") 1660
John Carmichael 1660
Daniel Dill 1660
James Grant ("The Scotchman") 1662
Daniel Livingston 1666

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James Jackson 1666
Alexander McNair 1666
Andrew Rankin 1668
Malcolm MacIntire 1670
Thomas Holmes 1671

By tradition, Lewis Bane or Bean was of Scottish origin, but there is no reason to believe that he came here as a prisoner of war. Daniel Black who came to York from Topsfield in 1695 was a son of a Scotch prisoner who arrived in the *John and Sarah*. All these original settlers acquired land adjoining, or near to, Maxwell and thus grouped together this section of York naturally came to be called by the name of their native land. The designation of "Scotland" appears first in 1668 in the town records. Their individual experiences, as far as obtainable, following their exile are here given.

Alexander Maxwell was bound to George Leader who was interested at the mills at Great Works, Berwick, and in 1654 he was convicted of "abusive carages towards his master & Mrs" and ordered to have thirty lashes "upon the bare skine" and to work out the time he was in gaol to the amount of seven pounds and ten shillings. Future misbehaviour was to result in his sale to Virginia, Barbadoes or any other English plantation. This whipping must have had its effect and he so carried himself afterwards as to obtain a land grant in Kittery in 1656. He sold this the next year, and his time having expired he came to York.

Daniel Dill. He testified that he was a servant of Alexander Maxwell in 1664 and is undoubtedly another of the Scotch prisoners, as he lived in Scotland where he had a land grant. He probably belonged to the group captured at the Battle of Worcester.

James Grant, the "Drummer," was one of three of his name who came in the *John and Sarah* and was probably captured at the Battle of Worcester. He is the ancestor of the York family, and the late N. G. Marshall long ago recorded the tradition that "he was taken in arms for Charles I and banished by Cromwell." Owing to the fact that there were three James Grants it is not certain that identification of them can be established, but he was probably sold to service in Dover, as in 1657 he was admitted as an inhabitant there. Valentine Hill of that

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town had several of these prisoners in his service. Grant was taxed there in 1657-8-9, and came to York the following year, as established by his sale in 1669 as James Grant of York, of the land grant he had received there ten years before. He was called "Welsh James" in Dover.

John Carmichael suffered greatly in the attempts of town scribes to spell his name, and it furnishes good evidence of the mangling which those Highland names underwent at the hands of their English countrymen here. It appears as Cermicle, Curmeal, Cirmihill, Curmuckhell and perhaps in other disguises. He came in the *John and Sarah*, probably as one of the prisoners of Worcester, and was in service in Dover until 1657, when he received a grant of land and was taxed there. In 1660 he removed to this town.

James Grant, the "Scotchman," so-called in our records, to distinguish him from the other James, the "Drummer," signed a petition in York in 1660, but whence he came is not known. In 1661 he was presented by the Grand Jury "for not returning home to his wife." As a prisoner of war he was exiled and like many others left a family behind, and could not return while in servitude here. This situation was generally overlooked and subsequent marriages were accepted as part of the fortunes of war conditions.

Daniell Livingston Daniel Livingston bore a Scotch name but whether he came here as one of the prisoners is uncertain. He is included as he settled in Scotland in 1666 with his countrymen. Nothing is known of his previous career prior to his arrival in York.

James Jackson came in the *John and Sarah* and is credited as one of the prisoners from Worcester. He also went to Dover and in 1661 was freed from training "by reason he hath lost one of his fingers" (*N. H. Deeds ii, 576*). Five years later he came to York.

Alexander MacNair was one of the Dunbar prisoners as his name does not appear on the list of those coming in the later ship. His name is generally misspelled Mac-caneere, Machanare or Mackinire. It is not known where he was sold, but probably to someone in New Hampshire, as the rest of his compatriots came from that province.

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Malcolm MacIntire is undoubtedly one of the Dunbar prisoners and we may assume that he was also one of that Highland regiment which gallantly withstood the onslaughts of Cromwell's horsemen. He was taken to Dover and there served his time and remained there several years, being taxed in 1664 as "Micome, the Scotchman." Thence he went to Kittery where he had a grant of land. In 1670 he came to York and settled on land adjoining Alexander Maxwell. The phonetic spelling of his Christian name is as near as the town clerks could interpret his pronunciation of the fine old Scottish name of Malcolm.

Robert Junkins. This Scotchman was one of those captured at Dunbar as his name does not appear on the later list. He also was one of the Dover contingent and as "Roberd Junkes" in 1657 appears on the tax list. The name is probably Johnnykin. He was taxed there in 1663 and probably remained in that town until 1678, as that is the first year of his appearance in York.

Thomas Holmes or Homes, possibly Hume, which is the Scotch surname, was one of the Scotch prisoners and for the reason given above in like cases he can be assigned to the Dunbar captives. He was probably bought by Henry Sayward, then operating a mill near Portsmouth. Sayward brought him to York in 1656 to work in his lately acquired mills here. John Redmond was presented by the Grand Jury in 1672 "for telling a ly, saying that Tho: Holms was Henry Saywards servant for hee bought him with his money and gave thirty pounds for him." As he was acquitted we know that Redmond told the truth. He was the only Scotch prisoner who did not settle in Scotland as his father-in-law, William Freethy, gave him a lot next his own near the Norton brickyard.

Andrew Rankin. This settler is included among the Scotch prisoners, as it is a Highland name and he took up his residence in our Scotland and his connection has the approval of an historian who had investigated this general subject. The author places him in this list with that explanation. Nothing is known of him prior to 1668 when he received a grant of land in the town.

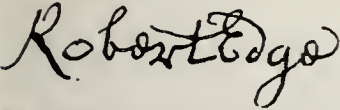
Further accounts of these interesting additions to the life of Old York will be found in later portions of this work. Only three of them left descendants in the town and are represented by name in this century.

CHAPTER XIX

NEW SETTLERS OF THE THIRD DECADE

In the ten years, 1651-1660, which covered this portion of the early life of York, immigration from England had practically ceased, owing to the restrictive measures placed on shipping and emigrants during the Civil War. Instead of coming to New England by shiploads, as was the case when the "Great Emigration" was at its height, the new comers reached here individually in vessels coming to our coast for the fisheries. In this way a considerable portion of the new settlers came from the West Country, where communication by such vessels was more frequent. Additions to our population were received from the adjoining province of New Hampshire, as grants of land in fee simple were open to them. At least twenty-five settlers and their families migrated hither during the third decade and sketches of them, herewith given, show their origins and personal records in the town.

ROBERT EDGE

 He is probably the emigrant of that name who came in the *Hope-well*, 1635, perhaps from Stepney, London, aged twenty-five years, and gradually reached this part of the country in the intervening years. He is found here in 1650, with a wife Florence, living in Lower Town, and it is interesting to note that Jasper Pulman of this town had a sister bearing this unusual baptismal name. Edge signed the Submission in 1652 and by 1662 had removed to Kittery (*Deeds i, 122*). He was living in 1680, and "Gamar" (grandma) Edge in 1690 at the house of Anne Crockett, at the charge of Joshua Downing (*York Court Files*). She witnessed a deed in 1664 at Kittery (*Norfolk Deeds*). They had the following issue:

- i. Peter (?) living 1665.

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EDWARD RISHWORTH



For nearly forty years this settler occupied a prominent place in the annals of York. He was the son of Rev. Thomas Rishworth, an Oxford graduate, and Rector of Laceby 1607-1632, the year of his death. His mother was Hester Hutchinson, daughter of Edward and Susanna Hutchinson of Alford, Lincolnshire, and Edward was their eldest son, named for his maternal grandfather. As soon as he had reached his majority he came to New England and joined the new settlement at Exeter, N. H., where a number of his kinsmen were already located. There he is believed to have resided until his removal to Wells where he was living in 1650 (*Deeds i, 66*). The next year he removed to Hampton, N. H., where he was chosen Selectman in that year. The occasion which induced him to make another change to this town was the death of the Recorder of the Province, Basil Parker, who died October 14, 1651 and Rishworth received the appointment as his successor. In this office he labored, with one or two enforced interregna, until 1686 and after that continued as Deputy Recorder until his death. As he held the office during all the troublous political time, when jurisdictions were changing every few years, it is easy to characterize him as a "trimmer" in party allegiance, but it seems rather a case of one exceptionally well qualified to fill this office, where intelligence and clerical ability were so rarely found in combination in a frontier settlement. This is clearly shown in the experience which the Province had with a recorder appointed by the Massachusetts authorities in 1668 as a political reward to one of their partisans for aiding them in restoring their control of the Province. In 1665, after thirteen years service under Massachusetts, Rishworth accepted appointment from the Royal Commissioners acting for Gorges, and for three years he was identified with the new regime. When Massachusetts overthrew this government by force in July 1668 Rishworth was marked for dismissal and disfranchisement, and as elsewhere stated, appointed Peter Weare to the office. He was totally unfitted for the place and the citizens promptly elected Rishworth at the next election. The Boston overlords set the election aside and reappointed

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Weare as they could not forgive Rishworth for holding office under the King.¹ In 1670 the voters sent Rishworth as Deputy to the General Court as a protest. This election was also annulled, and Rishworth, finding that the interests of the people were being used as a political pawn he made his peace with the powers at Boston in the following apology:

I being chozen Deputy by the Major part of the freemen of Yorke to attende the publike service of the country at this Generall Court unto whose acceptance I stood uncapable through some affronte which I had given to the same for whose satisfaction these may satisfy all whom it may Concerne, that through fears of some future troubles & want of Indemnity in case this Honor'd Court had not relieved in tymes of danger, I being persuaded that by his Majestys letter I was discharged from my oath taken to this authority, I did accept of a commission before applycation to the same, w'rin I do Acknowledge I did act very imprudently & hope through God's assistance I shall not doe the like againe, but for tyme to come shall Indeavor to walke more circumspectly in cases soe momentous: craving pardon of the honord Court for this offence & your acceptance of this acknowledgment of your unfained servant

May : 12: 1670

EDW: RISHWORTH
(*Mass. Arch. cvi, 199*)

With this complete renunciation of his correct principles in accepting an appointment from the Royal Commissioners, acting under authority of the king, believing it paramount to an illegal oath demanded of him by Massachusetts in 1652 at the Submission, he secured a reappointment to his old office. He held this uninterruptedly until 1686 when another change of government under Andros deprived the province of his experienced services. Thomas Scottow of Boston was appointed Recorder against the wishes of the people. Over a hundred citizens of various towns protested against the change. Although ineffectual in securing his retention Rishworth was employed to do the actual work and Scottow affixed his signature to the pages whenever he happened to visit the County seat. In addition to this long service for the Province he was Deputy for York to the General Court of Maine 1650-1655; Deputy to the

¹ The Maine Court Records of 1669 state that "Mr. Edward Rishworth was chosen Recorder for this County; not Exceptinge thereof," Weare was appointed to the vacancy. As Massachusetts was again in the saddle it is extremely likely that they demanded an apology from Rishworth for his abandonment of their cause and his oath, which he was not then prepared to give, and so declined the office. It will be seen that he capitulated the next year. This is a distinct blot in his career.

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General Court of Massachusetts 1670-1683; Justice 1664; and Magistrate 1681 besides acting as Selectman of York.

It will be satisfactory to close this sketch of his life at this point, but his career in the town was marked by many unfortunate entanglements. Brought up in the atmosphere of a cultured household he was easily the best educated man in the town although he had not received a university education. His long experience in recording legal documents made him a useful member of society in writing wills, deeds and other official documents for clients. Had he confined himself to these activities his record would have been much nearer the standard which his natural abilities warranted. But he undertook to engage in business speculations and milling enterprises in which he was utterly unfitted for success. He soon became entangled in debts and mortgages, not only in his milling adventures but in his real estate speculations which kept him constantly in debt and a defendant in suits for recovery which clouded his estate long after his death. Notwithstanding his many purchases of land and his like number of grants from the town during his long life here it is significant that his inventory does not list one foot of land belonging to him when he died. The total was only £39-0-6, the largest items being a "bed and furniture," "a horse, bull cow and calf," and "silver," the three items accounting for two thirds of his estate, leaving "waring cloaths," valued at five pounds and chairs, pots, candlesticks, and irons and other small furnishings to make up the balance.

Considering his salary and legal fees for services during more than thirty years in this Province, this unfortunate situation may explain his need to hold office under all political changes, for which his honor has been questioned. He was in no sense a political leader as his financial worries made him subordinate to the actual requirements of earning his livelihood. If he drew up the deeds to property which he had acquired (as he undoubtedly did) they present to the historian a formidable puzzle of obscure descriptions which no one has been able to solve satisfactorily. Although it appears that his townsmen recognized his ability as a recorder yet they were not unanimous in assessing his moral qualities. Jeremy Sheeres of Cape Neddick expressed this picturesque opinion of him in

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public: "that hee sate in his chayre hatching of mischeefe & that when the said Mr. Rishworth went out of the Meeting house that the divill went out of hell." This cost Sheeres five shillings and a promise of future reformation.

He married, date unknown, Susanna, daughter of Rev. John and Mary (Storre) Wheelwright, who was baptized May 22, 1627 at Bilsby, Lincolnshire. As far as known but one child was the issue of this marriage and his wife was living in 1674, but probably not in 1679 at the date of her father's will. Edward Rishworth died about 1688-9 and the inventory of his estate, which was intestate, was taken in February 1689. His daughter Mary was appointed administratrix. She was born January 8, 1660 and was married four times, (1) William (?) White about 1677-8; (2) John Sayward about 1680; (3) Phineas Hull about 1690; and (4) James Plaistead 1691 (*Deeds ii, 9; vi, 56; x, 230; xi, 63*).

WILLIAM MOORE

Will more He came to York about 1651 and the next year signed the Submission. Of his English origin nothing definite has been learned, although it is probable that he came from Devonshire and may be either a son of Richard, baptized October 26, 1629 or son of John of Ipplepen, baptized November 16, 1623, as both dates would be applicable for identification. He was a fisherman and ferryman at Stage Neck and lived in Lower Town opposite Varrell Lane. He signed petitions in 1679 against the sale of Maine to Massachusetts and in 1680 to the king. By his will March 31, 1691 he devised property appraised at £159-7-0 to his children. He married about 1653 Dorothy, daughter of William Dixon of this town. The family genealogy appears in Volume III.

EDWARD START

He came here in 1651, a fisherman from Brixham, Devonshire, where he was baptized November 23, 1614, the son of Peter Start of that parish. He married there June 23, 1645 Wilmot Lamsytt, and they brought two children with them when they emigrated. He signed the Submission to Massachusetts in 1652 and bought a house

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and lot July 25, 1653 of Thomas Venner, situated on Ferry Neck, where he lived till his death May 19, 1671. His estate was administered by his widow Wilmot, who was appointed by the Court, and on October 7, 1673 and March 27, 1674 the Court decreed the division of the property to his children. The house and lands were awarded to the only son Thomas, subject to the dower rights of the widow, and the rest went to him by a double share and the other children in equal fifths. His widow remarried before October 1673, William Roans of York. Children:

- i. Thomas, bapt. July 31, 1646 at Churston Ferrers, Devon; prob. d.s.p. as administration of his estate was granted Dec. 30, 1674 to Richard Cutt of Portsmouth (*N. H. Probate i, 160*).
- ii. Sarah, b. (1649); m. Henry Wright of Boston and York.
- iii. Elizabeth, b. (1652); m. Moses Wooster of Kittery between 1674 and 1676.
- iv. Mary, b. (1655); m. Antonio (George) Portado, a Portuguese, resident of Boston, 1673.

MARY TAPP

The appearance of an unattached woman in a community during its early years of settlement is always a matter of curiosity as to a possible relationship with some other settler. Mary Tapp or Topp first appears in 1642 at Portsmouth with a daughter Jane and eight years later is found in York as a witness in a criminal case. She was evidently a resident here at that time as in 1652 her name was signed to the Submission, a lone female signer, although she was not a property holder, and it is not known where she lived. She continued here till 1660 when her daughter Jane was presented for fornication and being "with child." John Donnell was accused of its paternity, but he denied the charge and his father secured his acquittal. In the biographies of Samuel Adams and Robert Knight it was said that a Tapp family lived in Shepton Mallet, Somersetshire with persons of their names. A Richard and Mary Tapp of that parish had a daughter Jane baptized in 1636, and the conjunction of these three names suggests common origin before emigration. What became of her or her daughter is not known.

ROBERT HEATHERSAY

This man was a transient and a wanderer, while his name is found in half a dozen forms.— Hethersee, Hether-

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still, Heathersay, Hethersye, Hithersy and Hethersaw. He had lived in Charlestown, Concord (1640), Lynn (1643), Dover (1647), before coming here in 1651, when he bought six acres of Godfrey on Lindsay Road (*Deeds i, pt. 1, fol. 14*). In all these places he was in frequent trouble in the courts. He may be the Robert Hethersaw of Gotham, Nottinghamshire, licensed to marry Mary Smith, January 16, 1626-7, and after marriage left her in England, as he was prosecuted in 1643 for "lyving from his wife these many years" (*Essex Court Rec. i, 58*). He signed the Submission in 1652, and in 1653 was presented "for lying." In 1654 he was living in Wells, where he was fined for "soliciting" a neighbor's wife, and that is the last heard of this undesirable citizen.

GEORGE BRAUNSON

This is another transient and wanderer whose name is also written in various ways, Branson, Bronson, Brancen, Braunsen, and otherwise mangled. Of his origin nothing is known. He was born about 1610 (*Mass. Arch. xxxviii, 152*), and had lived in Dover before coming to York in 1651, where he signed the Submission in 1652. He removed to Kittery in 1654 and back to Dover before 1657, where on July 2 of that year he was gored to death by a bull. Evidently unmarried or without children, as his estate was administered by John Ault and Richard York.

WILLIAM ASHLEY

Also a transient, and his only record is as a witness to a deed in this town in 1651, and it may be that he removed shortly to Wells, as he did not sign the Submission here. He was a constable in that town in 1659 and living there in 1677. Perhaps he removed finally to Providence.

WILLIAM FREETHY

He was baptized at Landrake, co. Cornwall, August 22, 1612 and when twenty-three years old he came to Richmond Island in the employ of Trelawny, 1635, as a fisherman (*Trelawny Papers, 159*), but had left there before 1640, returning to Plymouth, where he married Elizabeth Barker, January 13, 1639. He came back with

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his new wife and settled at Portsmouth, where in 1641 he was fined for disorderly conduct. Nothing further is heard of him until he appeared in York in 1652, when he signed the Submission. He had a grant of a home lot on Ferry Neck and was living there as late as April 1688 (*Deeds ix*,



PARISH CHURCH OF ST. MICHAEL, LANDRAKE, CORNWALL
Where William Freethy was baptized

63). He was fined for drunkenness in 1667 (*Court Records i, 300*). He became ferryman in 1684, "over the other side of the River where John Stover once lived" (*Court Records*). In 1681 and 1683 he deeded most of his real estate and housing to his three sons (*Deeds iii, 105; iv, 6*). The family genealogy appears in Volume III.

JOHN DAVIS

This was the other John Davis, younger than Major John, born in 1627 (*Mass. Arch. cvi, 193*), but of his origin nothing is known. He appears first in York in 1652, where he is called a "smith" and signed the Submission the same year. He was, in some way, connected with the new mills on Gorges Creek, and received a grant of ten acres near them, bordering on this creek and forty acres additional in 1652 and 1654 (*T. R. i, 18, 25*). He removed

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to Winter Harbor (Saco), about 1656, lived there some time and set himself up as a "Doctor," as well as occasionally occupying the pulpit, "Exercising publicquely." He removed to Cape Porpus to continue his trade and professional work, and in 1681 his wife Catherine complained of him for not supporting her and compelling her to eat seaweed for nourishment. In 1682 he was chosen deputy to the General Court but the election was disallowed. In 1684 he entered into a contract with Scarboro to cure Francis White for eleven pounds (*Town Records*). His final move was to Portsmouth where he followed his dual occupations. There his wife Catherine again charged him with non-support, repeating her former allegations that she "was fain to eat sea-weed to keep from perishing." In 1699, as a "smith" he sold his lot on Gorges Creek to James Plaisted, and in the jurat he is called "Doctor." In the last month of that year, as "Doctor," he was presented for being drunk, and there we part with him, adding the statement that he left no known descendants in York.

WILLIAM ELLINGHAM

Only a brief record of residence in York belongs to this transient who was a millwright and carpenter by trade. He came here from Kittery where he may have been a resident in 1647, living on a grant of four acres and operating a mill which he leased of Nicholas Shapleigh (*Maine Court Records i, 170*). His father-in-law or step-father Thomas Booth also lived there, whose daughter Christian he had married. Ellingham sold his house and lot in 1651 and removed to this town, with his partner Hugh Gale, and they built the mills on Gorges Creek that year. He signed the Submission in 1652 and the next year sold them and his mill privileges (*Deeds i, 17*), returning to Kittery. He was living there as late as 1665, but the rest of his story belongs to the neighboring town and the adjoining province, although York is indebted to him for its first mills on the east side of the river.

HUGH GALE

He was a partner of Ellingham in the milling business in Kittery and like him a transient resident of York. Probably he came to New England with him from Norton

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Folgate, a hamlet in the parish of St. Leonard, Shoreditch, in the east end of London. He signed the Submission in 1652, and when he sold his share in the mills on Gorges Creek in 1652 it ended his connection with the town and he disappears from the records.

WILLIAM ROGERS

For half a dozen years this settler lived here, 1651–1655, and occupied scarcely any space in the local records. He was a juror in 1651, also a defendant in an assault and battery case same year; signed the Submission in 1652 and got a land grant on Gorges Neck. The next heard of him is in 1660, when he was administrator of the estate of William Garnesey of this town, and as late as 1671 he was settling up some late claims against it. He probably removed to the Isles of Shoals before 1660 (*N. H. Deeds iii, 80a*), and nothing more is heard of him after 1673.

WILLIAM GARNESEY

He probably came from Bampton, Devonshire, as a William "Garnse" signed the Protestation Roll there in 1641, and his widow Elizabeth returned to Pinhoe, Devon, a nearby parish, after his death. His first appearance here was in November 1652, when he signed the Submission, and in December following he had a grant of ten acres on Gorges Neck, which was officially confirmed to him and laid out in July 1659 (*T. R. i, 17, 28*). He must have died shortly after, as in 1660 William Rogers was appointed administrator of his estate. As far as known he left no issue here.

JOHN PIERCE

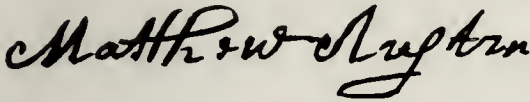
This settler, who followed the occupation of a fisherman, came to York in 1653 and received a grant of land on Gorges Neck, bordering on Bass Cove, where he lived for about forty years until his death. Nothing occurred in his life of particular interest. He signed a memorial to Massachusetts protesting the failure of their government to give them a stable protection against political agitation; grand juror 1666 and 1667, and somewhere after 1662 he married Mrs. Phebe Nash, widow of Isaac, who had re-

NEW SETTLERS OF THE THIRD DECADE

moved from Dover to York. She had been granted administration of her late husband's estate in July 1662, and Pierce had become her surety. She was living in 1670 (*Deeds ii, 91*), and both of them were probably killed in the massacre on Candlemas Day. Inventory of his estate was taken September 26, 1692, by Matthew Austin and James Plaisted, his neighbors, and amounted to £35-3-6 (*Ibid. v, 75*). His name is not perpetuated in the town, as he left only two daughters as issue of his marriage:

- i. Jane, m. John Bracey.
- ii. Anne, m. (1) Alexander McNair and (2) Malcolm McIntire.

MATTHEW AUSTIN



Of this prominent citizen and resident of Cider Hill nothing

definite is known as to his origin. There were numerous Austin families in Kent, the source of several of our settlers. A Matthew Austin of Tenterden died in Tenterden (the home of the Tilden emigrant) in 1554, and a Matthew of the same parish, tailor, died in 1609, leaving a family. Others of this Christian name resided in Wye, Addisham, Wickhambreaux at the period of the emigration of our Matthew. He is first of record in July 1653 (*T. R. i, 21*). At that time he was thirty-three years old, having been born in 1620 (*Deeds i, 163*), and in 1659 he became sergeant of the military company; in 1665 he was first elected Selectman. He held this latter office in 1669, 1670, 1671, 1672, 1673, 1676 and 1678. He was a weaver by occupation (*Deeds iv, 66*). He was an "uncle" of Jeremy and Joseph Tibbetts of Dover, perhaps through marriage with a daughter of Thomas Canney of that town, but later of York. If so, he married a second wife, Mrs. Mary (Davis) Dodd, daughter of Nicholas Davis, and widow of George Dodd of Boston. She survived him and married for a third husband William Wright of Boston and later of York (*Deeds vi, 75; ix, 33*), and in 1714 was a widow for the third time. Matthew Austin drew his will November 19, 1684, "a little before his death," but it was not allowed by the court because it was "not so Clearly & Methodically done to the understanding & satisfaction either of authority & some others of sd Mathew Austines relations,

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who were most especially Concern'd therein, vidzt Mary Austine his wife & Mathew his onely sonn" (*Deeds iv, 66*). The parties called in Arthur Bragdon, Senior and John Sayward as arbitrators and friends. The uncertainties of the will related to the bequests of his real property to his wife and his son and its reversions, and a compromise was reached, apparently satisfactory to all concerned, and was signed by the widow, his son Matthew, and his daughters Mary (Sayward) and Sarah Austin on June 6, 1686. Matthew Austin, Sr., left the following issue:

- i. Matthew (only son).
- ii. Mary, b. about 1665; m. (1) Jonathan Sayward and (2) Lewis Bane.
- iii. Sarah, b. about 1667; m. (1) Joseph Preble and (2) Job Young.
- iv. Isabella, b. about 1675; m. Samuel Bragdon.

The genealogy of this family appears in Volume III.

THOMAS MOULTON

Tho Moulton

The progenitor of one of the oldest and most distinguished families in this town, Thomas Moulton, was a descendant of a well-to-do line of yeomen, living long before 1500 in the parish of Great Ormsby, County of Norfolk, England.¹ It is situated about five miles north of Yarmouth, the great fishing port of England on the North Sea. The name is found in the early English records as Multon, Muleton, Mowleton, Mouton and Moton, but the emigrant used the form in which it is found today. The ancestry and genealogy of this family appears in Volume III of this work and it will be sufficient here to state that he was the son of Robert and Mary (Smyth) Moulton, born in 1606 and baptized at Great Ormesby, July 16, 1608, where he lived until his emigration. After the death of his father (1633) and mother (1636), he and his elder brother John came to New England and settled in 1636-7 at Newbury, Mass. From thence they removed to Hampton, N. H., in 1638, where they lived side by side until 1655, when Thomas came to York with his wife and

¹ Generous and enthusiastic descendants have given him the accolade and bestowed a title on him as Sir Thomas Moulton, but this is confined to a few who do not understand that coats of arms do not belong to the yeomanry. There is no record of a grant of arms to his family and the one shown is a spurious one painted about 1800 by a traveling artist named Coles.

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five of his children. What inducement caused him to sell out there is not known, as he had no relatives here to induce the change. He bought seventy acres of John Alcock, in what is now Scotland in 1655 (which he sold in



CHURCH OF ST. MARGARET, GREAT ORMSBY, NORFOLK
Where Thomas Moulton was baptized

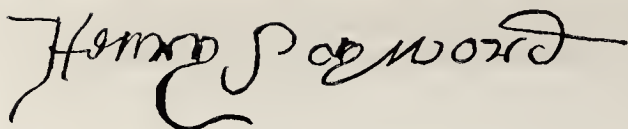
1657 to Alexander Maxwell), and in 1656 bought twenty acres of Capt. John Davis on Gorges Neck, on which he lived until his death.

Beyond holding office as Selectman in 1679 and 1681 he did not enter public life, as far as known. He married, probably in Hampton, Martha (surname unknown), about 1638, the mother of all his children. Date of death of both is unknown, but they were living September 26, 1684, when they transferred all their real estate to their sons Jeremiah and Joseph in consideration of support during their lives. They had the following children:

- i. Thomas, bapt. Nov. 24, 1639; prob. d.s.p. (Feb. 18, 1665, Savage).
- ii. Daniel, bapt. Feb. 13, 1641-2; removed to Portsmouth and d.s.p.
- iii. Abigail, (1645).
- iv. Joseph, (1648).
- v. Jeremiah, 1650.
- vi. Mary, b. January 25, 1651-2.
- vii. Hannah, b. June 19, 1655.

HISTORY OF YORK

HENRY SAYWARD

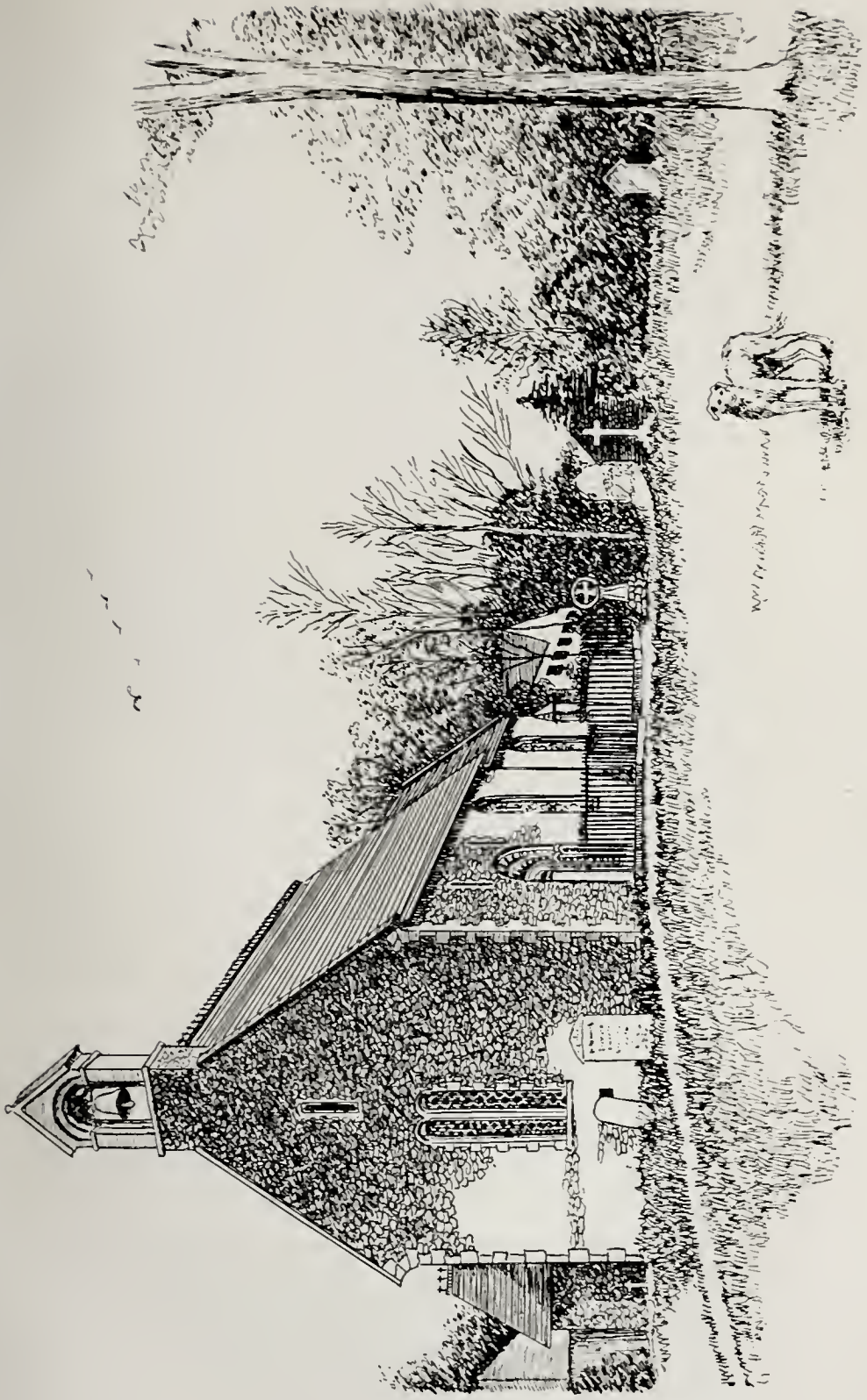


One of the picturesque and aggressive characters who settled in York in this decade was

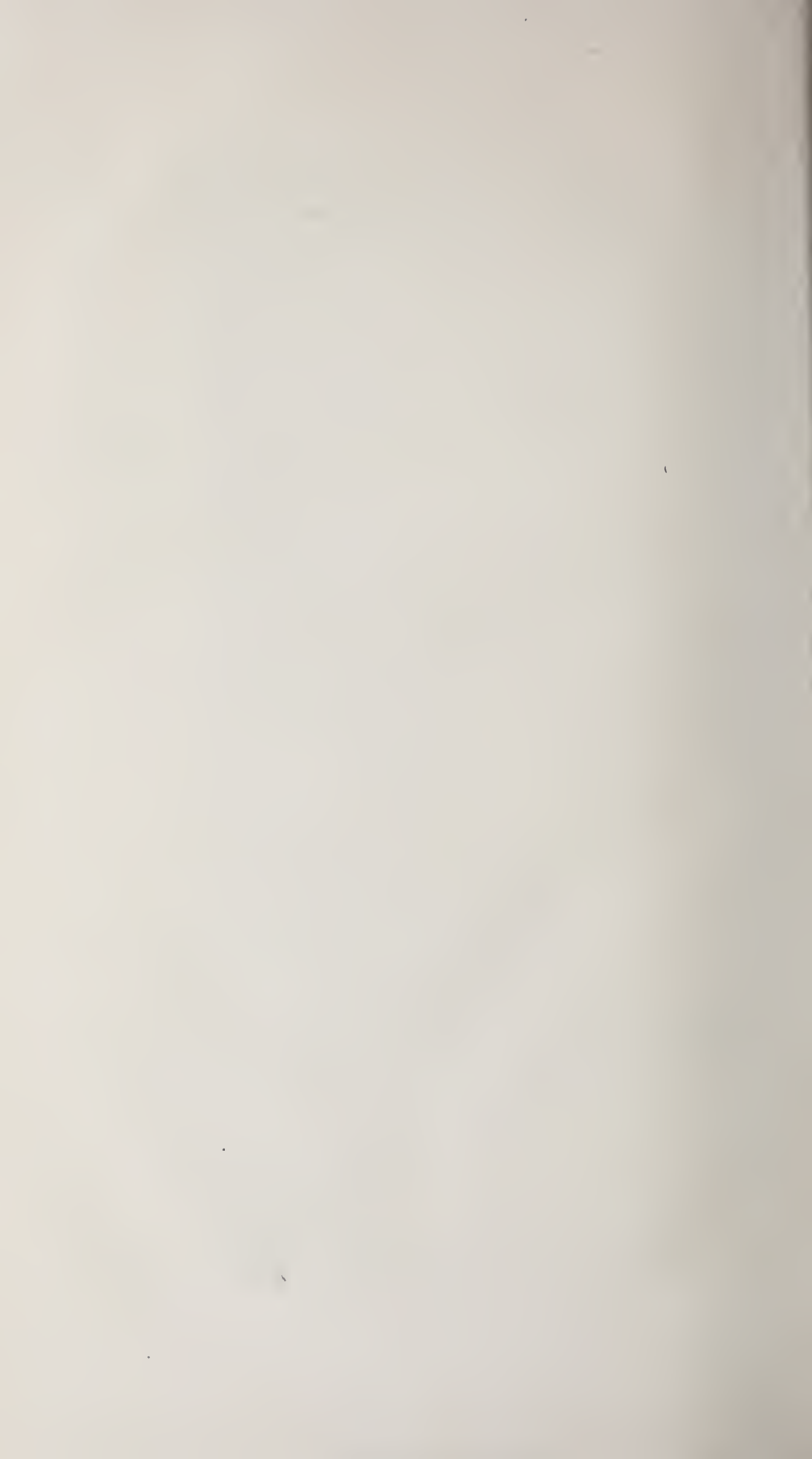
Henry Sayward, who came here in 1656 and for nearly a quarter of a century dominated the milling industry here. According to his own story he came to New England in 1637 (*Mass. Arch. lix, 114*), apparently as a boy of ten years, for he deposed in 1671, aged about forty-four years, which carried his birth to 1627 (*N. H. Court Files i, 509*). He was, without doubt, son of John and Anne () Saward, yeoman, of Farnham, co. Essex, and it is further probable that this John was the son of Edmond, and baptized at Margaret Roding, Essex, March 25, 1572, a parish ten miles distant. The will of John of Farnham, dated November 24, 1646, names his son Henry and his grandson Samuel, son of his deceased son Edmond (Commissary of London, Essex and Herts, unregistered will No. 35). This corresponds exactly to the known family record in New England. Farnham is only six miles from Hatfield Broad Oak, the home of Abraham Morrill, his partner in the milling business. He appeared first of record in the town of Salisbury, where on January 25, 1641-2, Abraham Morrill and Henry Sayward were granted sixty acres, near the falls, in what is now Amesbury, provided they would set up a mill to grind corn before the following October, (*Hoyt, Salisbury i, 251n*). As far as known this condition was not fulfilled, and on July 8, 1642 he was granted land for a home lot, and another on September 8, 1642 in Hampton as a site for a corn mill (*Dow, Hampton 531*). These facts seem inconsistent with the age of Sayward, at that time only fifteen years old, and so incapable of entering into a contract. He must have been at least ten years older than stated in the above quoted deposition, and 1617 was probably the date of his birth.¹

In 1650 he sold his Hampton property and removed to

¹The original record of this deposition reads "fouerty ffouer" which would be easily misread for "fivety." Sayward was indebted to Morrill in 1662 (*Essex Prob. Rec. i, 400*).



CHURCH AT MARGARET RODING, ESSEX
English Home of the Saywards, before 1600



NEW SETTLERS OF THE THIRD DECADE

Sagamore Creek, Portsmouth, where he lived with a John Davis, perhaps the one who came here in 1652 and owned a lot on Gorges Neck, near the mills. He sold out all his Portsmouth holdings May 29, 1655 (*N. H. Deeds ii, 51a*), and probably came at once to York. He was granted a lot of twelve acres on the southeast side of Gorges Creek in 1658 and three hundred acres of timber land on the west side of the river in 1667 (*T. R. i, 26, 34*), besides buying several smaller lots and timber rights (*Deeds i, 102; ii, 162, 165*). In 1665 he contracted to build the new (second) meetinghouse, and after completing it in 1667, his entire milling plant was destroyed by fire in 1669, and he suffered a severe financial loss of about a thousand pounds. He sent this petition to the General Court October 15, 1669 for relief:

Thatt whereas your petitioner have beene an inhabitantt in this Country for the space of thirty two yeares and upwards, since hee came from England, in all which tyme hee hath been wholly employed in following his Calling in building of Mills and such like, haveing there by neglected looking after Land, for himself and family, as others have done, by which Calling by the blessing of God, hee hath bene very benefitiall to the Country, and many persons therein, though through seaverall afflictions by the providence of God it hath bene butt to his owne benefitt, butt mostt Espetially by reason of a sad providence thatt hapned in bur(n)ing of his mills att Yorke, wheare in your petitioner lostt above a thousand pounds, which hath brought him much bee hind hand, for the recovering of which, in partt. There are seaverall workmen to whom your petitioner have bene very benifitiall by instructing of them in his Calling, thatt volantly offer him their helping hand, Moreover alsoe Seaverall of the towne of Wells have informed your petitioner, of a Convenient place for the seating of a Saw Mill, upon a River Called Cape Porpose River. . . .

(*Mass. Arch. lxix, 114*)

The Court granted him liberty "for the Cuttinge of Tymber" as requested. He did not rebuild here, but tried his fortune in Wells at Cape Porpus, on the Mousam River at the solicitation of the people there. In 1674 he extended his operations to Royall's River in North Yarmouth, in partnership with Bartholomew Gedney of Salem (*Ibid. ii, 430*).

His new projects led him into a veritable maze of mortgages which, combined with a lack of working capital, started his financial downfall, and the outbreak of King Philip's War completed the wreck of his enterprises. He died early in 1679 deeply in debt, and a contest followed

HISTORY OF YORK

between the widow and the mortgagees, and in 1680 she was appointed administratrix of his estate and tried to manage the property for herself and the children. He died intestate and two inventories of his property were taken by his neighbors, as follows:

A true Inventory of the Estate of Moveables belonging unto the Estate of Hene: Sayword deceased/ Taken by us whose names are subscribed this 22th of Aprill 1679:

Imps 8 sheepe 4£: a Nagg 2£: a Mare 2£: a Coult 20 sh	09	00	
It his weareing apparell given to his Attendants	05	00	0
It a peyr of sheets & one dozen of worne napkines	01	05	
It Towles, a small Gryndstonne & the Turneing Mill			
Towles	01	10	0
It Toules for husbandry 20 sh: Two cross cut saws 10 sh	01	10	
Three Lodgings & bedding belonging thereunto	04	00	0
Ould pewter dishes, a frijng pann, a skellet & a musket	01	05	0
Twelve wodden dishes, Keelelers and three Chayres	00	11	
One Chest 9 sh: 2 Iron potts 2 brass Kettles 2 ould Tu bbs, a Trammell, pot hookes, a spitt, Andirons two water bucketts	3	04	
A peyre of Cards, a Spining Wheele & two table boards	00	10	0
It an ould bible & other bookes at	00	10	0
It one Meale Troffe & a Chest at 4 sh: 2 ould Connows 20 sh	01	04	0
It 50 or 60 Acres of upland at 5 sh p Acker	12	10	0
It one peyre of styleyards at 7s 6d	—	07	6
	42	07	10

Mary Sayword Came into this Court & doth Attest uppon her oath that this is a true Inventory of the moveables of the Estate of Hene: Sayword her deceased husband, to the best of her knowledg & If more do appeare hereafter, shee stands bound upon the same oath to bring them in/

Ric: Banks
Samll Donell
Hene: Symson
Job Allcocke

A true Inventory of the Mansion or dwelling house that Henery Sayword late deceased dwelt in & the Saw Mills & Grist Mills at Yorke & other things left unappraised at the last appraisall Aprill 22: 1679: are hereby appraised by us whose names are here underwritten, June 28: 1680:

	£	s	d
Imprs one dwelling house valued worth	040	00	0
It one little Hovell or sheepe house	001	00	0
It one barne & Cow house fiveteen pounds	015	00	0
It an ould shopp 10s a Turneing Mill apprisd 15£	015	10	0
It the Saw Mill utilences & Dame	150	00	0
It Too Corne Mills & an ould shopp	060	00	0
	281	10	0

NEW SETTLERS OF THE THIRD DECADE

Also more Lands are apprised by us of Hene: Saywords whose names are subscribed/

Twelve Acres of Land on the South side of the New Mill	03 00 0
Cricke 5 shillings p acre	
300 Three hundred Acres of Land on the West side of	
Yorke River & Twenty Acres of swampe & 15 Acres	
of Land the whoole being 347 Acres	30 00 0
	314 10 0
	Tymothy Yeales
	Samell Sayword
	John Freathy
	<i>(York Deeds v, 2, 30, 31)</i>

Henry Sayward married about 1654 Mary, daughter of Joseph and Mary Peasley of Haverhill, Newbury and Amesbury, who was born 1633 (*S. J. C. Mss. 2057*), and died before December 1689, by whom he had the following children:

- i. Joseph, b. Nov. 16, 1655.
- ii. Sarah, b. (1657); d. before 1694 at Haverhill, Mass. (*Essex Probate iii, 172, 191*).
- iii. John, b. (1659).
- iv. Mary, b. (1661).
- v. Hannah, b. (1663).
- vi. Jonathan, b. (1666).
- vii. James, b. 1669.

WILLIAM JOHNSON

This new settler received a grant of a lot in 1659 on the road to the mills, adjoining Henry Simpson and John Twisden, and in 1661 another grant of thirty acres which he sold to Isaac Everest in 1669 (*Deeds ii, 164*). In 1672 he had a further grant of thirty acres, at the seaside, on the road to Cape Neddick, on which he built a house, and in 1675 he sold it to Richard Woods (*Ibid iii, 12*), and probably left town. He was a carpenter by occupation and served as constable in 1665. He was twice married, as in 1669 he speaks of "my now wife Hannah" (*Ibid. ii, 69*).

NATHANIEL MASTERSON

Nathaniel Masterson

This is the only one of Pilgrim connection who settled in this town. He was born in Leyden, Holland in 1628

HISTORY OF YORK

(*S. J. C. Mss. 1072*), son of Richard and Mary (Goodall) Masterson, and was brought to Plymouth as a child in 1629 with his sister Sarah. His father died in 1633 and his widow married for her second husband Rev. Ralph Smith, at that time pastor of Plymouth. The boy lived with his step-father there and at Jeffrey's Creek, Manchester, Mass., until he reached his majority. He is found at Salem, 1654, Ipswich, 1657, and in 1659 he removed to York, as by a certificate sent to Holland by Governor Prince of the Plymouth Colony (*Gemeente Archief, Leyden*).

The Mastersons were of an old and well-established family of the landed gentry of Cheshire and this line migrated to the Weald of Kent in the middle of the sixteenth century. They were related by marriage to the Banks family of Ashford in that county. Richard Masterson went to Leyden in 1611 and soon joined the Pilgrim church there, and on November 23, 1619, married Mary Goodall, by whom he had two children, Nathaniel and Sarah, who married John Wood of Plymouth.

Nathaniel Masterson settled on Cider Hill, but how he obtained the lot where he made his home is a puzzle. In 1671 the selectmen agreed that "if it were not orderly granted," they would lay it out together with a second parcel of thirty acres adjoining (*T. R. i, 41; Deeds iii, 120*). Its bounds became a fruitful source of uncertainty to abutters. He held the office of Marshal of the Province, as a partisan of Massachusetts, 1661 to 1665, when he was removed by the Gorges regime; restored to office 1668 and held the position continuously till 1686, perhaps longer. He was a victim of the Candlemas Day Massacre, 1692, with his wife, who was Elizabeth, daughter of John and Elizabeth (Thompson) Coggs well of Ipswich, and granddaughter of Rev. William Thompson, the early minister of Gorgeana. They were married July 31, 1657 and had the following issue:

- i. Sarah, b. —; m. Arthur Bragdon; she was granted administration of her father's estate March 8, 1691-2. She was killed by the Indians in 1703.
- ii. Abial, b. —; captured at the Massacre of 1692 and redeemed, probably, in 1699. She was published to Isaac Foster, Jr. of Ipswich, December 27, 1710.
- iii. Elizabeth, b. —; m. Samuel Young.

NEW SETTLERS OF THE THIRD DECADE

SAMUEL SAYWARD

He was a son of Edmund Sayward of Ipswich, an early settler of that town. He came to York, probably at the invitation of his uncle, Henry Sayward, to work in the mills, and either married here or brought a wife Joanna, by whom he had a daughter Aspira or Asfira (Saphira?). He died before June 1691, and his estate was administered by Daniel Manning of Ipswich (probably a relative of his wife), James Sayward and John Moulton (*Deeds v, part 2, 10*).

SAMUEL JEWELL

Samuoll Jewell

The appearance and explanation of the residence of this person and his wife Mary in Gorgeana in 1650 does not offer any particular suggestive reason for his brief stay here. In the list of "doubtful debts due the estate of Robert Button of Boston, in 1650, the name of Samuel Jewell of Gorgeana is found, and on July 24 of that year William Hooke gave to her his half of Cape Neck upon the condition that "I do not returne for New England" (*Deeds i, 121*). As he did return she did not acquire title to the property. He was a juror in 1650, but did not sign the Submission in 1652 and probably had gone to the Isles of Shoals, as in 1653 he signed a petition from thence. In 1655 he was admitted as an inhabitant of Boston, with Mark Hands as security. In 1657 he had died there and his wife returned an inventory of her own wearing apparel at £5-3-0 as part of his estate. That ends their story. His signature shows him to be a person of education, able to write well (*Deeds ii, 9; iii, 109; Suffolk Probate; Maine Court Records i, 141, 143*).

MARK HANDS

This person probably came in the year 1639 to this country, aged twenty years, a nailer by occupation, settling at Boston. He was a witness here in 1653 to the deed to Ellingham and Gale (*i, 35-36*), and in 1655 was bond for Samuel Jewell. In a letter from Barbadoes August 4, 1662, he mentions his "cousin Everill" and "sister Hanford" (*Sup. Jud. Ct. Mss., 1090*).

CHAPTER XX

RESTORATION OF THE AUTHORITY OF GORGES IN 1662

Ferdinando Gorges presented his petition to the king under date of April 4, 1661, in which he recited the labors of his grandfather in the discovery and colonization of New England, wherein he had spent the greater part of his fortune. In return therefor King Charles I had granted him a patent in the fifteenth year of his reign, for which he had provided a government, but that "certaine English Inhabitants in New England called the Mathechewists taking advantage of the late rebellion here dureing which time your Petitioner durst not assert his right to the said Premisses, have without any coulour of right encroached upon all or upon the greatest part of the said premisses descended unto your petitioner from his grandfather . . . which was the greatest Patrimony that your Petitioners grandfather left him" (*Col. Papers xv, 31*). Doubtless assured of the favor of the committee to whom this was referred he did not wait for a formal report, but sent his first definitive orders to his subjects in Maine embodied in a commission consisting of six separate articles for the reëstablishment of his provincial government. This document was dated May 23, 1661 and he required of them: (1) to proclaim the return of the king to the throne of his father; (2) to collect the arrearages of rent according to the charter; (3) to inform the freeholders of their stewardship; (4) to proclaim the proprietary rights at the next General Courts of Maine and Massachusetts; (5) and (6) related to the defense of the rights of the Lord Proprietor. This manifesto was publicly discussed at a mass meeting of the inhabitants of Maine held at Wells, December 27, 1661, and all the articles were accepted. They further resolved that the announcement of the restoration should take place at or before the last day of January 1661-2, and "be acted and carried on with greatest solemnity and acclamations of Christian Joy" (*Col. Papers xv, 96*).

In accordance with the plans adopted at this meeting

RESTORATION OF AUTHORITY OF GORGES

the new Commissioners, representing Gorges, issued election warrants dated January 30, 1661-2 in the name of the king and by authority of the Lord Proprietor, addressed to the freeholders of the province to assemble March 31 proximo and vote for one deputy in each town to represent their respective interests at the next General Assembly which was to be held at Wells May 25, following. The election was held pursuant to the warrant and a full delegation from all the towns in the province met as directed. Edward Rishworth represented this town.

The officials of Massachusetts did not allow this occasion to pass without opposition, although they were conscious that they no longer had any standing at court. They sent Major Daniel Dennison, Major William Hathorne and Capt. Richard Waldron to Maine to stir up as much trouble as possible. A voluminous correspondence was inaugurated by them which lasted for three days. The difference in their attitudes under the Cromwellian regime and the restored monarchy is apparent to the most superficial observer. Finding that they were making no headway in this paper warfare the Massachusetts officers assumed a belligerent air. "As wee feared," they finally wrote, "soe wee find our time would be spun out in fruitless and insignificant papers." And concluding with a protest against the action of the Gorges commissioners as contrary to their solemn engagements and ordering them to "quicklie dissolve the assemblie." Heretofore this authoritative tone had yielded results but the Gorges commission met this by a counter proclamation requiring all pretenders of authority, "not immediately derived from his Majestie," to desist from further molestation of "the good people of this Province." The commissioners, Francis Champernowne, Henry Jocelyn, Nicholas Shapleigh, and Rev. Robert Jordan, courageous enough themselves, could not stiffen the resistance of the deputies from the towns, who had so often been browbeaten by the tactics of Massachusetts, and now were influenced by the story that the king had assured them he would confirm their jurisdiction; and by the claims of the Boston representatives that they were bound by their oaths of Submission given in the past and could not now evade them. To this specious argument the deputies meekly yielded and with one dissenting vote, cast by Richard Nason of

HISTORY OF YORK

Kittery, they decided to recognize the validity of their signatures and oaths of supremacy to Massachusetts! This decision they sent to the Gorges commissioners in which they say: “. . . Considering our present state, that as our subscriptions and oaths have engaged us to the Massatusetts Authoritie, wee humbly conceave it most agreeable to right and reason and the Cunteries saftie to Equesse (Acquiesce) under the said Authoritie untill opportunitie give a seasonable time of triall to the gentlemen of the Massatusetts and your worships of this cause before his Majestie, our Supreme Judge, unto whom our subjection is att all times readie as his pleasure is pleased to desire itt, as appertaining to the one or the other.” In a vigorous protest against this inexplicable attitude the Gorges commissioners replied: “You conceave and declare your conceptions as most agreeable to ‘right and reason’ and the ‘saftie of the Cuntry’ that we should acquiesse wee answere that itt is immediatelie to the Magna Charta of our Nation and destructive to the whole Law which is the right reason.”

The Massachusetts agents, taking advantage of this rift among their opponents, grew bolder and issued a warrant to the freeholders to appear before them, and receive such orders and directions as shall be communicated to them, and Marshal Nathaniel Masterson was ordered to publish this forthwith. They followed this with a letter to the Gorges commissioners in which they truculently announce that they “are nott affrighted by any Commissions from Ferdinando Gorges Esquire. You have made to large a progress in these disorderlie actings whereon if you shall continue to the disturbance of the Kings peace you will inforce us to change our stile: you know wee cannott owne Mr. Gorges Commissioners . . . we may nott playe with you, butt once more advise and require you to put your period to your unjust violations of the rights of the Massachusetts.” The Deputies adhered to their conception of “right.” And now for the first time in the history of their usurpation of authority the Massachusetts officials yielded the full fruits of their tactical position. A conference was held and a compromise was agreed upon by which two representatives of each party should hold the next County Court at York in July following. The writs were to be issued in the king’s name, without prejudice.

RESTORATION OF AUTHORITY OF GORGES

Meanwhile news came from London that the Council for Foreign Plantations had reported on February 15, 1661-2 in favor of the claims of Godfrey and the heirs of Mason in New Hampshire, setting the *ad Damnum* at five thousand pounds. The General Court was thoroughly alarmed at this turn of affairs and felt that something must be done to save their face.

The hybrid court, devised at Wells, met in our first meetinghouse on July 6, according to agreement, Jocelyn and Shapleigh as Justices for Gorges, and Richard Waldron and Robert Pike for Massachusetts. Robert Jordan, the uncompromising opponent of the Boston hierarchy, could not contain his resentment at this temporizing expedient and addressed a protest "To a respective Assemblie att Acomenticus undulie stiled York," in which he demanded that certain requirements be fulfilled. It is refreshing to read his revival of the name of Agamenticus, even by an outsider, who resented the name of York bestowed on this town in the manner of its accomplishment.

This compromise with a principle was unpopular from the beginning and aroused the first fighting words that had ever come from the people of Maine to the usurpers. This broadside blast was signed by thirty of the leading inhabitants of York. In it they charge the Massachusetts authorities with neglecting to execute effectively their pretensions to be the legal proprietors of the Province. "Your tollerating," they said, "such an inconsiderate number of opposers frequently to violate & trample upon yr authority & laws, as cannot be altogether unknowne to you, to the obstruction of Justice, infringeing our Lybertys, deviding our peace and if not speedily prevented by your Worshipps, may as the case stands, snarl us in the bonds of Inextricable & prejudiciall Injuries, upon whom, under God, & our dread sovereigne wee looke att our selves Ingaged att present to depend for our security & releife" (*Mass. Arch. iii, 269*). They closed this indictment of incompetency with a notice that they would expect "due & seasonable performance" of their obligations to maintain law and order. This was signed by the following residents:

Alcock, John
Austin, Matthew

Bankes, Richard
Bragdon, Arthur Sr.

Bragdon, Arthur Jr.
Bragdon, Thomas

HISTORY OF YORK

Curtis, Thomas	Johnson, William	Rishworth, Edward
Davis, Nicholas	Junkins, Robert	Roans, William
Donnell, Henry	MacNair, Alexander	Sayward, Henry
Donnell, Thomas	Masterson, Nathaniel	Smyth, John
Everest, Andrew	Maxwell, Alexander	Stover, Sylvester
Grant, James Sr.	Moulton, Thomas	Twisden, John
Grant, James, Jr.	Parker, George	Twisden, Samuel
Green, Nicholas	Pearce, John	Weare, Peter

Fourteen of these signers had signed the Submission, and they were joined by seventy-seven persons from the other towns of the province. It meant: "Either govern or get out!"

The rupture was precipitated by Massachusetts. It sent Capt. Richard Waldron to York to attend the adjourned meeting of the Court and administer the oaths to them. Jocelyn and Shapleigh protested this action as "being contrary to our former articles and a collateral agreement with our Commissioners at Wells." This collateral understanding probably related to the administration of the oaths, which was to be done by each side to its own officials. Waldron being sent to administer the several oaths precipitated the inevitable break. The opposition to the continuance of any compromise was now crystallized. The warrants for the election of deputies to the General Court at Boston went unheeded. For the three following years the Province of Maine was almost without representation in that body (*Mass. Col. Rec. iv, pt. 2, pp. 2, 41, 72, 100*). The election writs were torn down in several towns, and a general sense of uncertainty arose as these acts against Massachusetts authority went unpunished, and her partisans called for some show of reprisal. Her answer was, as usual, persecution and prosecution in a Court presided over by her partisans, but this phase will wait for a relation of developments in England which directly affect this town.

Its session had been preceded by a busy campaign of espionage conducted by its camp followers picking up malicious gossip from tale-bearers in every hamlet from Kittery Point to Pemaquid, and as a result the presentments comprised every sort of allegation from disrespectful remarks about John Cotton, long since dead, to like opinions of the living officials of Massachusetts whom one called "hypocritical rogues." Champernowne, Jocelyn, Jordan and Shapleigh were indicted for renouncing the

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authority of Massachusetts and using means "for the subjecting thereof under pretence of a sufficient power from Esqr Gorges, to take off the people, which is manifest to the contrary." All these citizens, victims of this novel and vindictive court of justice, were heavily fined. It had all the quality of the Bloody Assizes of Jeffrey's, minus his gallows, and if Cromwell had been living and in power the hangman's noose would have been used to stifle opposition. The spirit but not the courage to go to this extreme animated them, but they dared not risk the wrath of their sovereign.

The record of this period would not be complete without an adequate reference to the activities of the aged founder of the town in his efforts to secure justice for York and himself. Ampler particulars of them have been printed by the author in two separate volumes which deal with this phase of his career.¹ A more concise review of them is here set out to show his continuous devotion to his adopted home in the New World. "After 3 yeares there spent in vane for redress," he wrote to Mr. Secretary Povey of the Board of Trade and Plantations, "I came for England . . . then I got a reference from O: P: (Oliver Protector) nothing effected, then one from R: P: (Richard Protector) the referes met divers times" (*Colonial Papers, P.R.O. xv, 32*). It was a desperate chance to jump from the Puritan frying pan in New England into the Puritan fire in England, but it was his only hope for satisfaction. This he decided to do in 1655 after he had recognized the folly of signing the Submission under force and had repented of it. It is true he was appealing to a court adamant against any favors or justice to Royalists, but he kept knocking at the gates for a hearing though ears were deaf to his appeal. He bombarded the officers in charge of colonial affairs with letters, broadsides and personal recitals of his grievances through five weary years fruitlessly.

The end of the Puritan commonwealth came in 1660 with the restoration of the Merrie Monarch to the throne

¹ Edward Godfrey, *His Life, Letters and Public Services, 1584-1664*, by Charles Edward Banks, 4to pp. 88, privately printed 1887.

New England's Vindication by Henry Gardiner, London, 1660; reprinted by the Gorges Society 1884, 4to pp. 84, edited by Charles Edward Banks. This pamphlet was undoubtedly written by Godfrey as the material and phraseology are clearly his own. Gardiner probably financed it and published it under his own name as propaganda for the benefit of the Maine Royalists.

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of his ancestors. It was a day of readjustment and Godfrey hoped his triumph was at hand. Twenty years previously he had met the fanatical Hugh Peter trying to wreck the church in York as an emissary of Winthrop, and now he was a witness of the last scene in the career of this turbulent parson when he was dragged, on the hurdles, from Newgate to Charing Cross in October 1660, to be hung, drawn and quartered and his ghastly head impaled on a pole at London Bridge. In the following January he saw that other religious agitator, the crazy wine-cooper and Fifth Monarchy man, Thomas Venner, who had owned a lot in York, follow the impetuous Peter to this horrible end and it seemed as if the day of reckoning had arrived at last. But Godfrey was living on borrowed time and slender resources. He was then nearing fourscore years and the Usurpation had deprived him of his property interests, while the cost of his efforts for redress had exhausted his resources in the past five years of rebuffs at the courts of Cromwell. The first governor of the Province of Maine, elected by "the most voysses," was to find the road to success nearly as slow under the king as it had been under the Protectorate. The business of restoring the kingdom to normalcy was the first consideration. The new officials had to clean house completely and private wrongs and rebellious colonists overseas were obliged to wait for attention.

Godfrey joined the victims of the illegal proceedings of Massachusetts in prayers to the throne and pleas for relief. Increasing poverty, however, stared him in the face and he was obliged to claim his privileges as a member of the Merchants Guild of London, when in decayed circumstances, and to seek sanctuary in Ludgate Prison, the debtors' refuge, where he would be free from his creditors. The poorhouse was the other alternative. Ludgate was built for merchants of the city who had suffered reverses in maritime business overseas and was then situated near the present Ludgate Circus. The inmates could live there for a trifling cost and had the privilege of leaving under convoy of an attendant who protected them from interference. It is but little consolation to read that the curious pen of Roger Ascham had described Ludgate as "*non sceleratorum carcer, sed miserorum custodia*," when we remember the political and religious enmity which drove

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Edward Gabor

Ludgale di 5 October 1661

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of his ancestors. It was a man of ready wit and good
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 wreck the church in York as an emissary of Winton
 and now he was a witness of the last scene in the life of
 this turbulent party when he was dragged on the heels
 from Newgate to the Cross in October 1560, to be
 hung, drawn and quartered and his gibbeted head imaled
 on a pole at the top of the wall. In the following January he
 saw that the same fate awaited the crazy and conceited
 and Fifth of November. Thomas Vane, who had
 on the 11th of November 1660, was quartered to the
 north end of the wall. The first of the executioners
 arrived at the wall in the morning and followed some
 of the parts of Crewwell. The first seven nobles of the
 province, elected by the people, were taken to the
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 pen of Roger Ascham had described Ludgate as "*non
 palatium carcer, sed miserorum custodia,*" when we
 remember the political and religious enmity which drove

[Handwritten notes in cursive script, written vertically and diagonally across the page, overlapping the printed text.]

[Vertical handwritten note on the left margin:] E. G. ... of ...

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him from the home and the lands he had developed in the wilderness. It is entirely probable that he entered this resort voluntarily, as he had a privilege to do, because of the cheapness of living there, but he was to all intents a prisoner, subject to its regulations. A letter of Godfrey, dated October 5, 1661, to John Winthrop, Jr., who was then in London, discloses his residence in the prison, where he invites Winthrop to visit him, as he "is restrained of his liberty." He also asked his old partner in the patent of Agamenticus, Mr. Samuel Maverick, to do the like, "it may be worth this labor" (*4 Mass. Hist. Soc. Coll. vii, 380*). A little over two weeks after this his only son Oliver Godfrey was buried at Seal, Kent, and thus he was left alone to carry on his fight. From his cot in the prison he continued to write or dictate documents reciting his services to colonization and the disloyalty of the Massachusetts officials to the Crown. His last letter from Ludgate was dated April 7, 1663, when his dreams of restoration were slowly dissolving, and he closed it with this appeal to Secretary Nicolas: "I humbly crave two words in answer." His last earthly debt was soon to be paid. In the register of St. Martin's Ludgate, the prisoners church, is recorded the end of his romantic career, at fourscore years, in these words:

1663/4
Edward Godfry, a prisoner of Ludgate died
of old age, buried february xxiiij th.

Surely this is a sad and strange epitaph that marks the end of the Founder of York, but it is not the only one. In his last appeal to the officials it is inspiring to read his belief in the future of the Province of Maine "which is of more consarnement," he wrote, "than any part of America as yet settled on by the English."

But the movements of the king, in behalf of his loyal subjects in the Province of Maine, were exasperatingly slow. He had been on the throne for nearly five years and had done nothing to restore their rights, except to send letters to Massachusetts and their agents, recounting their disloyalty and their delinquencies. This was playing their game. But there was some excuse for his delays. As may be understood ten years of Civil War in England, with the fanatical Puritans busy destroying the beautiful stone and wood carvings and stained glass windows in

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churches, as well as upsetting all the ancient forms of government processes and filling the offices with untrained and ignorant sectaries, the country was in a chaotic condition and this required his first attention. Rumors of impending action by him came from Godfrey and gave Massachusetts the first intimation that Charles could spare time from his amours for the transaction of serious business. A royal commission to investigate conditions here was reported. The Boston officials were thoroughly alarmed and modified their truculent attitude towards the Province of Maine. Instead of wholesale punishments of the loyalists they began to talk of "indemnity and oblivion," and offered political amnesty to all who had assumed to act "by the late pretended power under Esqr Gorges" (*Maine Hist. Coll. iii, 52*). In 1664 the expected royal commission was named by the king. The members were Col. Richard Nicolls, Gentleman of the Bed-Chamber to the Duke of York; Sir Robert Carr, Bart. of Sleaford, Lincolnshire; Mr. George Cartwright of Nottinghamshire, and Samuel Maverick of Boston, then in England. It is easy to designate the first and last as the most conspicuous selections for knowledge of their mission and personal probity. Maverick was one of those despoiled of his rights in Agamenticus. Sir Robert Carr made his reputation here by his manner of dealing with the pretensions of Massachusetts. Armed with instructions, public and private, they reached Boston in July 1664, with a fleet of four vessels, accompanied by four hundred regular troops as their guard, and to aid in enforcing their orders. The Attorney-General had decided that the usurpation of the Maine government was illegal, and the king directed the officials of Massachusetts to restore it to Ferdinando Gorges, in a letter dated June 11, 1664, which was brought to Boston by John Archdale, Esq., the brother-in-law of Gorges, and delivered to the Governor. The authorities refused to obey the king's order in this respect, but with this immediate phase of the controversy, and the actions of the Commissioners in the other provinces, discussion will be deferred to recite their visit to York in their itinerary. After fruitless meetings with the Boston Puritans lasting a month the commissioners proceeded to New Hampshire, where they were accorded a hearty welcome by foot and cavalry



ST. MARTIN'S, LUDGATE, LONDON
Where Godfrey was buried in 1664. (Cathedral of St. Paul in distance)

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escorts. "The inhabitants expected wee should have declared them freed from the Massachusetts Government," wrote Maverick (*Colonial Papers* xix, 74). From there they came to York June 25, 1665, and were joyfully received and escorted by the train bands summoned to perform this honor. Archdale had preceded them and in the name of Gorges appointed thirteen Justices to manage the affairs of his Province. With this complication before them the commissioners solved the problem by appointing eleven royal justices in their places and forbidding both Massachusetts or the Gorges Justices to exercise any authority in Maine until the pleasure of the king was made known. These Royal Justices were practically identical with those nominated by Archdale. Edward Rishworth and Francis Raynes were named by him, while the Royal Commissioners appointed Edward Rishworth and Edward Johnson for the York members. It is clear that the people here were tired of the lack of spirit shown by Gorges in their behalf and the loyal leaders petitioned the king to take them under his personal government, as they "are much afrayd least wee bee further intangled by Mr. Gorges in our Lands which by our hard labours wee have fitted for ouer familys" (*Colonial Papers* xix, 82). This done the commissioners and the inhabitants awaited the announced visit of the two magistrates from Boston to hold the regular quarterly Court with their faction in York, as ordered by the General Court. Sir Robert Carr issued an order to the captain of the militia company of York to appear with his men "in arms on Tuesday morning next, in the field where they usually meet" (*Williamson, Maine* i, 417). The emissaries from Boston came, saw the determined opposition to their performances, addressed a letter of protest to Sir Robert Carr for obstructing them by armed force, and retraced their steps to the Bay State. The people were so delighted with this show of boldness that in their enthusiasm the Royal Justices appealed to the king to "permitt and order your Honorable Commissioner Sir Robert Carr, Kt; to bee and continew as under your Command our Governor" (*Colonial Papers* xix, 82). This was signed by all the justices, except two, who had not accepted their appointments. Five months later they sent him a letter calling him "a friend in adversity." This sentiment had its

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effect on Sir Robert and in December of that year he asked the king to appoint him Governor of Maine, but nothing came of it (*Ibid.* v, 1100). The people of Maine had at last found their Moses to lead them out of the political wilderness created by the unlawful interference of the Puritans of Massachusetts with their territorial rights in government and property. The fates, however, decreed otherwise as Sir Robert died in 1667, the day after he landed in England on his return.

The hand of death had again appeared as an aid to the political fortunes of the Massachusetts government. In turn the settlers of Maine had lost its founder and his friends, Gorges, Mason, Godfrey and Norton, and now Carr was added to the list of those who had gone to their rewards.

Mention may be made here of the widow he had left in York, his second marriage. She was first known in this region as the Widow Anne Messant or Measant, and she had been living in Dover as early as 1640, where she owned a house lot of four acres (*N. H. Deeds* i, 17; ix, 748). How much longer she had been there is not known, but when Rev. George Burdett settled in Dover she became his housekeeper, a position which was enough to compromise her character, but she escaped the tongue of slander completely. It is certain that when Burdett removed to Agamenticus she came with him in the same capacity, and when he was driven out of the Province of Maine in 1643 the house and land occupied by him, near Godfrey's Cove, was given to her as security for an unpaid loan of one hundred and sixty pounds (*Deeds* iii, 166). Shortly after his departure she became the wife of Edward Godfrey, who by this marriage acquired title to the Burdett-Messant property on the south side by courtesy. There was no issue by this union as both were evidently much beyond middle life. She was surviving as late as January 1680-1, probably very aged.

Diligent search for many years has been barren of result in definitely establishing her relationship to any person or family in Maine or New Hampshire. Nothing indicated that Burdett was a kinsman, and the only promising clue is found in her gift to Mrs. Alice Shapleigh, wife of Major Nicholas. On September 14, 1667 Mrs. Anne Godfrey deeded to her the "farm" on which she dwelt,

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“in consideration of the naturall Love & affection which she beareth unto the sd Aylce Shapleigh” (*Ibid.* ii, 34-35). Except for the addition of one hundred pounds as part of the bargain, it would be easy to proclaim them at least aunt and niece, but the money is not a complete bar to relationship. The Shapleighs and the Godfreys were always intimate and the following facts gleaned by the author lend color to this possible kinship: Alexander Shapleigh of Kingsweare, Devon, married Jane Egbeare December 12, 1602 and Nicholas, born 1617 was one of the issue of this marriage. Measant is a surname in that county; several testators of that family resided in the parish of Lifton. The will of a Jane Measant, widow of Lifton, 1633, was witnessed by Augustine Egbeare, who also appraised her estate. This brings the names of Shapleigh, Measant and Egbeare together, but the connecting link has not yet come to the surface.

CHAPTER XXI

MASSACHUSETTS TROOPS INVADE YORK 1668

For three years peace had reigned from the Piscataqua to the Penobscot. There was no occasion, therefore, for a renewal of the disturbances of the past decade except such as might be spawned and nursed by ambitious and disappointed politicians. Massachusetts could not attempt another subversion of their rights upon the theory that internal dissension would warrant her mediation as she had before pleaded in justification; but opportunity for her interference was again to be created by the old and always successful tactics, petitions. Clandestine petitions in considerable numbers were obtained by a junta of professional agitators who hoped to welcome once more her authority in the Province of Maine. Peter Weare, "who hath been a principal actor in all these disturbances," was arrested by order of the Royal Justices for circulating petitions "and his writings taken from him wherein hee had pured severall hands to the Genell Court for subverting our Govern^t for whose seditious practices hee was Imprysoned . . . & that night the pryson doores were staved In peeces by some of his confederats & being freed secunded his former actings with greater violence . . . repayering to the Gene^l Court in the midst of all for his security was their animated for the carrying on of the design" (*Col. Papers xxiii, 58*).

It was only through this channel that these agitators could return into place and power and they pulled the wires with ceaseless activity. The leaders of the loyal party could not combat this species of warfare, for with the authority of the Crown to sustain them there was practically nothing more to do. A faction within was beckoning to an outside power to commit an unlawful act of usurpation, and to wait till it was in process of accomplishment before action was the policy of the supporters of the throne and they awaited developments. The political cauldron boiled and fumed with increasing force day by day, while the fuel was furnished by a clamorous

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crowd. The General Court was to meet in May and these self-constituted reformers made it the occasion for ostentatious demonstrations. Memorials were circulated in every town asking for a return of the authority of Massachusetts over the distracted and suffering country. These petitions, now on file among the Massachusetts Archives in the State House, Boston, contain the signatures of 127 persons, 45 less than the number (172) who submitted in 1652-8. Falmouth has 29 signers; Wells, 24; Cape Porpoise, 14; Kittery, 31; York, 29; but there are no names from Saco and Scarborough — two towns that were thoroughly loyal under the lead of Jordan, Joscelyn and Philips. It will be remembered that in 1656, four years after, but 51 of the original signers of the submission could be found to endorse the Massachusetts regime in an address to Cromwell, and now but 39 of them were willing to vote for their return to power, a gradual falling off that is not all to be accounted for by death and departure. Less than 20 per cent of the original submitters could be made to say that they would submit again, the remaining 88 being new and mostly unknown persons. And of the 71 planters who endorsed them in 1656 but 30 could be found to repeat their act on this occasion. An examination of the petitions shows us the following well-known names: Cleaves, Munjoy, Ingersoll and Brackett of Falmouth; Knight, Hammond and four Littlefields of Wells; Purington, Sanders, Cole and Montague of Cape Porpoise; Frost, *pere et fils*, Plaisted, Chadbourne and Withers of Kittery; and of York we note Sayward, Davis, Donnell, Weare, not forgetting Rishworth who would sign a petition for anything or occupy both sides of a political fence if he could only be kept in the office of Recorder. But three years ago he had been given an office by the Royal Commissioners and now he deserted his associates. Nathaniel Phillips describes these memorialists as "a Company of restles people . . . of noe Credit or reputation, but living on Land of other proprietors" (*Col. Papers xxiii, 50*).

These petitions were taken by Massachusetts upon a quantitative rather than a qualitative analysis; and in direct defiance of the king's commands as defined in his letter April 10, 1666, reference to which has been made, they resolved to attempt another conquest of the coveted

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territory. They announced their intention of sending Commissioners to reconstruct the civil government in the interest of law and order, and Maj.-Gen. John Leverett, Col. Edward Tyng, Major Richard Waldron, Speaker of the House of Deputies, and Capt. Robert Pike were chosen for the task. As soon as the Royal Justices became aware of this hostile movement they at once informed Colonel Nicolls by letter, May 20, 1668, "certifying him of the premisses" and requesting his immediate attention and advice.

In the meantime the last Provincial Court holden under the dispensation of the Royal Justices sat at Saco May 29 and they awaited a reply from Nicolls with anxiety. Under date of June 12 he wrote to the governor and officials of Massachusetts in which, after reminding them of the explicit commands of the king, he says: "I know you have force enough to compell most of your neighbours to submit to the government, but if you thinke that His Ma^{ties} arme will never be strecht forth to defend his subjects from usurpation, you may attempt anything under the notion of setling peace and order . . . you will find that Province already settled by His Ma^{ties} Commissioners in peace and order except, some few turbulent spiritts." After protesting against this interference which he "was for some time past very unwilling to believe" he warns them that they "may cause blood to be shed, for it is both naturall and lawfull for men to defend their just rights against all invaders," and closes with a prayer that they "may be indued with the spiritt of obedience, charity, meekness and brotherly love; holding yorselves within these bounds you may be happy upon all the points of the compasse" (*Hutchinson Coll.* 427; *comp. N. Y. Col. Doc.* iii, 170). He sent a copy of this to the Royal Justices and the original letter of the king dated April 10, 1666, enclosed in a "noble and most wholesome Answer with the best advice how to Act." The General Court gave no heed to this warning of the king's legate, couched as it was described by the writer "in plaine and large terms." That body "or rather as may be sayd part thereof" writes Phillips, "sent their Commissioners and officers to York the Metropolitan of the province who there appeare upon the second Tuesday of July." They came not clothed with the vestments of peace but girded with the



MAJ.-GEN. JOHN LEVERETT
In Command of Military Invasion of York,
1668

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habiliments of war and conquest. These emissaries of law and order were "attended with about twelve armed men on horseback, with a retinue of as many more of their friends with Swords, most being Captains and men of worth accompted amongst them." The Massachusetts Commissioners furnish many details of the preliminary diplomacy to which a place is given at this point. "Mr Jocelyn & severall others styled justices of the peace" they say "coming nigh to the ordinary where we were, before ye doore, after salutes passed they told us they desired to speake wth us in the morning. To their desire wee complied & gave them a meeting where wee acquainted them wee were ready to heare what they had to say, but not assent to treat wth them about what wee had to doe." This was the keynote of their song throughout the transactions. They would listen but not discuss, for they came to regulate the affairs of the country, not to talk about them. "Demanding what errantt they had in the Province of Mayn," say the Royal Justices in their report of the transactions, "Major Leverett cheefe in commission answered to assert the Massachusetts authority in that part of the sd Province that formerly was called York Shyre, wee tould him his Maj^{ties} civill Courts were not bee to asserted in such an equipage of armed men Major Leverett replied Indeed Itt was against his knowledg yt any of them appeared at that tyme. Itt was by Captⁿ Waldens order who answered It was onely in Honoⁿ to ye Major Gen^{ll} : In some further agitations wee gave them to understand that wee had our Commission from his Ma^{ties} Hono^{ble} Comm^{rs} In the yeare '65 which did expressly prohibit them from makeing any alteration in the Governmt of the Province of Mayn, untill his Maj^{ties} had declared his pleasurr unto whom Itt apprtayned, whose act of his Ma^{ties} Commissio^{ns} was since confirmed by his Ma^{ties} Letter bearing date the 10th of Aprill 66."

The Royal Justices supported this statement by producing the original draft of that letter which had been sent to them by Colonel Nicolls. This mandamus, as it was called, explicitly confirmed the acts of the royal commissioners in Maine during their official visit in 1665 and prohibited any further change until he could regulate the matter at his pleasure. As may be imagined this paper created some consternation among the intruders and the

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Royal Justices were not scrupulous in "pressing it hard to them" as Phillips says (*Col. Papers xxiii, 50*). "When Major Leverett saw that, sayth hee, I did not thinke you had had that, indeed I never saw it before: I have diverse times seen his Maj^{ties} hand & and do believe this is the same, which had the General Court seene I am prsuaded at prsent it might have stopped our voiage." (*Col. Papers xxiii, 58*.) This, however, seemed too much of an admission and had evidently been made in an unguarded moment. Perceiving its effect upon their position, "Hee told us further," the Royal Justices say, "wee had It but 3 days as hee was Informed, wee replyed wee had the Cobby thereof sent unto us by his Maj^{ties} commissioners this two yeares." To this Major Leverett, after a critical and minute examination of the letter, "sayd further that his Maj^{ties} letter had a great Mayne in itt wanting the seale & further tould us that they had their commission from the Gene^l Court some weeks before wee had that letter." He fitly capped this specious logic by saying that they were "therefore resolved to carry on their business or words to that effect" (*Col. Papers xxiii, 58*). Finding these gentlemen not amenable to reason, Justice Jocelyn tried to impress them with the unpopularity of their cause. "Mr. Jocelyn told us," say the Massachusetts agents in their narrative, that there was not above "five or sixe of a toune for us: to which wee replyed wee should see that by the returnes." To this curt rejoinder the Massachusetts delegates added that if they should be disturbed in their proceedings "they should advise what to doe" and the Royal Justices thereupon left remarking that they must "attend to their commission." This terminated the interview of the two factions although "many other things passed us," say the Massachusetts emissaries, "but wth mutual respect" (*Mass. Col. Rec. iv, 400*). After they had separated "The Major General," writes Phillips in his narrative, "and the rest of the Commissioners with his Retinue, and the rebellious petitioners, with drum beating before them marched upp to the Church and there read their Commission from the Generall Court" (*Col. Papers xxiii, 50*). Then they continued by "declaring to the people wherefore wee came," says the Massachusetts report, "whereto there was great silence and attencon." The election returns for county

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associates were next called for by their marshal and five towns sent in their ballots. "Whilst the Court was busy in opening, sorting & telling the votes, the Royal Justices came up & without doores, by some instrument made proclamation that all should attend to heare his majesties commands. Upon which order was given to the Marshall & accordingly he made proclamation that if any had had comand from his majesty, they coming & shewing it to the Court, the Court was open and ready to heare the same: thereupon those gentⁿ came in & manifested their desire that what they had sheune to us in private might be read in Court to the people. To whom we replyed that the Court was in the midst of their business in opening the returnes of the county from the severall tounes of election & so soone as that was over, & after diner, they should have their desire granted." (*Mass. Col. Rec. iv (ii)*, 400.) As soon, therefore, as the electoral result was determined the Massachusetts commissioners adjourned "& went to dinner." In the meantime, says Phillips in his "Relation": "the Justices after some private Conference betwixt themselves, concluded to sett themselves in judicature in the afternoon" (*Col. Papers xxiii*, 50), but while the Massachusetts Commissioners were enjoying their noon-tide repast at the ordinary, the Royal Justices proceeded to sandwich in a session of their court between the two meetings of their opponents. In what manner this was accomplished the Royal Justices themselves relate as follows: "At present then we parted & not long after wee went up unto the place of Keeping Courte againe but those Massachusetts gentle: were att dinner & wee willing to dispatch our business gave our Marshall a warrant to call all the people then assembled in the Town to come before us by two of the clock." (*Col. Papers xxiii*, 58.)

Reports of this sudden flank movement were not long in reaching the Massachusetts commissioners who were partaking of the good things spread before them by the landlord at the tavern. "Whereupon," they say in their report to the General Court, "wee sent to speake wth them after dinner. They returned they would provided wee would not proceed any further until we spake wth them. Wee sent them word we did engage it. They sent us word that they would meet us at the meeting house." (*Mass. Col. Rec. iv (ii)*, 400.) The Royal Justices had, in

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fact, taken advantage of the temporary absence of the other party, but only in an experimental spirit, for Phillips says they went "to shew their power and from whome soe to see which was of most waite." (*Col. Papers xxiii, 50.*) Then they sent their marshal (William Phillips of Saco) "with two gentle: accompaying him as testimonyalls of his carrage of the peoples behavior towards him & of the motions of ye Massachusetts Gentle:" (*Col. Papers xxiii, 58*), to proclaim the opening of the quarter session of the court of Royal Justices. The doughty marshal proceeded to face the music at the outset and "goeing to the house of Capt Davess wr the Commisso^{rs} & greatest concourse of people were assembled,¹ according to his order, published his comand." (*Mass. Col. Rec. iv (ii), 400.*)

The Massachusetts Commissioners dealt vigorously with this flaunt from these officers. "It was demanded of them what and by what authority they published to the people to make disturbance. They answered that they published what they had in the King's name. They were demanded to show their order or authority. They answered that was for their security." (*Mass. Col. Rec. iv (ii), 400.*) Upon this refusal the marshal and his son were "surprized and forthwith imprisoned . . . by the Major Generalls command to his officers." Having done this the Massachusetts commissioners "immediately after sent up their Marshall to us vidzt the Comissio^{rs} to know our meaneing of that affront putt upon them in taking up their places wn they expected not our coming soe soone, demanding of us whither wee Intended peace or warr or words to that purpose, our returne was wee were his Maj^{ties} just^{es} of peace & we were not for warr but peace." (*Col. Calendar xxiii, 58.*) The beating of the drum heralded the approach of the Major General with his armed retinue and they "came up to us in some heate of spirit," wrote the Royal Justices, "demanding the like of us." They knew the psychological value of beating drums and drawn swords. The Massachusetts commissioners give the details of this episode in their report as follows: "Wee went up to them & told them wee expected that

¹ It is apparent from this statement that the Massachusetts Commissioners put up at the old Puddington-Davis Inn, on the site of the Sayward House, and that the Royal Justices were accommodated at the tavern of Nicholas Davis at the lower end of the town, as the road turns towards the Marshall House.

MASSACHUSETTS TROOPS INVADE YORK

they would not have put any such affront upon the Court, nor should such motions hinder us prosecuting our commission for wee could keepe the Court elsewhere." (*Mass. Col. Rec. vi (ii)*, 400.) The climax of excitement was reached at this point. The meetinghouse was filled to overflowing and it was with difficulty that a passage had been made for the Major-General and his armed body-guard to approach the bench. Partisans of both factions were present in large numbers ready to resort to violence at the slightest provocation. Presently "some of the people began to speak but were commanded silence," continues the Massachusetts report, "& the officer was by us comanded to clear the Court, whereupon the people departed & Mr Jocelyn spake to some of them nigh him to depart: so they coming from the seate wee came to private discourse: & they insisted to have their comission & the Kings mandamus of 1666 to be read: wee tould them that wee would performe what wee had promised when the Court was sett:" Having agreed upon this plan of procedure the two factions resumed their seats on the bench side by side and the people were called in as it was the thought they might behave better when they beheld this outward appearance of reconciliation. The papers in question were then read by the Royal Justices, being their commission ("the ground of it exprest to be from the peoples petitioning"), and "that part of the mandamus of 1666" which they desired might be read. After this they requested that the letter of Colonel Nicholls to the governor and magistrates should be read, "but that not being of concernment to them there, save only for information of the justices of what had passed from him to the Governor & magistrates to whom it was directed it was refused." (*Mass. Col. Rec. iv (ii)*, 400.) Then Major-General Leverett arose and delivered a long harangue of running comments on the documentary evidence presented by the Royal Justices. Respecting their commission he said the people "could give best answer thereto," but he had evidently changed his mind about the king's mandamus. "He seemed to Invalidate (it) because hee sayd hee did not apprehend it was his Maj^{ties} letter because their were some things mistaken in it." (*Col. Papers xxiii*, 58.) He followed this second exhibition of his logic by a statement of the position of the Massachusetts Commissioners

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and if we can rely upon their report he made the following stump speech. "Wee were commissioned to Keepe Courte & setle the country which worke we had begunne & God willing should prosecute to performe the trust committed to us. And having declared to the people that wee were not insensible how at the tyme of the interruption of the government in the year 1665, by such of the gentlemen of the Kings comissioners, that were then upon the place, they had manifested their displeasure by telling the people that the Massachusetts were traytors rebels, disobedient to his Majesty, the reward whereof within one year they said should be retributed, yet wee told them that through the good hand of God and the Kings favor the Massachusetts were an authority to assert their right of governmt there by virtue of the royall charter derived to them from his majestyes royall predecessors & that wee did not doubt but that the Massachusetts colonies actings for the forwarding his majesties service would out-speake other words, where there was nothing but words for themselves, or against us" (*Col. Papers xxiii*, 58). At the close of this harangue they were no nearer an adjustment of their differences than before. Indeed the inflammatory boasts of Leverett, and his sarcastic flings at the Royal Commissioners, of whom Sir Robert Carr was especially popular, had only excited the indignation of the loyalists, and Phillips reports that the justices were "much animated on by severall . . . whereupon they to avoyd a tumult withdrew in private being loth to cause a disturbance amongst the people." This retreat, but another in the series of surrenders which marked the usurpation thus far, was taken "in obedience and observance of the honorable Colonell Nicholl's Letter," and as recommended by him in this contingency, they prepared for presentation the next day a protest against the proceedings of the armed invaders. After the Royal Justices had retired the victorious troopers proceeded to hold a Court of Justice! They impaneled a grand jury, swore them in and administered oaths to the county associates who were present. After this the constables and the trial jurors were selected and sworn and a few actions which had been entered were adjudicated. On Wednesday morning (July 7) the Royal Justices sent to Leverett and his armed cohorts "to desire that at our leisure time," say the Massachusetts officials

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in their report, "they might speak with us, they were sent for and presented us with a paper." (*Mass. Col. Rec. iv (ii)*, 400-4.) This was a protest signed by all of the justices "against the present actings of the Comⁿ of the generall Court of the Massachusetts Relateinge to this province as being not only contrary to the comand of the sd Com^{ns} exprest in our Comⁿ but also against that clause signified in his Majesties mandamus in the yeare 66." (*Col. Papers xxiii, ii (2)*.)

After they had filed this protest "every one of them," says Phillips, "departed to their owne homes, then the Bostonians had swing enough, keeping Court with some few of the rebellious persons, Some Townes having not one appeared, there they turned out all Military officers and Commissionated others in their Roomes, Instituting new Justices to Govern under them." Indeed their work consisted wholly of ousting the opposition from office and dividing the offices for "few or no parties to lawsuits were ready for trial" (*Williamson, Maine i, 438*), and the victors sheathed their swords on the third day with the glorious record of a bloodless revolution and a firm grip on the political plunder.

This most interesting episode of the usurpation is here told for the first time, with the advantage of the version of the Royal Justices, sent by them to England by Nathaniel Phillips, for comparison with the story of the Massachusetts Commissioners as set forth in the records of the General Court. Heretofore the only evidences of these personal contacts have been drawn from the partisan reports of the usurpers.

Doubtless the Royal Justices were domiciled at the tavern of Nicholas Davis in the lower town and the Massachusetts troopers at the tavern of John Davis. The place of public assembly was the newly built meetinghouse on the Lindsay Road.

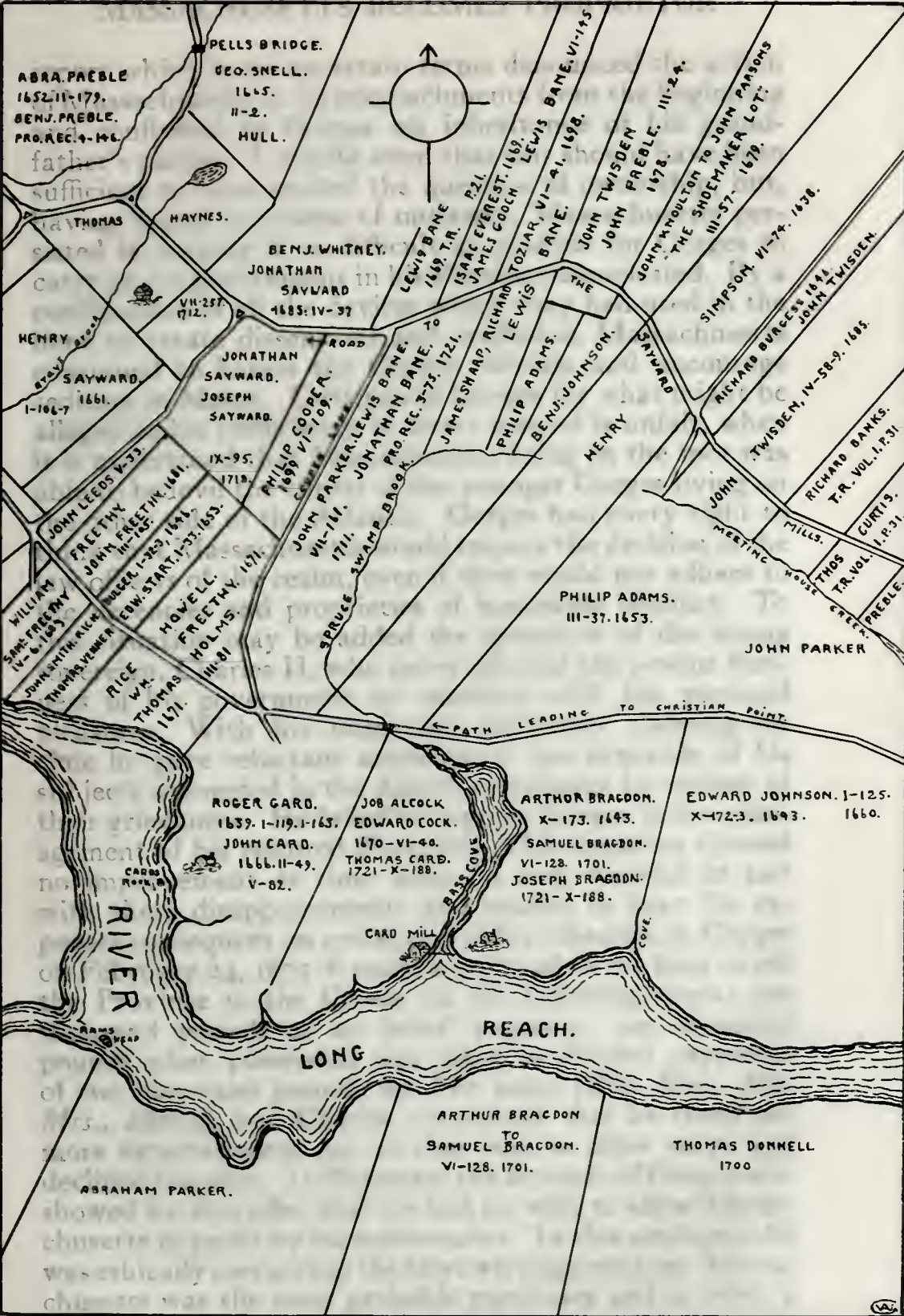
CHAPTER XXII

MASSACHUSETTS BECOMES LORD PROPRIETOR BY PURCHASE

1677

At the end of the ten years attempt to bring an unwilling people into continued subjection, it became apparent to the more honest and fair-minded people in Massachusetts that might did not constitute right even when amply reinforced by pious asseverations. Among those who recognized the dishonesty of the Massachusetts claim was Major-General Daniel Gookin of Cambridge. Professing to have been personally acquainted with Sir Ferdinando Gorges, he addressed a letter on June 25, 1663 to Ferdinando Gorges, the grandson, recounting the question of proprietorship and jurisdiction which had been in controversy between him and the Bay Colony. He suggested that it might be for the interest of Gorges to "make some honourable composition with the jurisdiction of Massachusetts," suggesting that he believed that "they will comply withall rather than ingage in a contest with you." It is not to be presumed that Gookin wrote this letter on his own personal initiative, but rather as spokesman for a number of influential people who wished to disavow the immoral usurpation proceedings and appropriation of another's lawful possession. This creditable act apparently had no immediate result and quite naturally so. Gookin had made the mistake of calling Gorges' patent a "claim" which was a tactical error and Gorges would have justified it had he allowed himself to enter into negotiations on such a basis. As far as known this "honourable composition" did not develop any practical result. It was morally certain that the law officers of the Crown would uphold the validity of the Gorges Patent against the pretensions of the false line selected by Massachusetts as her excuse for invading his property. He could afford to ignore it.

The expectations of Gorges in this regard were soon rewarded as in May, 1675, the judicial officers of the Privy Council, to whom the matter was referred, rendered a



MAP OF YORK CORNER AND VICINITY
 Showing Home Lots of the Earliest Residents

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report which in no uncertain terms denounced the action of Massachusetts in its encroachments from the beginning and confirmed to Gorges his inheritance of his grandfather's patent. It would seem that this should have been sufficient to have settled the question of ownership, but, having begun its course of outlawry, Massachusetts persisted in making it as difficult as possible for Gorges to carry on his government in his Province unmolested. By a continuance of all the devices which they had used in the hope to create dissensions and confusion, Massachusetts continued to harass the Gorges officials and encourage sedition in Maine. Criticism of Gorges for what might be alleged as his inefficiency in direct control is unfair, when it is understood that Massachusetts being on the spot was able to bedevil the efforts of the younger Gorges living on the other side of the Atlantic. Gorges had every right to think that Massachusetts would respect the decision of the law officers of the realm, even if they would not adhere to the decencies and proprieties of honorable conduct. To this situation may be added the character of the young sovereign, Charles II, who never allowed the serious business of his government to interfere with his personal pleasures. With his numerous mistresses claiming his time he gave reluctant attention to the demands of his subjects interested in the American colonies for redress of their grievances. He failed to support Gorges in the management of his restored Province. This situation showed no improvement as time went on and, wearied at last with these disappointments and unable to bear the expenses consequent on protection of his inheritance, Gorges on February 24, 1675-6 made a proposal to the king to sell the Province to the Crown on the following terms: one thousand pounds as an initial payment; ten thousand pounds when possession was taken in divided payments of two thousand pounds for five years (*Brit. Mus. Add. Mss.*, 28089), but Charles considered that he could get more entertainment out of that sum in other ways and declined the offer. It illustrates the attitude of Gorges who showed by this offer that he had no wish to allow Massachusetts to profit by his misfortunes. In this sentiment he was ethically correct but the fates were against him. Massachusetts was the most probable purchaser and in 1677, a quarter of a century after it had begun its attack on his

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rights, found the time opportune to buy what they had been unable to steal. Doubtless the agents of the colony in London were aware of Gorges' offer to the king and his refusal, and they seized upon the incident to revive the idea originally propounded by Gookin. Gorges yielded, and on May 6, 1677, Massachusetts, through an agent then in London, paid twelve hundred fifty pounds for the right, title and interest of Gorges as set forth in the original charter to Sir Ferdinando. This brought to an end a campaign of encroachment and outlawry which will be forever discreditable to its perpetrators. While this termination was unsatisfactory to the distinctive Royalist element in Maine, yet it had to be accepted as a final and legal settlement of the anarchy which had followed the entrance of Massachusetts into this Province. The proof of this is in the attitude of the settlers. There was no further open refusal to recognize Massachusetts as the lawful authority. They had resented her dishonest proceedings but had been powerless. Now that she had acquired a legal status in the Province and had become its owner, general political agitations ceased thenceforth and Maine slowly became a peaceful, if not a contented, community. The old prejudices still rankled.

Having thus secured the title to the Province, a strange anti-climax ensued. On October 2, 1678 the General Court ordered the treasurer to reimburse the agents for the money advanced by them to pay Gorges and then took this unexpected action:

Also, this Court doth desire the Governor & council to take order for the improvement, government, & disposall of the said place by sale or otherwise, for the reimbursing the said money in the countrys treasury, as to them shall seeme most meet & best.

This decision to convert into cash and sell to an unknown purchaser the destiny and government of the inhabitants of this Province, like so much merchandise, was a distinctly discreditable sequel to their previous interferences with the political rights and liberties of the inhabitants. No information is available as to the existence of a possible purchaser who might have suggested this action. Aside from the people of Maine themselves, the only purchaser might be the French government, and it is not improbable that inquiries from that source brought the Massachusetts

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officials to their senses, as they saw the danger of this scheme to realize on their investment.

More honorable counsel prevailed, however, and six months later they made a provisional reversal of this action on May 28, 1679 in the following language:

This Court hauing, in October sessions last, passed a vote empowering our honored Gounor & council to improove or dispose of the Province of Majne, by sale or otheruise, for reimbursing what money was layd out in England for purchase thereof, on further consideration, doe see cause to recall the sajd vote, & declare they judge meete to keepe the sajd prouince in the countrys hand, according to contract made by our comissioners, vntill this Court take further order therein.

This vote closed that phase of the long story of usurpation, but it must have been a shock to their satellites in Maine to find that they were being offered in the market to the highest bidder by their great and good friends in Boston!

Yet another difficulty arose in the path of Massachusetts which threatened to upset this seemingly satisfactory settlement for them. The king was very much angered with Gorges for disposing of his title and demanded of the Bay Colony a cancellation of the bargain upon repayment of the purchase price to them. His legal advisers contended that while Massachusetts might acquire title to the soil, it could not buy jurisdiction over a colony or province, as that was inalienable. They were ordered to cease exercising the sovereign rights of governing it. As usual Massachusetts played for time and ignored the subject of a reconveyance. Nevertheless in secret instructions, in 1682, to their agents in London, they authorized them to turn over the deeds of Maine to the king, if it would save their charter from confiscation, which was then threatened. Pending the outcome of this new danger they continued to exercise proprietary rights of government here, and went on with their schemes of administering the affairs of the Province. But an aroused discontent manifested itself over the possibilities of being offered for sale again, and the ruling that Massachusetts had not bought the power of sovereign control in government, although it had acquired ownership of the soil. This excited the freemen again to action, and a petition addressed to the king, in 1680, signed by over an hundred persons from all the towns in the Province, praying that they might be restored to his immediate authority as a

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royal province, was sent to England. Of this number of remonstrants twenty-two were residents of York, the last to register their opposition to the overlordship of Massachusetts in their long struggle. The local signers were:

Angier, Sampson
Banks, Richard
Beale, Arthur
Bragdon, Thomas
Brawne, John
Card, John
Curtis, Thomas
Donnell, Joseph
Donnell, Nathaniel
Hilton, William
Hoy, John

More, William
Puddington, John
Pulman, Jasper
Raynes, Nathaniel
Sheares, Jeremiah
Trafton, Thomas
Twisden, John
White, Richard
White, Sampson
Wiggins, James
Young, Rowland

*(Original in the
Public Record Office, London.)*

Having acquired an honest, perfect and legal title to the soil of the Province of Maine, the Massachusetts authorities no longer spoke of the right of Ferdinando Gorges as a "claim," nor did their accomplices in the Province repeat, like a village chorus, the stilted phrases expressing their contempt for the "pretended authority of Ferdinando Gorges." Secure at last in possession of the soil and its titles, they promptly threw into the scrap heap their dishonest claim that the northern bounds of Massachusetts included Maine. This ingenious and unscrupulous attack on territory formerly granted to another had served its purpose and never had any further place in their calculations. Thereafter they rested all their authority on the Gorges Patent, which they had once flouted, and henceforth we are treated to the solemn spectacle of the Massachusetts authorities declaring themselves "the now Lord Proprietors of the Province of Mayne!"

Thomas Danforth, who had been appointed President of the Province in pursuance of their scheme of local management of this town, came to York in March 1680, had a public proclamation of his authority heralded, exhibited his commission and constituted a new government of the Province, consisting of a Deputy Governor, Royal Councillors and an Assembly. Acknowledgment of this town as the ancient "Metropolitan" was made, and he appointed Major John Davis as Deputy President. Thus

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after an interval of twenty-eight years since Godfrey was Governor, another York man came to be chief official to end the turmoil created by alien authority. On March 30, the first General Assembly of the Province met here to start the new proprietary under favorable auspices.

A new feature was now introduced to disturb the people of York. In 1652 they had invaded a neighbor's territory to "advance God's glory," and now as Lord Proprietors they were preparing to collect the quit rents from the people of York as provided in this "pretended patent." The hypocrisy of their entire proceedings is made manifest by an indenture, dated July 26, 1684, which placed this, the shire town of the province, under trustees to insure the payment of their rentals. This extraordinary reversal was stated to be "as an acknowledgment of Sir Ferdinando Gorges and his Assigns Right to Soil & Government." This quitrent amounted to twelve pence for every family whose tax did not exceed two shillings, and those in excess of that rate were required to pay three shillings annually to the new Lord Proprietors of Massachusetts on pain of a levy and costs of same. Major John Davis, Mr. Edward Rishworth, Capt. Job Alcock and Lieut. Abraham Preble were selected as Trustees of this town to carry out the orders of their new masters as shown by copy of the document, which is printed in full in the appendix.

This indenture, following an authorization by the General Court May 11, 1681, formally placed the town "forever" in possession of the trustees and their successors, "without let, denial or contradiction of the Governor and Company of the Massachusetts Colony, or any other person or persons whatsoever," and in consideration of this grant the trustees were obligated to collect and pay to the governor and company the prescribed sums due to them from each resident as provided in the charter granted to Gorges. The "pound of flesh, nominated in the bond" was thus secured at last.

It is evident that the townsmen had not expected to be required to pay a quitrent to the new Lord Proprietor, and this sentiment was reflected in a vote to withhold such payments pending further conference with Boston. The following action was taken on this matter:

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At a Legal meeting holden in York November the 10th, 1686, It was agreed & ordered by the Inhabitance of the sd Town that the Selectmen of their sd town shall forbear making of the rate for the quid rent untill such time as that they can send & make their address to the Honor'ble President & Councill & for that End have chosen mr. Edw Rishworth Capt Job Alcock & the Selectmen of the Town for a Committee to draw up an application in the behalfe of the sd Town & Send it to the Hon'ble Presedent & Council then votted. (*Suff. Court Files, 162242.*)

What action, if any, was taken to fulfill the wishes of the town is not known, as the loss of the Town Records leaves only the opportunity to conjecture. Whether these quitrents were collected and paid is also a matter of uncertainty for the same reason. Presumably some paid under the threat of levy on their estates, and equally some did not. That it produced dissatisfaction is evident from similar action taken by other towns in the province who petitioned for an abatement of this anachronistic tax. An end of it came with the arrival, in December following, of Sir Edmund Andros as Governor-General of New England and New York, with whose regime all local authority was deprived of its former powers. The change in governors only resulted in increased burdens on the people. Sir Edmund voided all land titles and required claimants for them to present petitions for confirmation of their holdings, of course at a cost of exorbitant fees. Rowland Young and others of this town sent in their pleas for this new form of assurance, that the land they had owned for years might be allowed to continue in their possession undisturbed. This added aggravation lasted until April 1689, when the citizens of Boston arose in rebellion, arrested Andros and packed him off to England. The feeble and irresolute inter-charter government of the ancient Bradstreet followed this unfortunate experiment in exploitation of the provinces, and the new charter of William and Mary, 1692, ended the farce. This new document was a step forward in the spirit of the age in according greater rights of self-government to the Province and its constituent parts. The day of "quit rents" in Massachusetts was over.

CHAPTER XXIII

ARRIVAL OF NEW SETTLERS

1660-1700

During the forty years ensuing the restoration of the monarchy in 1660, about sixty heads of families came to settle in various parts of the town. It was a period of rapid growth. Most of them became permanent residents, but a number lapsed into the "transient" class, and removed to localities less dangerous to existence, during the Indian troubles. Here follow short sketches of these new inhabitants.

DANIEL DILL

This settler was one of the Scotch prisoners, perhaps originally MacDill, who came here as a servant of Alexander Maxwell. He was a witness in 1660 (*Deeds i, 101*), being then about thirty years old (*Ibid. vii, 77*). In addition to a home lot in Scotland he had land granted on the west side of the river in 1681. He signed the petition against the sale of Maine in 1679 (*Mass. Arch. iii, 341*). As a part of his record he was fined for intoxication in 1666. He married Dorothy, daughter of William and Dorothy (Dixon) Moore, and sister of Thomas Moore (*Deeds vi, 95*). He was killed April 2, 1711 during an Indian attack on York, with his companion, Joseph Junkins, while fishing near the garrison. They had the following children:

- i. John, b. 1666.
- ii. Daniel.
- iii. William.
- iv. Joseph.
- v. Elizabeth.

The genealogy of this family appears in Volume III of this history.

ISAAC NASH

This settler first appears in Dover, N. H., 1650, and removed to this town about 1660 and died here two years later, as on July 5, 1662 his widow, Phoebe, was granted administration of his estate. She afterwards married John Pearce. No descendants remain in the town.

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BONAVENTURE BARNES

An individual bearing the formidable name of Bonaventure Barnes was living here in 1666 when he was presented for not attending public worship. Two years later he was presented for living several years in this country apart from his wife in England, and he gave bond to go to his wife within a year. He probably complied as nothing further was heard of him.

JOHN CARD

John Card John Card first appeared in Kittery 1664 and two years later settled in York, presumably son of the John Card who was ordered home to his wife 1653 (*N. H. Records*). He was at that time probably unmarried and a cooper by trade. It is a Devon name and he possibly came from Combe-in-Teignhead in that county, although in Honiton a John, son of John, was baptized there January 1, 1642-3. Our John was born in 1643 (*Sup. Jud. Ct. Mss.* 746). His homestead was on the east side at Bass Cove. He, or the first John, was Constable in 1674 (*N. H. Deeds v, 4*). He signed the 1680 petition to the king. He was married thrice: (1) Mary, who signed in 1669 (*Deeds ii, 64*); (2) Martha, widow of Robert Winchester, January 16, 1683 (*Ibid. iii, 138*); and (3) Elizabeth who was called "now wife" in his will. He was killed in the massacre of Candlemas Day (1692), leaving a will dated the previous year of which the following is an abstract:

Item I bequeath to my Eldest sone William Carde the tract of Land being bounded from the lower end of the Cove nigh to Edmond Cook's lott soe running uppon the Northeast line Joyning to my owne lott and so Joining in Breadth upon the line of Edmond Coks Lotte so running backwards so farr as my Lott doth/

Item I doe bequeath Annas Carde my Daughter twelfe pence in silver to be paid by my Executor after my buriall/

Item I bequeath to Mary Carde my Daughter twelff pence in silver to be payed by my Executor after my buriall/

Item I doe bequeath unto my now wife Elesabth Card I do bequeath the one half of my Goods and Chattells of what kind or nature soever and also the one halfe of my home lott and half of all my marsh hom and a brood during her life not given nor bequeathed before my funerall Expences and Debts discharged/

Item I doe bequeath to my Grandson John Card twenty shillings to be paid by my Executor after my buriall/

Item I do bequeath to my Grand Daughter Mary Card twenty shillings by my Executor after my buriall/

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Item I doe bequeath to my younger sone Thomas Card, whom I make my sole Executor, all the goods and chattels & land of what kind or nature soever the one half not given nor bequeathed before my funerall expences & Debts and demands discharged only after the desase of my now wife Elsabeth the land & Marsh of what kind or Nature soever not now bequeathed to my younger sone Thomas my soll Exequetor/

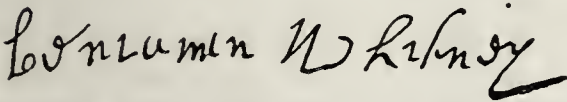
Inventory of his estate was taken October 28, 1692 and was returned as amounting to £172-19-00 (*Deeds v, 82*). The genealogy of this family appears in Volume III of this history.

CHARLES MARTIN

This settler born in 1631 (*Deeds iii, 125; Sup. Jud. Ct. Mss. 2057*), is first of record in the town in 1667 when he received a grant of land of fifteen acres on the upper part of the New Mill Creek, adjoining Dodivah Hull. He was called a mariner and "Captain." He took the oath of allegiance 1681, and was living May 30, 1683, but was called "lately deceased" September 24, 1684. Inventory of his estate was taken on the last named date and it amounted to £14-09-00, but there is nothing in it to give us any clue to his associations or business, and no real estate is listed. He was sued by Arthur Beale in 1678 for seven weeks' services of Hannah Wakely and mulcted in thirty-five shillings (*Court Records iii, 364*).

BENJAMIN WHITNEY

This settler, a tailor by occupation, was son of John and Elinor Whitney of



Watertown, born June 6, 1643, and had settled in Dover where he was taxed in 1667 and the next year removed to York. His father was desirous of having him return and live with him, promising his house and land to him if he would accept (*Bond, Watertown, 645*). This he confirmed by a deed in 1670 (*Middlesex Deeds iii, 451-2*), but he did not accept, and disposed of the homestead to his brother Joshua with his father's consent the next year. He had received town grants here of twenty acres adjoining Henry Sayward on the Mill Road, which he sold in 1685 to Jonathan Sayward (*Deeds iv, 32*). At this time he was married to Jane —, perhaps of a York family. He soon removed

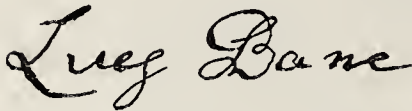
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to Sherborne, Mass., where he died November 14, 1690 (*Barry, Framingham, 437*) leaving a widow and children, viz.: Jane born September 27, 1669; Benjamin, Nathaniel born 1680; John born 1682; Joshua born 1687. His sons, Nathaniel and John, remained in York and their descendants will be found in Volume III of this history.

DODIVAH HULL

He was one of the youngest sons of the early minister of Gorgeana, Rev. Joseph Hull, born about 1645, and appears here in 1667, when he was a town grantee of a lot of fifteen acres on the upper part of New Mill Creek. It is not probable that he occupied this land as he is next heard of in Portsmouth, where he died about 1682, leaving a widow Mary and a daughter of the same name, who married Nicholas Follett.

LEWIS BANE



This ancestor of the Bean family of York (modern spelling of the name) first appears of record in the town early in 1669 as a grantee of fifteen acres adjoining to Isaac Everett "upon the path which goeth to Henry Sayward's mill" (*T. R. i, 37, 56*). The first and last references to him in the town records give him the prefix of "Mr."—a distinction rarely appearing in the local records. This is mentioned in refutation of the claim made by some of his descendants that he was a Scotch prisoner. The social status of these prisoners, servants and bondsmen never would have justified such a title of respect, and none of them ever had it in York until the next generation had acquired some personal distinction. Lewis Bane did not live in "Scotland," the section allotted to these prisoners, and as far as known had no association with them. He held no public office, as far as known. With six others he was killed on April 7, 1677, during an Indian attack on York, and on June 26 following, an inventory of his estate was taken, amounting to £62-06-00, two-thirds of which was in land and cattle. "A gould ring" valued at eight shillings was an item in the list (*Deeds v, pt. i, 21*).

He married Mary Mills about 1668, by whom he had

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five children. She may have been a daughter of Robert Mills of Kittery. After the death of her husband she married Charles Brissom (*T. R. i, 86*). She was appointed administratrix of his estate September 11, 1677. On February 25, 1691-2 Capt. Francis Hooke and Samuel Wheelwright were named to divide the property amongst the children. Lewis Bane was made administrator May 8, 1695. The genealogy of this family appears in Volume III of this history.

JOHN PENWELL

John Penwell

command of the ketch
Piscataqua. He brought

him and died "some years" before 1675 aged about fifty-five years (*N. H. Deeds ii, 112b; iii, 113b*), leaving a widow and a son, John. This son, born about 1647, removed to York about 1670 where he resided until his death. He was an appraiser 1671, had a land grant in 1674 near the Wells boundary at the waterside (*T. R. i, 48*); grand juror 1673; witness 1691; and was dead before February 1695-6 (*Deeds iv, 114*). He was called a mariner and an attorney in the court records and lived on a small plot of land on the "County Road" on the George Puddington home lot. He married Sarah, daughter of George and Mary (Pooke) Puddington, before 1673, and by her had a daughter Alice who married Nathaniel Freeman (*q.v.*). He was thus a stepson of Major John Davis. His estate was not settled until 1704, when his mother-in-law, Mrs. Mary Puddington Davis, was granted letters of administration, as his widow Sarah was *non compos mentis*.

He came from Plymouth, England, to the Isles of Shoals about 1665 as a mariner in *George and Samuel* of his wife and son with

ARTHUR CAME

Under the spelling of Arthur Cham this emigrant was granted land at Exeter, N. H. in 1664, and in 1669 he had built a house on a ten-acre lot at Cedar Hill in York. It is believed he came to New England with John Frost (*q.v.*), but diligent search has failed to locate him in Devon. It is a surname in that county as well as in Somersetshire and Gloucestershire. An Arthur Came of Plymstock,

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Devon, married Marian King, November 30, 1633, and was taxed there until 1636. An Arthur Came of same parish, sailor, died in 1636 and administration was granted to his widow, Mary. It is possible that they were the parents of Arthur Came of York, as Plymstock was the home of Gorges at one time and next parish to Plymouth. He settled in York where he received his grant January 14, 1669-70, on Cider Hill, and an additional one June 17, 1685 (*T. R. i, 42, 83*). He was grand juror 1690, 1693, 1696, 1697; appraiser 1678, 1690, 1691. In 1710, being "aged, Decrepid & allmost quite past my Labòr," he and his wife Violet deeded their property to their son Samuel in consideration of support during their lives (*Deeds vii, 154*). She was living in 1720 (*T. R. i, 349*). They had six children, all of whom lived to adult age and married. The genealogy of this family appears in Volume III of this history.

THOMAS CANNEY

He was called "of the County & Towne of Yorke" in 1670 (*Deeds ii, 110*), but he was only a transient resident. He was of Piscataqua 1640 and later of Dover (*see Matthew Austin*).

JASPER AND JOHN PULLMAN

Jasper Pullman

The bishop's transcripts of the parish register of Stoke-in-Teignhead, Devon, show the baptism of a Jasper, son of John Pulman, November 18, 1633, and John, the father, was the son of Robert Pulman of the same place. This was our settler, a fisherman by occupation, who was here as early as 1674, when he acquired the house and lot of the late Philip Hatch in Lower Town (*Deeds ii, 152*). He also acquired from Sampson Angier the island near the mouth of the river (*T. R. i, 58*). He signed the petition against the sale of Maine and the petition of 1680 to the king; appraiser the same year; grand juror 1690; and was living May 12, 1691 (*Maine Wills, 94*). He and his wife were probably killed in the Candlemas Day Massacre, 1692. Their daughter Mary married Joseph Moulton. In 1689 John Brawne of York, hus-

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bandman, "in consideration of the love I bare unto Mary Pullman . . . the daughter of Jasper Pulman and more especially for & in Consideration of the love that my mother bare unto John Pulman uncle to the sd Mary Pulman," deeds certain lands to her (*Deeds iii, 172*).

John Pullman, brother of Jasper, came to New England as early as 1669, as he is found in the New Hampshire records that year aged thirty years. It is probable that the brothers Jasper and John came first to the Isles of Shoals and removed to York together about 1674. In 1678 John Pullman bought ten acres on the south side of the river (*Ibid. iii, 35*), and it is of record that he bought it for his niece, Mary Pullman, and that the "warehouse he built by the water side" was for her (*Ibid. v, 4*). He died shortly after, as his estate was administered September 29, 1680 by his brother Jasper. Inventory scheduled a house valued at fifteen pounds, boat at thirty pounds, clothing, bedding, etc., at twelve pounds.

PHILIP COOPER

Called "The Walloon," whose right name was probably Philippe Coupard, he appeared in York about 1673 when he is first of record as grantee of ten acres bordering on Cooper's Lane (so called to this day). Here he lived with his wife, who was Anne Ingalls, son Philip and daughter Mary until the massacre of Candlemas Day, when he and his wife perished and the daughter Mary was carried to Quebec. The son Philip, who was a seaman, was absent probably and escaped the attack. The daughter Mary, born 1687, was baptized by a priest of Quebec as Marie Francoise Coupard March 25, 1693, and was redeemed in 1695 by Matthew Carey. What became of her after redemption is not known, but Philip was living in 1699 in Boston when he sold his York inheritance by attorney (*Deeds vi, 109*). The estate of his father was appraised October 31, 1692 at £38-02-00 (*Ibid. v, 79*).

JOHN BRACEY

This is the Saga of a "black sheep" of an aristocratic family and York furnished the stage and scenery for its portrayal. He was descended from landed and armigerous gentlemen living in Cheshire when the Domesday Book

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was compiled. From the first follower of the Conqueror in his line came the de Bresci and Bressey families down to the Braceys of Maulden, Bedfordshire. Edmond Bressey, or Bracey, of that parish had two younger sons: Thomas, baptized November 8, 1601; and John. Thomas became a linen-draper in London, while John took holy orders, and both emigrated to New England. Thomas had married as a second wife, at St. Lawrence Jewry, London, on August 4, 1631, Phebe, daughter of William Bisby, citizen and salter of London. Thomas settled in Ipswich in 1635 and removing about 1638, either to Rhode Island or New Haven, he died in the latter named place, possibly before 1646, leaving a widow and six young children. Among them was John Bracey, later of York.

John Bracey was born about 1639 and baptized in New Haven, September 5, 1647. He was apprenticed to one Wheeler, a tailor, who died before 1657, when the New Haven court inquired of Widow Wheeler "how she hath disposed of John Bracy who was prentice to her husband to learn his trade: she said he was yet with her, but she was free to dispose of him wher he might learne his trade, and sent to his brother who is a taylor to take him, but he refused." Some months later when "Goodwife Wheeler was asked how she doth dispose of her apprentize, John Bracie, she said she could not dispose of him" and the Court appointed Thomas Kimberley, Francis Browne and James Russell "who are taylours and can best give light on such matters, to consider of it . . . and declare to y^e Court what they thinke in the case." "They concluded that Jn^o Bracie staye here and be at the Courts dispose and that M^r Stanborough alow 40^s towards the buying him cloathes." (*New Haven Historical Society; Ancient Record Series, Vol. i, 312, 325.*)

After obtaining his freedom young Bracey went to sea, and in 1664, at Wethersfield, his mother's home, giving his age as "twenty-foure yeares or thereabouts" he makes a deposition describing a voyage which he made in the ketch *Hope* early in 1663, from the Piscataqua River bound for Milford, Connecticut. The *Hope* ran into a violent storm, sprang aleak and finally, when water and food were nearly exhausted, made port in the island of Nevis, West Indies. During the height of the storm Bracey was "fasned Downe in the Cook roome" by the

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captain's order and remained there three days. (*Supreme Judicial Court Mss., No. 746.*)

In 1661 John Bracey had sold his interest in the Wethersfield homestead to his mother and stepfather, and for forty-five years from the date of his *Hope* deposition his name disappears from the Connecticut records. There cannot be the slightest doubt but that he is the John Bracey, tailor, who lived during this period at York, Maine, a few miles to the east of the Piscataqua River, where his unfortunate voyage began. His name first appears on the York records in 1673, when the town made him a grant of land, and the ten preceding years, which are unrecorded, may have been spent at sea. He married Mary Pierce, a daughter of John Pierce, a York fisherman, at about the time of his town grant.

Bracey's career at York was turbulent and far from creditable, characteristic of the ne'er-do-well and the irresponsible. In 1673 Bracey was accused by John Morrall of stealing nails, but was acquitted through lack of evidence. In 1677 he was sued by Thomas Bragdon for shooting a hog and was assessed damages and costs, but upon his petition ten shillings of the costs were remitted by the court. In 1678 he was presented for stealing a pair of shoes, and, ignoring the summons, was admonished and sentenced to sit in the stocks for one hour, which penalty he finally escaped by paying the officers' fees. For "casting severall reflecting speeches upon the Rev. Mr. Dummer" in 1686 Bracey and Sarah Anger were each sentenced to make public acknowledgment of their offense or to receive ten lashes at the whipping-post. He was accused of being a common liar in 1691 by John Penwill, and in 1698, being presented for cursing, he was ordered to be "set in ye Stocks at York" for three hours. The authorities recognized his "quality," as far as possible, and usually gave him the minimum penalty or a remission.

Mary (Pierce) Bracey was living in 1683, when she witnessed a deed from Thomas Withers of Kittery to Joseph Berry of Piscataqua. She probably died before 1696, when "John Bracey of York, Taylor," gave a blanket deed of all his land, housing and personal effects to Mr. Jeremiah Moulton. In spite of his offenses he had received from the town several additional grants of land in 1674 and 1685, one being situated "by John Pearce's

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home lot." It is a logical conclusion that the deed to Jeremiah Moulton was made to protect the interests of Bracey's son William, although the deed does not specifically create a trust (*Deeds vi, 88*). Moulton later disposed of all the land, but how he applied the proceeds is, of course, not indicated. In 1697 Bracey and Malcolm MacIntire made an agreement to divide the real estate of their father-in-law, John Pierce (*York Probate i, 39*).

John Bracey was being "kept" as a town charge by Thomas Trafton in 1697 and 1698, for which he received a grant of land (*T. R. i, 101*). After this Bracey seems to have taken to the road and we find him in Salem, 1703 (*Deeds x, 69*), and later in Boston, where he was a town "guest" in 1707, and called "John Bracee, a poor distressed aged man from the Eastward being found in this town liable to perish." Boston entertained him for fifty-five weeks ending June 20, 1707 (*Mass. Arch. cclxiv, 39*). Finally he made his way, or was furnished transportation, to his old home in Wethersfield, Connecticut, where on January 19, 1708-9 we may read the record of the death of "Mr. John Bracey, aged abt 70 as thought."

Thus at last this man who failed to live up to the tradition of his ancestors came into his own and was buried as a "gentleman." His only son, William, born about 1675, restored the family credit and became a respectable and self-respecting citizen. That the family recognized its honorable descent is evidenced by the fact that in four different lines of descent through female branches the name of Bracey was carried as a Christian name for several generations. The family genealogy appears in Volume III of this work.

JOHN WENTWORTH

This new arrival, late "of Cutchechah," where he was taxed in 1668, was son of Elder William Wentworth of Exeter, Wells and Dover and, coming here in 1675, bought the house and lot of Isaac Everett on the northeast side of the County Road (*Deeds iii, 15*). He lived here for ten years with his wife Martha and their children and had a land grant in 1686 (*T. R. i, 87*), and soon after removed to Falmouth. He was driven from there at the destruction of Fort Loyall in 1691, settling at Newbury.

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Later he removed to Canton, Mass. in 1704 and was dead before January 1710.

His wife Martha survived with children John, born 1676, Charles, born 1684, Edward, born 1693, Shubael, Elizabeth and Abigail. John Wentworth, his oldest son, was living in 1730 in Stoughton, Mass. (*Deeds xvi*, 52.)

JOHN PARSONS

The origin of this settler is unknown. On March 12, 1677-8 he was granted a lot of twelve acres provided he buy "the shoemakers house" and follow the "Trade of a Shoemaker" (*T. R. i*, 54). On it was a house built by John Knowlton between Henry Simpson and John Preble on the northeast side of the County Road (*Deeds iii*, 57; *vii*, 210). He followed the trade of shoemaker until his death which occurred in the Candlemas Day Massacre 1692, and an inventory of his estate showed property to the value of £62-17-00. His widow Elizabeth was granted administration of the estate November 1, 1692, with William Hilton and Thomas Trafton as sureties (*Ibid. v*, 81; *pt. 2, fol. 15*). A genealogy of this family is given in Volume III of this history.

THOMAS PAYNE

A number of persons of this name were living in New England at this period, one of whom might have been the settler of York, but he has not been identified. He first appears in 1679 as grantee of an unidentified tract next to William Freethy, and in 1683 of a tract "next behind Henry Donnell" (*T. R. i*, 60, 75). There he lived until the Candlemas Day Massacre 1692, when he and his wife were killed and his two children, Bethia born about 1680, and Samuel born about 1682, made captive and carried to Canada. She was redeemed in 1698, and in 1711 sold the family homestead (*Deeds vii*, 217). Nothing further is known of her or Samuel. As far as known Thomas Payne held no public office. He married a daughter of Henry Milberry.

DANIEL LIVINGSTONE

This settler appears here first as a witness to the sale of property in Scotland in 1666 (*Deeds iv*, 159), and as he bears a Scottish name it is assumed that he was one of the

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Scotch prisoners. He was again a witness in 1682 and in 1684 (*Ibid. iv, 31, 48*). Where he was in the intervening years is unknown, but by 1679 he had married Mrs. Joanna (Downham) Pray, widow of John of Braintree. In that year he and his wife made depositions about "Old Quinton Prays" occupation of a house in Braintree, Mass. (*Baker Library, Ironworks Mss., fol. 449*). It is probable that he went there to work where some of his fellow prisoners were employed. He returned to York by 1682 and certainly before 1685, as on July 9 of that year he and his wife made a nuptial agreement about bringing "her too sonns & daughter with her to Yorke, whereby the said Daniel Livingstone & Johanna his wife & her three youngest children do unanimously Joyne together to build, plant fence & Improve that fourty acres of Land given him by the Town of Yorke" (*Ibid. iv, 45*). He lived in Scotland on this grant adjoining Robert Junkins on the northeast side of the County Road, which was given with a provision that he would "come to inhabit" (*T. R. i, 235*). He was killed by the Indians, with a boy, August 20, 1694, in an attack on York near the Maxwell garrison. As far as known he left no descendants, but his wife's children went to Kittery and settled there.

HENRY LAMPREY

This settler, whose name was also written Lamprill, is first noted as residing in Boston 1652 with a wife Julian. It is possible that he was from Cannington or Chilton Canteloe, Somerset, and had married a daughter of John Stone (*P. C. C. 12, Soame*). He removed to Hampton about 1660 where he and his descendants lived for two centuries. Either he or his son Henry (born 1641), probably the latter, bought land in the Scotland district in 1684, but it is not believed that he remained here very long as the name is not found later in the records.

RICHARD BRAY

He was a son of Richard Bray of North Yarmouth, who was driven from that settlement in 1676 during the Indian War and came here with his family. Hannah Bray married John Freethy, William became keeper of the gaol, and Richard married, in 1691, Mrs. Mary (Sayward)

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Young, widow of Robert. He lived on the land of his predecessor, near the New Mill River, and was chosen in 1708 a sealer of leather, the only known office he held. No further record of him is available and he either removed or died early. He is probably the father of Samuel who had a land grant in 1712 and removed to Georgetown, Maine. A genealogy of the family appears in Volume III of this history.

WILLIAM BRAY

This settler was son of Richard of North Yarmouth and a brother of Richard Bray of York. He may be the William Bray who was a witness in Ipswich in 1662 to a sale of land in Wells (*Deeds viii, 226*). He is first of record here in 1681 as witness to a deed of William Freethy (*Ibid. iii, 105*), and in 1686 he was granted thirty acres "where he can find it" but no record of a layout (*T. R. i, 87*). He was appointed in 1683 gaoler and discharged in 1685. In 1690 he was again appointed "Keeper of the Goale at Yorke and is to be paide foure pounds p Annem as money" (*Deeds v, pt. ii, 6*). No further record of him exists and he may have perished in the Candlemas Day Massacre.

JOHN COOKE

Nothing is known of the origin of this settler beyond the fact that he married Elizabeth, daughter of Thomas Curtis, and was granted a small lot "near the meeting house for a building place" in 1686 (*T. R. i, 88-9*). He and his wife were undoubtedly killed in the Candlemas Day Massacre 1692, as they lived in the locality where the fighting was the fiercest and where so many perished. Their son Thomas survived and followed the trade of carpenter in the town as late as 1755, and in 1727 deeded back to the town the grant made to his father (*Deeds xii, 163*). The genealogy of this family appears in Volume III of this history.

HENRY MILBERRY

A John Milberry was a witness at Portsmouth in 1663 (*N. H. Deeds iii, 85*), and the York family was probably related to this early emigrant. Henry Milberry was from Stoke-in-Teignhead, Devonshire, where he was baptized August 7, 1625 as son of William Milberry. He is first of

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record here in 1691 when he received a grant of twenty acres of land (*T. R. i, 89*). He lived on Alcock's Neck on what is now known as the Norwood estate. The name of his wife is not known, but his daughter Dorothy was captured in 1692 and carried to Canada. He had a billeting account against the province in 1694 (*Mass. Arch. iii, 393*), and died the next year. His will dated June 10, 1695 was proved October 1, 1695 and is as follows:

In the name of God, Amen: I Henry Milbury of York in the County of York in the Province of the Massachusetts bay in New England, Weak and decaying in body but of Sound Memory & Judgment, and in good understanding do make this my Last Will & Testament as followeth, viz:

My precious and Immortal soul, my better part, I do by Faith and Prayer Commend into ye hands of the Lord Jesus Christ my blessed and deer Redeemer.

My mortal body to be committed to the dust by a decent & Christian Buriall.

And as for the Portion of Worldly Goods, which God by his providence has given to me my Will and Desire is that it should be disposed of as followeth, viz:

Imps: I do will and bequeath unto my daughter Mary Blacklidge the sum of ten Shillings money.

Item. Unto my beloved daughter Johannah Letherby I do bequeath ten Shillings.

Item: Unto my beloved daughter Lydia Linscott the sum of ten shillings.

Item: Unto my Dear Daughter now in Captivity with the Indians Dorothy Milbury, I will and give the sum of five pounds, In Case she return by Gods good Providence from Captivity, but not 'till then to be paid; which Legacy I intend not payable by my son at all if she never return

Item: I give and bequeath unto my Grandson Samuell Pain ye sum of ten shillings and unto my two Grand children Bethiah Pain and William Milbury ten shillings a peice; the legacy to William Milbury not payable till he come of age.

And as for the rest of my Temporall Estate that shall remain after these Legacies specified are answered; and after my Lawfull debts and funerall Expences are discharged; I do will and bequeath and freely give it unto my trusty and well beloved son Richard Milbury; with all my houses, Lands, Chattels whatsoever with all the priviledges and appurtinancs there unto belonging or in any wise appurtaining: to him and to his Heirs for ever and to his and their sole and proper use and benefit: and do further by these Presents Constitute & appoint my sd son Richd Milbury to be sole Executor of this my Will and Testament, to se to the due and Just Execution and the fulfillment of it according to the tenour thereof, paying the above sd Legacies respectively in mony or equivalent to mony: & that without fraud or delay after my decease till when he is under no obligation: And for the

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Confirmation hereof, even of this my Last Will and Testament and the Disannulling of all former Wills whatsoever I, the said Henry Milbury have hereunto Affixed and Annexed my hand & Seal this tenth day of June in the year of our Lord One Thousand Six Hundred ninety and five

Signed, Sealed and Delivered &
in presence of us
Samuell Donnell
Samuel Johnson
John Hancock

HENRY MILBURY

his HM mark

(*York Probate i, 24*)

A genealogy of this family appears in Volume III of this history.

RICHARD MILBERRY

He was a younger brother of Henry, baptized September 23, 1628 at Stoke-in-Teignhead, Devon, and probably settled here at the same time as his brother, but soon disappears from the scene as he was killed at the Candlemas Day Massacre. As far as known he was not married as his nephew Richard was granted his land rights (*T. R. i, 125*).

JOSEPH CARLILE

The name of this settler was the football of illiterate clerks and appeared as Curline, Carbine, Curloine, Carlile, Carleill and finally as Carlile. He first appeared here about 1690 as the husband of Elizabeth Bane, daughter of Lewis, Senior, and he with his wife were indicted for not attending public worship early in 1691 (*Deeds v, pt. 7*). He had a grant of land March 18, 1695-6 of thirty acres "where he can find it" (*T. R. i, 130*), and another in 1700 of forty acres at the Rocky Ground which he made his home (*Ibid. i, 143*). He was pound keeper in 1696 and surveyor of highways in 1701, but that was the extent of his public service. He was drowned May 14, 1718 "going over a pond near his home by accident fell in" (*Sup. Jud. Ct. Mss. 12325*). He was a blacksmith by trade. His first wife died without issue, as far as known, and he married (2) Mrs. Rachel (Main) Preble, widow of Stephen, March 29, 1695. She survived and was living in 1748 at the age of eighty-four years (*Deeds xxvi, 230, 295*). In some way he was related to Elizabeth (Dodd) Royall, wife of John of York, as in 1693 he called her "his kinswoman" (*Suffolk*

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Deeds xiv, 236). The genealogy of this family appears in Volume III of this history.

DANIEL BLACK

He came here from Boxford, Mass. in 1695, the son of Daniel and Faith (Bridges) Black of that town, and was born August 24, 1667, a weaver by occupation. His father was a Scotch prisoner in 1651 and was put to service in the Lynn Iron Works. Daniel, Jr., probably came here first in the military service, as in 1696 he was a sergeant (*Deeds v, pt. ii, 70*). He was convicted of selling liquor without a license in 1699. His residence was on the Puddington lot in Lower Town (*Deeds iv, 114*), and he had other lots and grants on Alcocks Neck and on the south side. He was selectman 1699 and 1700, besides holding several minor offices as moderator 1703.

He married (1) in Topsfield, Mass., Mary Cummings and after her death without issue, (2) Sarah, daughter of Philip Adams, July 19, 1695 at Topsfield, by whom he had five children. He died between 1710 and 1712. A genealogy of the family appears in Volume III of this history.

JOSIAH BLACK

He was another son of Daniel of Boxford and first appeared here in 1697, when he had a grant of land and another in 1701 (*T. R. i, 124, 132*), both of which he sold to Daniel Paul and John Provender. He leased the George Norton house in 1701 from year to year, and worked the homestead farm on half shares (*Sup. Jud. Ct. Mss. 5174*). He was here to participate in the division of common lands in 1732, later lived near Cape Neddick Pond and was a husbandman. By his wife Mary he had seven children and the genealogy of the family appears in Volume III of this history.

EDMOND BLACK

He was born April 25, 1704, son of James and Abigail Black of Boxford and a nephew of the above Daniel and Josiah. He came here about 1727. He married Hepsibah, daughter of Josiah Black, and their family record appears in Volume III.



THOMAS VENNOR.

*Preacher at the Conventicles of the Fifth Monarchy Men.
& Seducer of Libertines. Captain of the seditious Anabaptists
& Quakers in the City of London. Beheaded & Quartered 19 Jan^r anno 1661*

PORTRAIT OF AN EARLY PROPRIETOR

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HENRY WRIGHT

This settler, born about 1650 (*Sup. Jud. Ct. Mss. 1856, 1908, 2057*), came to New England as a young man, a carpenter by occupation, and was employed by Roger Plaisted in Kittery, for a period of ten years, which ended some time before 1675 (*Deeds viii, 237*). He had a land grant in 1671 in that town. About 1673 he married Sarah, daughter of Edward Start, and was there identified with York, and he had a land grant here in 1699, but it was 1703 before it was laid out (*T. R. i, 118*). Nothing further is heard of him after 1719, and he went to Boston, probably, where the births of his children are recorded:

- i. Sarah, b. Feb. 19, 1673-4.
- ii. Mary, b. Feb. 14, 1676.
- iii. Ebenezer, b. Jan. 1, 1677-8.
- iv. Ephraim, b. March 4, 1679.
- v. Mehitable, b. March 22, 1681.
- vi. John, b. Aug. 3, 1686.

ANDREW BROWN

He was the son of Andrew Brown of Scarboro, born in 1658, and came here probably in connection with the military protection of the town soon after the massacre, and in 1697 he was a selectman. He bought land in Cooper Lane in 1699 in partnership with Lewis Bane, and two years later they divided it (*Deeds vi, 109, 110*). In 1701 he was assigned a "hind seat in the gallery" of the church. He was called an ensign in 1709, later a lieutenant, and his house was then a garrison. He removed to Saco in 1717, and to Arundel in 1719, and died July 4, 1725. He had sold his property here in 1719 (*Ibid. ix, 165*). He married (1) Anne Allison of Scarboro, and (2) Mrs. Sarah (Hill) Fletcher Priest, January 23, 1709-10, widow of Pendleton Fletcher and William Priest. His descendants resided in Saco.

JAMES ALLEN

He was the son of Walter Allen of Berwick who deposed in 1720, aged seventy-seven years, that he came to New England "the year that King Charles the Second was restored to the crown of England." His father married (2) Mary, daughter of Thomas and Joan (Freethy) Holmes by 1694, and that may be the reason of the coming

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of his son James to York, where in 1699 he received a grant of twenty acres "where he can find it." It was laid out on the northwest side of Old Mill Creek (*T. R. i, 128, 199*) on which he lived and his children after him. He was constable 1715; selectman 1716, 1718, 1720, 1722, 1724, 1725; tithing man 1720; and surveyor of highways 1728.

He married at Portsmouth Dorothy, daughter of John and Mehitable Barsham, by whom he had eight children. A genealogy of the family appears in Volume III of this history.

CHAPTER XXIV

THE FIRST AND SECOND INDIAN WARS 1675-1677; 1689-1692

The first open hostilities between the inhabitants of York and the savages began in the conflict known as the celebrated King Philip's War. It broke out in the Plymouth Colony June 24, 1675, and in the next month the flames began to kindle in the Province of Maine — two hundred fifty miles distant from the headquarters of the chief Indian actor in this armed contest. York had no immediate relation with its inception nor any agency in provoking the eastern Indians to attacking the town. The remote causes of the war are generally understood as the reprisal of the Indians for accumulated injuries extending over a half century, following the settlement of the whites. With the cause of these complaints the people of York had no direct association. As has been stated in the chapter on the first settlement within the town limits, there were no permanent camps of Indians within our borders and, to all intents and purposes, after the Indian plague of 1616, this place was not occupied by them and their planting fields were abandoned. Contrary to the experience of other towns in the Province, the Indians never claimed, as far as known, nor did they sell, any aboriginal rights in the town at any time later to the English settlers. The establishment of plantations on aboriginal territory, the constant encroachments of the whites further inland on their hunting grounds and the chicanery generally employed in dealings with them were the underlying causes of this war, and doubtless the Abenakis reacted in sympathy with their racial brothers of the Narragansett tribes. The leading warriors of all the New England tribes had reached the conclusion that they were doomed to a continuation of these conditions which would ultimately drive them away from their ancient homes and considered that the time was then ripe for the arbitrament of arms and a struggle for supremacy.

The news of the conflagration lighted by this distinguished son of Miantonomah reached York July 11,

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and Henry Sayward dispatched a letter by mounted messenger to the eastern coast towns appraising them of this alarming intelligence and he suggested that as many of the Indians as could be reached be disarmed. A few weeks later Edward Rishworth, John Davis, Job Alcock and two other Maine citizens, acting on their intimate knowledge of Indian character, which Boston officials were not capable of understanding, addressed a letter to the General Court urging the utmost severity in managing this campaign and not trust to any alliances or treaties of peace but push the conflict to a finish. Preparations for the defense of the Province by Massachusetts officials consisted of dispatching troops to the various garrisons which then existed in the several towns and supplying ammunition to the towns for distribution to the individual inhabitants. The commanders of these forces adopted the plan of commandeering numbers of the able-bodied men in York as aides of the campaign. The townspeople objected to these measures and protested against a continuance as they weakened the local defences. Capt. Benjamin Swett of Newbury and Hampton was in command of troops which were assigned to patrol the country back of York. This was occasioned by the first onslaught of the savages on the settlement at Cape Neddick. This occurred on September 25, and followed immediately after a simultaneous attack on Wells and South Berwick. Seven persons were killed, most of the houses burned, and the attack was marked by a type of barbarity practiced on the victims hitherto not experienced among the Abenakis. "For instance, after dashing out the brains of a nursing mother they pinned her infant to her bosom and in this awful condition was the babe found alive with one of the paps in its mouth." (*Williamson, vol. i, 540.*) This was, probably, the Jackson family, father, mother and two children of Cape Neddick. The townspeople of York were now brought face to face with the horrors of an Indian war and as a measure of self-protection passed the following vote in town meeting:

Whereas by Experience we doe find it no small Inconvenience & discouragement to have our men belonging to our owne towne of York Impressed & carryed away by the comandars of the forces or County when pursuing the Enemy, whereby instead of being Encouraged to stay & strengthened to resist the Enemy whom in the absence of the

THE FIRST AND SECOND INDIAN WARS

forces have usually & very Cunningly Improved that oportunity to prey upon the townes, for the preventing whereof it is humbly Requested that their may be an order given forth that no souldiers shall be at any time remooved least the people be putt upon a temptation to forsake the habitations the dishonourableness of which is easily understood.

The General Court acted upon this representation in the following terms:

This Request is graunted & that an order be accordingly sent to them with this provision that the cheif commander of the forces that shall bee may notwithstanding upon any emergency of moment comand out of the Town of Yorke such soldiers as the necessity shall require/

By the Council
WILLIAM STOUGHTON

Upon the representation of the present state of the Towne of Yorke & its danger from the Comon Enemy: It is Ordered by the Council that such of their Souldiers as are now Impressed from them be forthwith returned to them for their Defence: & it is further granted & Ordered that during the present nearness of the Ennemy none be Impressed to serve out of the Towne/

Provided allwayes that the Comander in cheife of the forces that is or shall be in the County may notwithstanding this order upon any suddaine Emergency comand and call forth as many Souldiers thence as shall be needfull for the time/

Dated 19 October 1676/

By the Councill E. R. S.

The town was spared further depredations for many months, although the adjacent towns of Kittery and Wells had a number of visitations from the enemy with numerous casualties. King Philip was killed August 12, 1676, which occasioned great jubilation among the colonists in his vicinity, but his death did not end the struggle in Maine. Many of his belligerent adherents dispersed themselves after his death among the Abenakis tribes and kept alive the passions of war which had been fomented by their great leader. In the remaining months of that year Casco and Scarborough were destroyed. Casco was attacked with loss of lives and the ruin of Scarborough completed. On November 6, 1676, a treaty of peace was negotiated on behalf of Madockawando by Mogg, his lieutenant, with characteristic gestures of Indian sincerity: "I pledge myself an hostage in your hands till the captives, vessels and goods are restored"; he protested, "and I lift my hand to Heaven in witness of my honest

HISTORY OF YORK

heart in this treaty." The good faith of this agreement was accepted with mental reservations by the English, perhaps influenced by the advice volunteered by Rishworth, Davis and Alcock before noted. Defensive preparations for the winter were organized with the Kennebec as the eastern base of operations. The winter snows had scarcely disappeared when the impatient savages started out to renew their campaign of destruction of the whites. On April 7 of this year seven men were killed in the outer fields of the town while preparing the soil for planting. The victims were John Frost, Andrew Rankin, John Carmichael, Lewis Bean, John Palmer, William Roans, and Isaac Smith of Chelsea who was there on business (*Sewall's Diary i, 41*). Two others were taken captives but their names are unknown (*Williamson i, 550*).

On April 12, 1677 two men, a woman and four children were killed and two houses burned, one of which belonged to Rowland Young on Ferry Neck. The names of these victims are unknown. This was the last casualty suffered by York in this war. Depredations continued elsewhere for another year. Negotiations begun between the Indians and the settlers were concluded on April 12, 1678 by a treaty of peace. The Indians agreed to surrender captives without ransom, the whites were to return to their homes and enjoy their previous possessions unmolested, but they were to acknowledge the Indians' rights in them by the payment of a quit rent of a peck of corn yearly for every English family. The war had resulted in about two hundred sixty white inhabitants killed, or carried into captivity, from which few returned. Of this number York suffered the loss of about a score, but it is probable that this number would be increased if every casualty were reported. To this must be added the loss of houses burned, domestic animals killed and other property destroyed or plundered. It was understood by the English Commissioners and those who could look ahead that this arranged peace would probably develop into a breathing space for the opposing forces. The struggle was an inevitable conflict of racial and religious origin which could only be settled by a military victory for one and defeat for the other. The Indians probably realized that with the continued emigration to the colonies from England, with the natural increase of population,

THE FIRST AND SECOND INDIAN WARS

that further encroachments on their territory could be expected with increasing pressure. There is little doubt that both sides expected a renewal of the conflict at any time favorable to prospects of success. The fires might be rekindled by individual attacks and reprisals, or by repercussions of the European situation, as it affected France and England. The necessary condition for a renewal came through this last named cause. Following the overthrow of King James II, an avowed papist, and the enthronement of the Protestants, William and Mary, on the English throne, Louis XIV declared war against England in the expectation of restoring the lost crown to his co-religionists. This was enough to start the French authorities in Quebec on an American replica of the European war. With eager haste the Governor of Quebec commenced hostilities against the English settlements, instigating their Indian allies to join them in an extermination of their enemies. This malign decision partook of the character of a Holy War in which the Jesuit missionaries were encouraging the Indians to secure their lands against the encroachments of the "English heretics." The Province of Maine was again put on the defensive and, as usual, was not ready for these surprise onslaughts on the outlying posts of English civilization.

THE SECOND INDIAN WAR

Sir William Phipps, then governor of the Province, with a frigate and a few smaller sloops, in the spring of 1690 undertook a counter offensive in which he successfully captured Port Royal, an undefended French settlement in Nova Scotia. The frontier towns in Maine were provided with detachments of soldiers raised by the provincial authorities, some of them assigned to York. The local York defenses were under the command of Job Alcock who had charge of the five garrisons — his own, Preble's, Norton's, Maxwell's and Stover's at Cape Neddick. Indian sniping could not be prevented, however, by any form of garrison protection. In March the townspeople were called upon to assist at a sudden attack on Kittery and one of the York volunteers was killed. In May one hundred twenty soldiers of the Essex, Middlesex and Suffolk regiments were sent as reinforcements of the

HISTORY OF YORK

local militia in this town and Wells under the command of Capt. Edward Wyllys, but in June sixty of these under the command of Capt. John Floyd were withdrawn from this service to be posted at Portsmouth. This later proved to be an unfortunate disposition of the frontier defenses as far as York was concerned. Meanwhile, the success of the Nova Scotia expedition had emboldened Sir William to a greater and more hazardous attempt to attack the enemy in his hitherto impregnable fortress on the heights of Quebec. With forty armed vessels and four thousand assault troops Sir William sailed, with great pomp, on August to beard the French governor in his rockbound fortress. Three months later his armada arrived before Quebec, exhausted by the long voyage, and their happy expectations cooled by the sight of the forbidding height of the French fortress perched hundreds of feet on perpendicular cliffs above the St. Lawrence. With magnificent bravado Sir William demanded the surrender of the fortress to which Count Frontenac returned the taunting reply: "Come and take it." After a futile gesture in sur-rebuttal by landing part of his troops for an assault which was easily repulsed, the doughty Sir William concluded, from reports of some captives he had made, that the strength of the fortress and its garrison was not only beyond verbal threats, but of successful military assault. He turned his armada homeward and after weeks of storms and losses by smallpox, ship fever and other diseases his shattered squadron arrived in Boston late in November. While this unfortunate drama was being enacted the Indians and French were busy in their attacks on the coast towns of Maine, including York. On August 22 Phineas Hull and Robert Young of York with their wives, while traveling between this town and Kittery, were probably the first local victims of this war. Young was killed and Hull's wife was taken prisoner. Another mysterious number of deaths took place about this time not mentioned in any contemporary records as victims of Indian attacks. This relates to the apparent simultaneous deaths of Lieut. Arthur Bragdon, Daniel Bragdon, Thomas Bragdon, James Freethy and William Wormwood, all of whom lived on adjoining lots just north of Bass Creek. The estates of all these persons were inventoried by the same appraisers on the same day, October

THE FIRST AND SECOND INDIAN WARS

14, 1690 (*Deeds v*, pp. 51-53), and it is difficult to account for this singular fact except on the theory that they were victims of a local Indian attack. This seems to be confirmed by an entry under date of October 25, recording an attack on York, made by Judge Samuel Sewall (*Letter Book i*, 129). The date was probably that of the day on which the information reached him. No details are given and it is not mentioned by other contemporary authorities.

The town settled down to days and months of anxious watchfulness, the tedium of which was broken every few days by reports of distressing and rapacious attacks of the savages on other unfortunate towns in Maine and New Hampshire. Whenever possible their butchery was supplemented by mutilation of the bodies of the victims to increase the terror and break the will of the settlers to continue the contest. The stealthy methods of Indian warfare always gave them an initial advantage as they would often lay in ambush for days together waiting for a favorable moment to strike.

No further attempts were made on York during this year but relaxation of the tension was not to be considered, as no moment gave immunity until it had passed. The savages had begun to make daily raids, destroying livestock principally, and in this situation the isolated people of Cape Neddick housed in the Stover Garrison, deprived of provincial support, concluded to abandon it. The Cape Neddick garrison was then in charge of Lieut. Richard Hunnewell who had married a daughter of Mrs. Stover, its owner. Major Robert Pike, in a letter to the Governor and Council dated June 19, said: "I Lament the breaking up of Cape Nadik Garison. I have spoken with Leftenant Hunnewell and the rest of the men who say they will return again if ralif Com unto those parts." Hunnewell was a seasoned Indian fighter, several times wounded in past campaigns, and known throughout the province as the "Indian killer." He was not deserting his post, but it was inviting disaster to try to defend it without troops.

On June 22 a party of Indians, forty in number, probably aware of its abandonment, selected this undefended settlement for destruction. It happened that about a dozen of the inhabitants of that village were loading a

HISTORY OF YORK

sloop when the attack took place and nine of them were wounded and one killed. Three of the former were reported as in a serious condition and Parson Dummer, writing to his brother-in-law at Portsmouth on the day of the attack said: "We are in hourelly Jeopardy (of our) lives & Estates (which) calls for prayer & pittty & speedy reliefe by men forthwith sent unto us." Two months later twenty men of the provincial troops belonging to the companies of Captains Daniel King and John March were "sent away to Yorke to strengthen their hands." As usual, these necessary defenders arrived after the damage had been done. A captive taken at this attack related that Madockawando, disappointed at the trivial results of this excursion, remarked, "Miss it this time, next year I'll have the dog Converse out of his den," referring to the commander of the provincial forces in Maine.

From this time on, as Autumn brought its lengthening shadows which were slowly merging into the Winter's twilight, the town girded itself for another snowbound season of suspense and unknown danger. Madockawando did not fail to execute his threat that Winter.

CHAPTER XXV

THE MASSACRE ON CANDLEMAS DAY

1692

The story of the greatest tragedy of Colonial days in New England has never been written in authentic detail, although information concerning it has existed in abounding fullness in manuscript documents, both French and English. It is the story of a bloody shambles staged by a relentless party of savages, led by Madockawando as its chieftain and the Sagamores, Edgeremet and Moxis, as his lieutenants, who descended on a peaceful village and nearly wiped it out of existence in a short and sanguinary struggle. Its location offered no special facilities for the foray, at least not more so than any one of the fringe of settlements in the frontier Province of Maine at that time, nor is it known that it was selected as the victim of a particular warfare of reprisal engendered in this irrepressible conflict of race and religion then being waged between the French Catholics, the savage Indians and the English Puritans. While York had suffered sporadic attacks in the First Indian War, with the loss of a few men, the experience was not unlike that of the neighboring villages along the coast of Maine during those troublous times. Nor was it the home of any English leader conspicuous in military affairs, whom the French or their Indian allies wished to kill or capture as a matter of personal revenge, or in retaliation for anything its inhabitants had done in the past. There has never been any explanation for the selection of York as the particular object of Indian displeasure, but the following contemporary circumstance gives a clue to the motives which actuated the natives in this foray. On the last day of September 1691, a party of Indians came from the eastward in canoes and landed on Sandy Beach, Rye, when they killed about a dozen English settlers and carried the same number away. From these captives they learned, or were told, "that the Bostoners were providing many Snow Shoes & Designed a considerable army out this winter to Disrest them at Some of their headquarters, which made them very uneasy

HISTORY OF YORK

ment in the direction of Agamenticus to set his traps, and in making the rounds he came upon a pile of Indian snowshoes stacked against a large rock. While pondering upon the significance of this discovery, an Indian dog, tightly muzzled to prevent his barking and thereby precipitating an alarm from the houses nearest the encampment, fell on his trail and immediately disappeared into the woods whence he had emerged. This was the first point of contact on that memorable day between this unsuspecting lad and the large band of Indians who were making ready to execute their murderous design. The Indian scouts, evidently guided by the dog, suddenly surprised young Bragdon busily engaged in fixing his traps; they seized him and a little later came across two other inhabitants who were probably going into the forest to cut wood as they were carrying axes. The rest of the story can be best told as written by Champigny in his official report, as related to him by the Indian chiefs in person.

Quebec, October 5, 1692

Towards the end of the month of January, 1692, 150 Abenakis started out for the place which they had called Iarc (York) only about two leagues away. They discovered near the place where they had camped the tracks of two Englishmen whom three of our people followed for quite a while, but they proved to be tracks of the day before. They had camped at the foot of the mountain from which place they could see the surrounding country very comfortably. As they were suffering from hunger they concluded that they would attack on the morrow. The snow was falling fast so they decided to wait for the fine weather. The War Chiefs, who are always listened to preferably than the heads of the tribes, were of advice to give battle in spite of the snow, hence they advanced towards Iarc. At about a quarter of a league distant they saw a young Englishman who was setting traps. They caught him and later two others whom they saw a little further on. These Englishmen had only their knives. They halted to question the three captives. They smashed the heads of two of them and from a desire to get information they bound the third one.*

The 150 warriors divided in two bands and one advanced first on a garrison and the other on the English people's houses. It was at noon and the morrow of the Feast of Purification. They made themselves masters of the garrison and the houses without much resistance as they threw terror into the English inhabitants. There was one of our people killed in that first attack in which, and the one that followed, we were victorious. For the time being our people divided into

* It is evident from the context and from the local tradition in York that young Bragdon was the "third one" who was bound and his life spared. If his identification is complete, there being another of the same name, a cousin Arthur, he was then about twenty years of age and lived to suffer in later Indian raids on the town.

Certains de nos gens de Janviers 1692. Cent cinquante à cinquante
se mirent en marche, pour se rendre au lieu à qui ils en vouloient
nommé l'arc, n'en étant plus éloigné que d'environ deux lieues
ils découvrirent proche le lieu de leur Cabanage les pistons de deux
Anglois, que trois de nos gens suivirent assés loutens. Mais l'Alle-
mand dit qu'il d'aurait vu l'Arc & étoient Cabanez au pied d'une montagne
d'où ils découvrirent le pays environné fort commodément, Comme la faim
les pressoit ils conclurent qu'il falloit donner des le lendemain, Mais
comme il y en eut beaucoup, plusieurs conclurent à attendre le lendemain
Les choses de guerre que l'on se fait, toujours infailliblement même aux

Prochainement

Le 10 Mars 1692

HISTORY OF YORK

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Vers la fin du mois de Janvier 1692 Cent cinquante Abenaguins
se mirent en marche, pour se rendre au lieu a qui ils en vouloient
nomme iarc, non estant plus Estroignu que d'environ deux lieus
Ils decouvriront proche le lieu de leur Cabanage les restes de deux
Anglois, que trois de nos gens suivirent assés lointains. Mais Estre-
toiem de pres d'au paravant, Ilex estoient Cabans aupres d'une montagne
dou ple decouvrirent le pays criminel, fort commodement, Comme la faim
les pressoit, Ilex conclurent qu'il falloit donner des le lendemain, Mais
comme il n'yea beaucoup, plusieurs conclurent a attendre le lendemain
Les chefs de guerre que l'on Ecoute toujours preferrablement même aux
Capitaines de nation furent davis de donner malgré la neige Ils
avanceront donc vers iarc, En estant environ un quart de lieue
Ils virent un jeune homme Anglois, qui faisoit des cris, Ils le prirent
a suite deux autres un peu plus loin. Ces Anglois n'avoient que deux
bagues l'on arracha la marche pour interroger l'on trois esclaves
a deux desquels on cassa la teste, lors qu'on crut s'en d'aux ce que
l'on souhaitoit on liu le troisième.

Ces cent cinquante guerriers se separerent en deux bandes l'une
donna du bois sur un fort, & l'autre sur des maisons Angloises
Coté sur le midy du lendemain de la feste de la purification, Ils se
reudiront Maistrs du fort & des maisons, sans beaucoup de resistance
y ayant sette la terre, Il y eut un des nos gens de l'air en cette
premiere attaque, & ce qui fut unique dans toute cette action,
pour lors nos gens se partayerent en petites bandes, de deux & de
trois, & desolierent une cote d'environ un lieue de long en moins
de deux ou trois heures. Il y avoit trois forts, & un tres grand nombre
de maisons Angloises, tout cela fut brulé, on en terra le mort a benaquis
dans une cave d'une maison Angloise, avant que d'y mettre le feu, un
Abenagui qui estoit un d'ach. de guerre, & qui araporté tout cry a dit
qu'il y avoit au plus de cent Anglois tués, qu'il avoit esté luy même l'uside
les Gueux aux dix points, Ilex en menèrent quatre vingts prisonniers, l'on
ne scauroit estimer le carnage qui fut fait de chevaux, de bœufs, de
moutons de cochons tués ou brulés, Nos gens dormirent la nuit a
vue d'ouïe de petits enfans, & a trois vieillles Angloises, qu'ils
renvoyèrent au fort prochain, l'une de ces vieillles portoit une lettre
d'un Anglois considerable, qui se trouva parmi les esclaves
& a qui nos Abenaguins la firent écrire, Ils sont moins Anglois
de leur rendre son fort, ou de sortir pour se venir battre contre, que si
aymoit mieux les poursuivre, qu'ils l'alloient attendre deux jours tout proche
de la, pour luy en donner le temps, mais que si venoit fauant que de se rendre
battre, Ils casseroient la teste, a tout ce qu'ils en menèrent d'esclaves
Anglois, qu'ils luy renvoyèrent quelques petits enfans & quelques
vieilles, dont ils avoient eu compassion, que luy Anglois n'en
auroit pas agy de même, mais qu'il jugoast de la quelle avoient
pour luy le devint instruire. Deux jours apres nos gens furent
poursuivis par trois cens Anglois qu'ils decouvriront sans en
estre decouvert, quelques uns estoient davis de se battre, mais le
Guton & les esclaves leur en fist perdre la pensée, ainsi ils continuerent
leur route; l'on chita de guerre si l'on leur eust, ne partant d'ailleurs
du Cabanage, que en quoy six heures apres que le gros en estoit parti
gay ou bleu de dire, qu'un Ministre fut du nombre des morts Anglois,
comme il se sauroit a l'heure on le jotta par terre d'un coup de fusil.
L'on avoit donné la vie & la liberté a la femme du Ministre aussy bien
qu'aux vieillles, mais crant retournée deux fois pour demander son fils
qui estoit parmi les esclaves, on luy dit que puis qu'elle se vouloit
elle en augmenteroit le nombre, Elle ne fut pas plutost arrivée
aux villages abenaguins qu'elle mourut de chagrin.

Un party de 24 Abenaguins de Sillery estant allé contre les Anglois
en furent 20, & prirent 10 esclaves; l'estant ensuite joint avec
Abenaguins de Lacadie & faisant tous ensemble 150 guerriers
Ilex virent une cote d'un lieue & demie de plus, l'ayant plus de
cent Anglois, & en prirent quatre vingts prisonniers.

A Quebec le 27^{me} octobre 1692

Champlain

THE MASSACRE ON CANDLEMAS DAY

little groups of two or three and sacked the region for about one or two leagues in less than two or three hours. There were three garrisons and a very large number of English people's houses. All of these were burned. They had buried the dead Abenakis in the cellar of one of the English houses before setting fire to it, and an Abenakis, who was one of the war chiefs and who related all this, said there were more than 100 English killed and that he had himself counted them. They took away 80 prisoners. One could not estimate the slaughter of horses, cattle, sheep and pigs killed or burned. Our people spared a dozen little children and three old English women whom they took to the next garrison. One of these old women, carrying a letter from an important Englishman who was one of the prisoners, written at the command of one of our Abenakis, summoned the English to give up the garrison or come out and fight them if they preferred; that they would wait nearby two days to let their people sleep, but that if they came other than to surrender they would break the heads of all the English prisoners; that they sent to them a few small children and some old women for whom they had compassion — of course the English would not have acted like that, but they could judge from that what their scorn for them was."

Thus far we have had the official description of the massacre in general from an entirely new source, and on some of its special incidents it will be necessary to turn to other authorities to complete the picture. In his usual lurid verbiage Cotton Mather gives his version of Madockawando's challenge to the defenders of the garrison to come out and give battle. "This body of Indians," he said, "consisting of divers hundreds then sent in their summons to some of the garrisoned houses and those garrisons whereof some had no more than two or three men in them, yet being so well manned as to reply: 'that they would spend their blood unto the last drop, ere they would surrender.' These cowardly miscreants had not mettle enough to meddle with 'em. So they retired into their howling thickets." (*Magnalia Ch. vii, Art. xv.*)

Rev. George Burroughs in a letter from Wells, dated January 27, 1692, gives this lurid picture of the attack as told him "by a Captive youth who made his escape from them, as the beholding of the Pillours of Smoke, the raging of the merciless flames, the insultations of the heathen enemy, shooting, hacking, (not having regard to the earnest supplication of men, women or Children, with sharp cryes & bitter teares in most humble manner), & dragging away others, (& none to help), is most affecting the heart."

The local poet expresses the same sense of horror at the

HISTORY OF YORK

recollection of the scene, in verse that is equally picturesque.

Hun-dreds were murdered in their beds,
With-out shame or remorse;
And soon the floors and roads were strewed
With many a bleeding corse.

The village soon began to blaze,
To heighten misery's woe;
But, Oh! I scarce can bear to tell
The issue of that blow!

They threw the infants on the fire;
The men they did not spare;
But kill-ed all which they could find,
Though aged or though fair.

Apparently as an afterthought, Champigny added to his account this sentence which touches the outstanding incident of the massacre. "I forgot to say," he wrote, "that a minister was one of the dead Englishmen. As he was fleeing he was brought down by a pistol shot as he was trying to escape on his horse." This accords with the local tradition of his death. Williamson states that he was "found by some of his surviving neighbors fallen dead upon his face near his own door." (*History of Maine i, 629.*) Mather amplifies this by explaining that "this good man was just going to take horse at his own door upon a journey in the service of God." A contemporary diarist adds that he was "found cut in pieces." This is not to be understood literally but refers to a mutilation commonly practised by the Indians on their victims. "Those blood-hounds," said Mather, "being set on by some Romish missionaries had long been wishing that they might em-brue their hands in the blood of some New England minister and in this action they had their diabolical satisfaction. They left him dead among the tribe of Abel on the ground." Williamson records the information, probably a tradition gathered by him in York, that the Indians stripped the body of this parson of its apparel, and during the march through the wilderness "on the next Lord's Day a full welted savage, purposely to deride the ministerial character of Mr. Dummer, put on his garments, and then stalked about in the presence of the distressed captives, some of whom belonged to his church, to aggravate their feelings." (*Maine Hist. Soc. Coll. iv, 72.*) Mather

HISTORY OF YORK

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But kill-ed all which they could find,
Though aged or though fair.

Apparently as an afterthought, Champigny added to his account this sentence which touches the outstanding incident of the massacre. "I forgot to say," he wrote, "that a minister was one of the dead Englishmen. As he was fleeing he was brought down by a pistol shot as he was trying to escape on his horse." This accords with the local tradition of his death. Williamson states that he was "found by some of his surviving neighbors fallen dead upon his face near his own door." (*History of Maine i, 629.*) Mather amplifies this by explaining that "this good man was just going to take horse at his own door upon a journey in the service of God." A contemporary diarist adds that he was "found cut in pieces." This is not to be understood literally but refers to a mutilation commonly practised by the Indians on their victims. "Those blood-hounds," said Mather, "being set on by some Romish missionaries had long been wishing that they might em-brue their hands in the blood of some New England minister and in this action they had their diabolical satisfaction. They left him dead among the tribe of Abel on the ground." Williamson records the information, probably a tradition gathered by him in York, that the Indians stripped the body of this parson of its apparel, and during the march through the wilderness "on the next Lord's Day a full welted savage, purposely to deride the ministerial character of Mr. Dummer, put on his garments, and then stalked about in the presence of the distressed captives, some of whom belonged to his church, to aggravate their feelings." (*Maine Hist. Soc. Coll. iv, 72.*) Mather

"The Greate Mounte of Sasanoa"

Indians camped here
night before attack

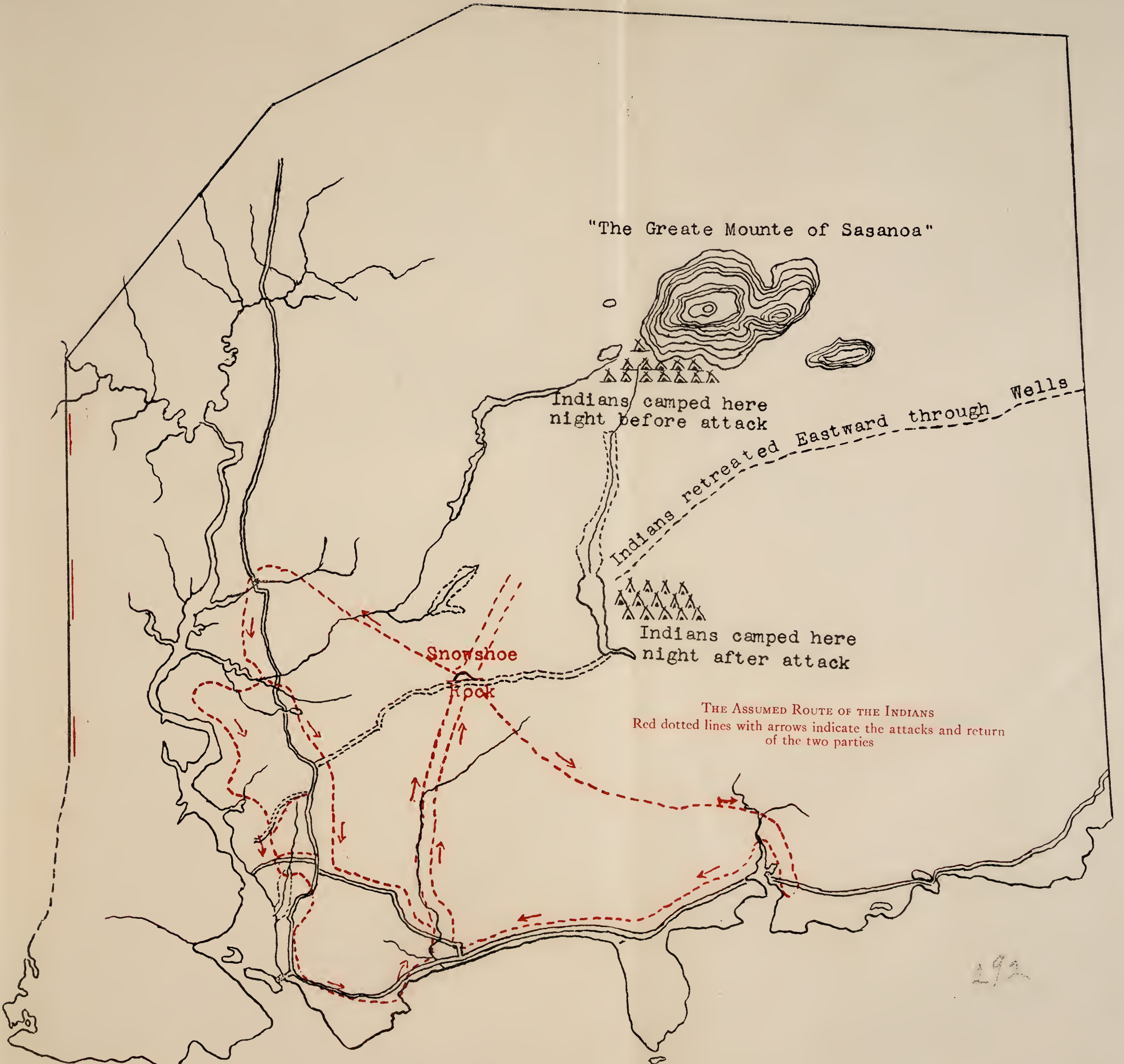
Indians retreated Eastward through Wells

Indians camped here
night after attack

Snowshoe

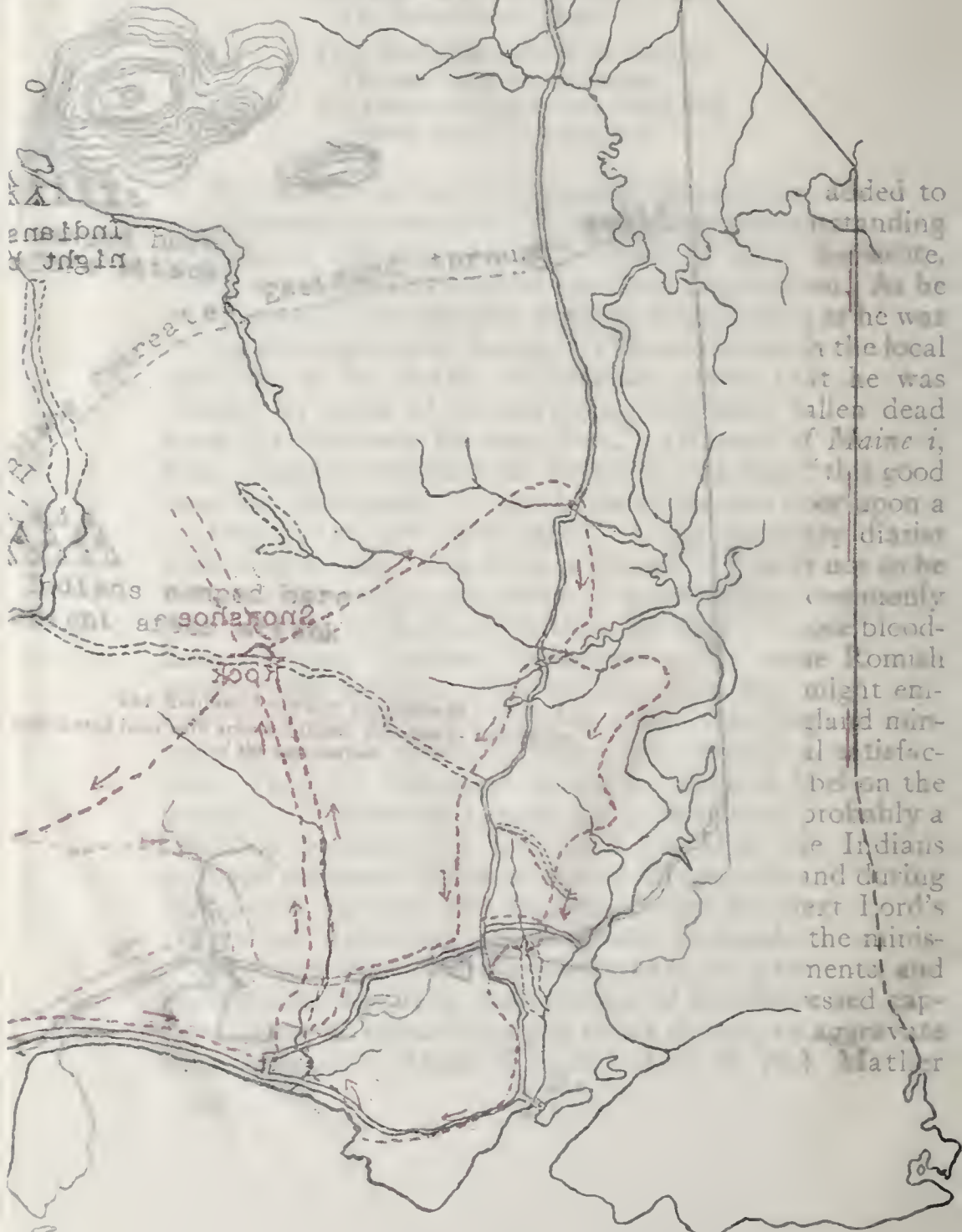
Rock

THE ASSUMED ROUTE OF THE INDIANS
Red dotted lines with arrows indicate the attacks and return
of the two parties



Mount of Sasarba'

Indians
right



added to
 standing
 the note,
 As he
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THE MASSACRE ON CANDLEMAS DAY

could not let this impious masquerade pass without characterizing this diabolical savage as "a Demon transformed into an angel of light"; and he closes his disquisition on the death of his colleague with the following epitaph:

Dummer, the shepherd sacrific'd
By wolves, because the sheep he priz'd.
The orphan's father, church's light,
The love of Heav'n, of Hell the spight.
The Countries gapman, and the face
That shone, but knew it not, with grace.
Hunted by devils, but reliev'd
By angels, and on high receiv'd.
The martyr'd Pelican, who bled
Rather than leave his charge unfed.
A proper bird of paradise
Shot, and flown thither in a trice.
Lord, hear the cry of righteous Dummer's wounds,
Ascending still against the salvage hounds,
That worry thy dear flocks, and let the cry
Add force to theirs that at thine altar lye.

Thus far the story of this astounding butchery closes the narrative of the day's work. It began about ten o'clock in the morning and continued until early in the afternoon when, for want of fresh victims, the savages began their retreat. They encamped that night at Cape Neddick Pond to rest after their furious labors. The next morning, after leaving behind a rear guard of thirty warriors, the main body started on their march eastward through Wells with their booty and captives. Meanwhile the alarm was spread by the inhabitants on the south side of the river, who were spared in the attack for the obvious reason that the Indians would not cross the river and endanger their retreat. The awful news was carried to Kittery and ferried over to Portsmouth where provincial troops were then stationed. From these sources we get some of the numerical results of the raid, even if they are marked by disparity. As has been read in Champigny's account, he makes this report of the number of the victims of the massacre: "qu'il avoit en plus de cent Anglois tuez."¹ This was told him by one of the Indian chiefs and it is probable that the claim of "more than a hundred English killed" was an exaggeration for the purpose of impressing Champigny. It is certainly a number far in excess of that

¹See appendix, page 447, for explanation.

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reported by surviving townsmen and others who visited the scene of carnage. The first account of the casualties was written by Capt. John Floyd, in command of the troops stationed at Portsmouth, who immediately went to the relief of York when the news of the attack reached him. He states: "When we came we found Capt. Alcock's & Lieut. Preble's Garisons both standing: the greatest part of the whole town was burnd & robd & the Heathen had killed & Caried Captive 140- 48 of which are killed & 3 or 4 wounded & the rest Caried away." (2 *Maine Hist. Soc. v.*, 314-5.)

Francis Hook, Esquire, of Kittery, whose information must have been derived from survivors, in a letter to the Governor dated January 28 said: "In generall ther is 137 men, women and children kild and caryed away Captive; about 100 of them captivated & are gone Eastward."

Rev. John Pike of Dover in his contemporary journal states that "the Indians fell upon York- kild about 48 persons & carried captive 73." The diary of Lawrence Hammond, also contemporary, states that "there were 140 persons missing, about 40 found killed & buried by Capt. Floyd." Cotton Mather, who of course got his information in Boston by reports, states that "about 50 were killed." It will thus be seen that the local reports are fairly consistent as to the number killed. It would appear that Captain Floyd's report of forty-eight persons who were buried by him, as he was the first on the scene, is the nearest approach to the exact conditions, but it may be questioned whether so few hours after the event he could have visited the remote parts of the town to get a complete census of those killed.

Writing in 1792 on the centennial of the massacre, Judge Sewall said that "all the houses on the north side of the river were burnt & destroyed, except four garrisons houses, viz. Alcocks, Prebbles, Harmons and Nortons," (*Gen. Reg. xxix*, 108.) Captain Floyd wrote that "the houses are all burnd & rifled except half a dozen or thereabout," and later in the same letter he adds: "there is about seventeen or eighteen houses burned." Floyd is probably nearer right in his detailed computation.*

* In a separate journal of these events, summarizing their proceedings, Champigny wrote that they had "burned more than sixty houses." This is probably a clerical error for sixteen, or a deliberate misstatement.

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From contemporary documents of various classes and other circumstantial evidence the following list has been compiled by the author as representing the probable death list:

Adams, Philip	Milberry, Richard
Nathaniel	Moulton, Joseph
Alcock, Mrs. Elizabeth	Mrs. Hannah
Bane, Ebenezer	Paine, Thomas
James	Mrs. —
Banks, Richard	Parsons, John
Job	Pearce, John
Bray, William	Mrs. Phoebe
Cook, John	Parker, John
Mrs. Elizabeth	Preble, John
Cooper, Philip	Nathaniel
Mrs. Anne	Pullman, Jasper
Card, John	Mrs. —
Mrs. Elizabeth	Ratcliffe, John
Curtis, Thomas	Mrs. —
Dodivah	Sheeres, Jeremiah
Dummer, Rev. Shubael	Mrs. Susanna
Hart, Thomas	Simpson, Henry
Johnson, Edward	Mrs. Abigail
Mrs. Priscilla	Twisden, John
Benjamin	Mrs. Susanna
Masterson, Nathaniel	Weare, Peter
Mrs. Elizabeth	Young, Samuel

This list, which may be imperfect, falls short of the forty-eight buried by Captain Floyd, and the remaining number were probably young children whose names had never appeared on the existing town records. Of the captives a less complete list can be made up of such as are known as follows:

Alcock, Mrs. Elizabeth	Moulton, Abel
(Portsmouth)	Moore, William
Atkinson, Theodore (Portsmouth)	Moore, Mary
Atkinson, Mrs. Theodore	Masterson, Abiel
(Portsmouth)	Milberry, Dorothy
Austin, Mary	Payne, Samuel
Adams, Magdalen (Hilton)	Payne, Bethia
Bane, Joseph	Plaisted, Mrs. Mary (Rishworth)
Bragdon, Mrs. Sarah (Masterson)	Parker, Mary
Cooper, Mary	Parker, Mehitable
Clarke, Robert	Parsons, John
Dummer, Mrs. Lydia	Parsons, Mercy
Dummer, — (boy)	Parsons, Ruth
Freethy, James	Parsons, Rachel
Heard, Ann	Preble, Mrs. Priscilla

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Preble, Obadiah
Preble, Benjamin
Sayward, Mary (child)
Sayward, Esther (child)

Simpson, Henry
Tibbs (Tibbets?) Mary
Tucker, Francis (Portsmouth)
Young, Rowland

This list falls far short of the agreed number of captives about eighty ("quatre vingts prisonniers" wrote Champigny), but the captivity of most of them was of short duration as will be explained. Some of the names are of transient persons, probably visitors or servants.

The Champigny account sets forth that, after the bloody shambles had been completed, "they were pursued by 300 Englishmen whom they discovered without being seen by them. Some were of the opinion to fight them but the booty and the prisoners caused them to give up the idea." There is no confirmation of this in our records. Indeed, Captain Floyd states that on account of the depth of the snow they were not able to follow them.

If there could be anything to give a light touch to the horror of this gruesome story it is furnished by a traditional account of the experiences of little Jeremiah Moulton, then about four years of age, youngest son of Joseph Moulton who lived at the northwest end of "Scituate Row." His father kept a tavern there and on the day of the massacre a party from Portsmouth, including Theodore Atkinson, Francis Tucker and Mrs. Elizabeth Alcock, were his guests. Jeremiah's father and mother were killed and scalped as he looked on at the shocking spectacle, and the Indians later herded him with those selected for captivity. The frightened and resentful boy showed his feelings by resisting to the limit of his childish strength, exhibiting so much youthful indignation at his detention that it amused the Indians greatly. They took this cue to tease him and encourage his struggles for liberation from his tormentors. Finally he took advantage of a relaxation of their watchfulness and ran as fast as his little legs could toddle through the deepening snows towards his burning home. The Indians, probably having some chivalrous admiration for his determined resistance, let him escape while they shouted after him and gave vent to shrieks of laughter at the humorous spectacle. It would be a fit subject for an artist to depict this scene with little Jeremiah, frightened out of his wits, running from his captors and the background of laughing savages applaud-

THE MASSACRE ON CANDLEMAS DAY

ing his youthful spunk. The terror of that day's experience remained an abiding memory during his impressionable youth, and as he grew to manhood the significance of it developed into a resolve that has been celebrated in song and story. The Abenaki Indians in later years had ample reason to remember this Jeremiah Moulton as the avenger of the murder of his parents, and the Biblical "eye for an eye and a tooth for a tooth" was his Scriptural justification many times over.

As loot the Indians carried away several hundred-weight of powder and smashed all windows before firing the houses to obtain the lead in them, and secured such pewter and leaden vessels as could be fashioned into bullets. Nor did they forget to destroy in the holocaust all the breadstuffs they could discover in their hurried onslaught, so that hunger might add to their sufferings. From the standpoint of efficiency it can be characterized as a successful attack on the enemy.

When all danger of an attack in reprisal had passed, Madockawando led his warriors eastward through Wells, and as they reached the vicinity of the garrison of Joseph Storer of that town they sent a flag of truce to inquire whether the English would wish to redeem any of their captives. "If so," they said, "their friends should come to Sagadahoc in a week or ten days." Storer asked if any could be redeemed immediately, to which they replied in the negative "as they were all gone as far as blew-poynt," now in Scarborough.

Meanwhile the tidings of the terrible blow that had befallen this town sent a shudder throughout New England, as the story was carried by post-riders from settlement to settlement. "'T was an amazing stroke that was given us," as Judge Samuel Sewall records in his "Letter Book" (i, 29). He was a cousin of Shubael Dummer, through his maternal side, and he adds that he had recently received a letter from him only six days before the massacre "full of love, the last words of which were, 'The Lord grant a gracious effect to the desires of the last Fast.'" Similar reactions are recorded in the contemporary writings of public men. As soon as the proposal made by the Indians for a release of their captives reached Boston immediate action was taken by the provincial authorities. On February 5 Capt. John Alden and Capt. James Con-

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verse were appointed as agents to secure "the redemption of our Captives" by negotiation with the Indians. Contributions of money were asked of the people, and ministers of churches were urged "to excite their people to put on bowells of Compassion and Christian Charity." Samuel Sewall and Jeremiah Dummer (brother of the murdered clergyman) were appointed a committee to receive and disburse such donations to the fund. Captain Converse visited York at once to gather the necessary information about the captives and to arrange for their return in such vessels as were available. The churches responded with commendable promptness. On February 7, Plymouth "made a very liberall Contribution," and Dorchester on the fourteenth made a donation of £18:18:7d for relief and redemption. These two instances are known from records. Undoubtedly others did likewise. In a letter dated London May 28, 1692, Francis Foxcroft wrote to Charles Lidget: "I am sorry to hear the desolation of Yorke," and speaks of the "strange waies of raising money as your enclosed print contains." From this it would appear that a printed appeal for charity or some form of relief was made, but if so there is no further evidence of it.

In the confusion of such a tragedy as the one just related it has not been possible to follow accurately the personal fortunes of each prisoner. Not half of them are known and some, undoubtedly, were ransomed at Sagadahoc before the unredeemed victims were taken on the long march through the forests to Canada in the middle of winter. As soon as they arrived at their destination, perhaps Sillery, they were distributed, some to Quebec and Montreal to the French, while others were allocated to the custody of the Indians at Penacook. Numerous commissions were sent to negotiate with the French officials for their return through ransoms or by exchange of prisoners. In 1695 Capt. Matthew Carey brought back the following:

Robert Clark	Rachel Parsons
Mary Cooper	Mrs. Mary (Rishworth) Plaisted
Mrs. Magdalen (Hilton) Adams	Henry Simpson
John Parsons	Mary Tibs
	Rowland Young

In 1698 a second lot was brought back in the *Province Galley*, viz.:

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Bethia Paine
Mehitable Parker
Dorothy Milberry

Nothing further was done for a dozen years when, after negotiations, a list of captives remaining in Canada was obtained by the Massachusetts authorities, and the following persons, belonging to York, were included in this comprehensive report:

Mary Austin	Benjamin Preble
James Freethy	Obadiah Preble
Anne Heard	Mary Sayward
William More	Esther Sayward
Joseph Moulton	Jabez Simpson

The following captives were stated to be in the hands of the Indians at Penacook:

Joseph Bane
Sarah Bragdon
Abial Masterson
Mary Parker

Of these fourteen residents of this town four are known to have remained in Canada, where they had grown up and had lost the use of their native tongue, and were well treated by their French patrons.¹ Of these the most noted examples are Mary and Esther Sayward. The others are Mary Austin and Anne Heard. Accounts of them will be found in the following chapter.

¹ For most of these facts relative to the experiences of the York captives while in Canada, the author is indebted to Miss Emma L. Coleman, who collaborated with him in their identification when she was preparing her monumental work in two volumes, "New England Captives carried to Canada," published in 1925. These facts will be found scattered through this and the following chapter.

CHAPTER XXVI

YORK BECOMES AN ARMED CAMP

The first and obvious measure for future protection was the dispatch of troops to the scene of the massacre to provide a defensive force in an emergency. The company under Capt. John Floyd, then on duty at Portsmouth, was the first to arrive and give courage to the demoralized survivors huddled in the two standing garrisons: Alcock's near Sentry Hill, and Preble's opposite the old cemetery. In a letter to the Governor and Council at Boston, two days after the attack, Captain Floyd gave these particulars of the situation at his first view:

Theur Case is doleful & miserable & calls for great compassion: If the place so much of it as is left be kept it must be by a speedy supply of men & provision: I have caused all the inhabitants to be in three garisons 2 at Yorke & the other at Scotland: I have left 12 men there: which is more then they can provide for one week: for there is a hundred souls in Captain Alcocks house that have their whole dependance upon him for bread & like wise at Lieut Prebles for the houses are all burnd & reffed except half a duzen or therabout.

To this he added, "There is about seventeen or eighteen houses burnd." Champigny wrote "there were three garrisons and a very large number of English peoples houses. All of these were burned." In a separate journal account he states that they "burned more than 60 houses." This must be an error for sixteen, as it is improbable that Floyd was so much in conflict, numerically, being an observer on the spot. Possibly Champigny included all kinds of buildings, houses, barns, mills, small storehouses in his computation, but it is not understood what "three garrisons" were destroyed. Writing in 1792 Judge David Sewall stated that "all the houses on the north side of the river were burnt and destroyed, except four garrisoned houses, viz: Alcock's, Preble's, Harmon's and Norton's" (*Gen. Reg. xxix, 108*). It is known that Parson Dummer's residence and the church escaped the torch.

During these developments on the English side the Indians were slowly and painfully driving their victims over the winter's snows, nearly a hundred miles through a trackless forest to the destination proposed for the parley.

YORK BECOMES ARMED CAMP

On arrival at Sagadahoc the Indians made a final halt but not until "5 or 6 were kill'd in their march, mostly children that were not able to travel & soe burthensome." Two of the captives were sent to Canada "to Satisfie the french with the truth of this exploit, they formerly not believing the Indians reports of what service they doe against us." There the victorious marauders waited with their human prey, carefully concealed a short distance away, for the appearance of friends seeking their ransom. After the arrival of these in a number of sloops and a parley with Madockawando, Edgeremet and Moxis — the leaders of the Abenakis — an agreement was reached to release them at so much per head "without respect to persons." When Tucker came away the freedom of thirty-six had been purchased, and it is only to be inferred that those who were not thus liberated were carried to the Indian villages because no friends appeared to redeem them. The fate of Mrs. Dummer and her son is specifically recorded by Champigny. Her young son was captured but, owing to her age, they spared her as she would be a burden on the march; "but she returned twice to ask for her son who was among the captives and they told her that as she wished it she should be added to the number. She had not much more than reached the Abenakis villages than she died of grief." Doubtless her son had been knocked in the head as unable to travel in the winter snows and, with the loss of her husband and only child as well as the exhaustion of travel and mental shock, the manner of her death can be easily understood. At the time of this tragic end of the entire Dummer family Francis Hooke of Kittery noted it as "the first minister kild in all our warrs throughout the country that I hav herd of." It is not known who of the captives from York were comprised in this number of thirty-six redeemed persons. Theodore Atkinson and wife and Francis Tucker are the only names known to us and they were from Portsmouth. It is singular that there is so little local tradition concerning this event, as far as the author has been able to investigate. As a general principle, the provincial authorities did not encourage the payment of ransoms for the release of prisoners taken by the Indians, but nevertheless they were constantly paid by private individuals who were anxious to secure the return of their relatives. This practice encouraged the Indians to make

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forays on the frontier settlements for the purpose of securing children as prisoners and preying on the sentiment of parental affection to secure these diabolical rewards. Of the list of those captured at the massacre most of them were taken to Canada and the individual fate of each one is here set forth.

Adams, Magdalen. Daughter of Mainwaring and Mary (Moulton) Hilton and wife of Nathaniel Adams who was killed at the massacre. She was redeemed in 1695, and after her return married twice (1) Elias Weare; (2) John Webber. The author is one of her descendants.

Austin, Mary. She was daughter of Matthew and Mary (Littlefield) Austin, aged about five years when captured. She was sent to Montreal and doubtless put out to service in a French family. She was brought up in the Roman Catholic faith and on January 7, 1710 married Etienne Gibau of the parish of La Valterre, a carpenter. She became the mother of nine children and dying October 3, 1755, was buried in the cemetery of Notre Dame of Montreal. She is recorded as Marie Elisabeth "Haustein," in the French records.

Bane, Joseph. He was son of Lewis and Mary (Mills) Bane and at the time of his capture was sixteen years old. He was taken by an Amaroscoggen Indian and lived with him seven years before he was redeemed. While living with the savages he learned their language, gained their friendship and became a valuable interpreter for the provincial authorities. The Indians always asked for him in that capacity whenever treaties were to be made between themselves and the whites.

Bragdon, Mrs. Sarah. Wife of Capt. Arthur Bragdon and daughter of Nathaniel and Elizabeth (Cogswell) Masterson. She was assigned to the custody of an Indian minister (Prince Waxaway). She was a captive in 1699 but returned not long after.

Bragdon, Abial. She was the daughter of the above-named, and it is presumed was taken with her mother and returned at the same time.

Clarke, Robert. The identity of this boy has not been made; probably he was employed in some York family as a servant. He was living in Canada in 1695.

Cooper, Mary. She was daughter of Philip and Anne (Ingalls) Cooper, the Walloon. She was eleven years old

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when captured and was taken to Quebec. She was baptized there in the French church 1693, but two years later was redeemed and returned presumably to York.

Freethy, James. He was probably son of James and Mary (Milberry) Freethy who lived in Scotland parish, but nothing further is known of him or his fate.

Heard, Ann. This girl is credited to York in the list of Canadian captives, but she was the daughter of Benjamin and Elizabeth (Roberts) Heard of Dover, N. H. She may have been visiting York when captured or was in service in the town. Further particulars are not necessary for rehearsal under these circumstances. She married in Canada.

Masterson, Abial. She was the daughter of Nathaniel and Elizabeth (Cogswell) Masterson and was recorded in 1699 as "gon to Penacook." She had returned, however, before 1703 when she signed a deed with her sister Sarah.

Milberry, Dorothy. She was daughter of Henry Milberry and lived at the time of her capture on what is now known as the Norwood Farm. She was brought home in 1699 and married John Grant three years later.

Moore, William. He was son of William and Dorothy (Dixon) Moore who lived below Sentry Hill. Particulars of his captivity are wanting, but provisions for his share of his father's estate in 1694 were made for his benefit, if he should return to demand it. He was still in Canada in 1711 and how much longer is unknown, or what became of him.

Moore, Mary. Sister of the above-named. She was provided for in her father's estate by money for her redemption, but there is no record that she returned.

Moulton, Abel. One of this name was a prisoner in Canada and under the name of "Able Morton" is recorded as drowned in 1699. He may have been son of Jeremiah and Mary (Young) Moulton, living at that time in Lower Town. If so, he was about fourteen years old when captured.

Parker, Mary. She was daughter of John and Sarah (Green) Parker, born in 1676, but it is not known whether she returned. In 1699 she was still in Canada.

Parker, Mehitable. She was younger sister of the preceding, being less than eight years of age when captured. She was redeemed in 1699 and in 1707 became the wife of John Harmon.

Parsons, John. He was son of John and Elizabeth Parsons, born July 31, 1677. He was baptized in Quebec

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in 1693 and may have remained in Canada as a convert. He had died before 1732 (*York Deeds xv, 130*).

Parsons, Mercy. She was sister of the above-named, but particulars of her age and fate are wanting.

Parsons, Ruth. Undoubtedly a sister of the above as her name appears in 1699 as one of the prisoners remaining in the hands of the French and Indians, although her name is not in the town records as one of the daughters of John Parsons.

Payne, Bethia. She was daughter of Thomas and Elizabeth (Milberry) Payne. She was brought home in 1699 and in 1711 was still unmarried.

Payne, Samuel. He was brother of the above, but nothing further is known of him except that he was living in 1695.

Plaisted, Mrs. Mary (Rishworth). Wife of James, of Kittery, and daughter of Edward Rishworth. At the time of her capture she was living with him (as her fourth husband), and in her family were two elder Sayward children by a former marriage. She was only thirty-two years old at this date and resided on Cider Hill. She was taken to Montreal and baptized there December 8, 1693 under the names of Marie Madeline. Her godfather at this event was Monsieur Juchereau, Lieutenant-General of the



SIGNATURE OF MRS. PLAISTED IN THE BAPTISMAL REGISTER, MONTREAL

“Royal bailiwick of Monreal” while his wife acted as god-mother. At that date she was living in the service of Madame Catherine Gauchet, widow of the predecessor of her godfather in the bailiwick. Cotton Mather relates, and family tradition confirms, that she had only three weeks prior to capture given birth to a son and he describes her sufferings on the march because of her recent confinement, lack of food and the extremity of the weather. Constantly falling behind on account of weakness, the Indians attributed it to the burden of the child and they relieved her of this encumbrance by dashing the child’s head against a rock and throwing it into the river. Then they told her she had no excuse to lag behind. She was redeemed in 1695 and probably outlived most of her companions in captivity, as in 1754 she was still on the tax list.

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It is interesting to note that on October 6, 1696 she was presented by the Grand Jury "for not attending the public worship of God upon the Lords day." Her husband, James Plaisted, answered for her in Court the following April, and offered as an excuse that she was "Under some bodily infirmity hindering her appearance (and) for her offence was fined for the fees 4s:6d and to be admonished (*Deeds v, p. 2, fol. 94, 103*). It would be illuminating to know whether her neglect to attend the religious services at the Puritan meeting house was due to "bodily infirmity," or to the fact that she could not forget that she had recently been baptized with her children in the Catholic faith three years before.

Preble, Obadiah. He was son of the aforementioned parents and was probably captured at the massacre as his name appears in 1711 as a captive remaining in Canada. As far as known he never returned.

Preble, Benjamin. He was brother of the above and was probably captured at the massacre as his name appears in 1711 as a captive remaining in Canada. As far as known he never returned.

Preble, Mrs. Priscilla (Main). Wife of Nathaniel Preble, who was killed at the massacre. From circumstantial evidence she is tentatively listed with the captives as she was absent when her husband's estate was settled that year. She was redeemed or allowed to return, as in 1695 she married Joseph Carroll in York.

Sayward, Mary. She was daughter of the above-named by her second husband, John Sayward, and was born April 4, 1681, being about eleven years old when captured. She was baptized by the name of Marie Genevieve in Montreal and was brought up under the care of the Sisters of the Congregation. In 1699 she took vows in that order as Soeur Marie-des-Anges and was assigned to the Mission at Sault-au-Recollet as Superior of the local convent. She was later transferred, as is stated because of her high qualities, to the convent of the order in Lower Town, Quebec. She died in 1717 aged thirty-six years, and the word "Angloise" written in the margin of the burial register is all that is left to tell of the origin of the little Mary Sayward of York, led captive from her home by savages and dying a stranger among a people who spoke an alien tongue.

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Sayward, Esther. She was younger sister of the foregoing, born March 7, 1684-5 and a mere child of seven when captured. She, too, was baptized under the name of Marie-Joseph and was probably educated by the nuns in Montreal with her sister. She was naturalized in 1710 and on January 5, 1712 she was married to *Sieur Pierre de Lestage*, a merchant of the parish of *Villemarie*. Her husband lived later at *Longueuil* and he also owned the seigniorship of *Berthier*, opposite *Sorel*. He died in 1743, and as all their children died in infancy the widow was left alone. In accordance with a privilege granted to maiden ladies and widows to be received as permanent boarders, *Mme. de Lestage* purchased a house adjoining the convent and was allowed to cut a communicating door between the two buildings and for more than twenty years she continued this renewal of relations with the nuns who had taught her in childhood. She is on their records as a constant benefactress. She was also a generous friend to the convent of the *Ursulines* in *Quebec*, of which her cousin, *La Mere de l'Enfant Jesus* (*Esther Wheelwright of Wells*), was *Mother Superior*. In 1725 *Theodore Atkinson* and *Samuel Jordan of Saco* (who had married her half sister, *Olive Plaisted*) were sent to *Montreal* on a commission to negotiate for the return of captives then remaining in *Canada*. On their return from this mission *Mme. de Lestage*, evidently persuaded by her brother-in-law, accompanied the party. Their journey was via *Chambly* overland to the *Hudson*. The exact route from there to *Boston* is not known, but that she visited her mother in *York*, and a sister, whom she had never seen, is a part of the romantic story of this expatriated daughter of old *York*. One might wish that the story of their meeting could have been related in a diary of mother or sister, but the historian is not permitted to speculate on what might have taken place or did take place on that memorable visit. *Mme. de Lestage* was then forty years of age and having been brought up since childhood to speak the French language, it is doubtful that this reunion resulted in mutual understanding of each other as neither could express herself fully in the language of the other. *Mrs. Plaisted* was then sixty-five years of age and probably well preserved as she lived thirty years longer. *Mme. de Lestage* died January 17, 1770 and was buried in the

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Chapel of Sainte-Anne in the Cathedral Church of Notre Dame, Montreal.

Simpson, Henry. He was son of Henry and Abigail (Moulton) Simpson, born 1670; nothing is known of the details of his captivity except that in 1695 he was redeemed.

Tucker, Francis. It has already been noted that he was a resident of Portsmouth, visiting York at the date of the massacre and then taken captive. He was redeemed at Sagadahoc about two weeks afterwards.

Young, Rowland. There is no record in York of one of this name, but it may be surmised that he was an unrecorded son of Samuel and Elizabeth (Masterson) Young who lived on Cider Hill. The father was killed in the massacre and others living in the immediate neighborhood were either killed or captured. This seems more probable than that he was the son of Job and Sarah (Austin) Young who lived in another part of the town, whose family suffered no known casualties in the massacre. Nothing is of record as to his destination or final disposition except that in 1695 he was still living in Canada.

Even a superficial examination of the above list of captives leaves the impression that the Indians, either by accident or design, chose to take only women and children, preferably girls, as captives. As this experience has been duplicated in all raids made by them during these wars, it is evident that it was a designed policy. Women and children were more easily managed and, for purposes of ransom, more valuable. It is not improbable that the French priests encouraged the capture of women and children, having in mind the opportunity for proselytizing. Adult men were usually killed outright wherever possible in any of the Indian attacks. Men were dangerous as prisoners, requiring constant use of force to keep them from escaping. The above list, comprising thirty-six names, added to the other thirty-six reported by Tucker as redeemed at Sagadahoc, making a total of seventy-two, leaves about twenty or thirty unaccounted for on the basis of about one hundred captives. The several statements concerning the number of captives are more uniform than those as to the number killed. It is only possible to surmise that those not accounted for were redeemed later at Sagadahoc after Tucker had left with his party. It was possible for ransoms to be paid individually.

CHAPTER XXVII

YORK'S STRUGGLE FOR EXISTENCE

1692-1712

The Second Indian War, beginning in 1689, marked the supreme effort of the French and their Indian allies to wipe out every English settlement in the province of Maine. Up to the time of the York massacre they had succeeded by a process of consecutive attacks, beginning at the Kennebec, and taking in each town in succession westward. Fort Loyal in Falmouth had been captured, in May 1690, by the French and Indians under Portneuf and Madockawando, and the fall of this stronghold threatened the destruction of the entire Province. Evacuation of the towns to the westward by soldiers and inhabitants proceeded as a matter of necessity, and Storer's Garrison in Wells became the last stand of the retreating defenders of Maine. Thence, as opportunity offered, the fugitives sought any conveyance by way of escape to Massachusetts. Wells, with York and Kittery, were marked for destruction in due time. The Indians made a gesture at Wells, intimating a desire to have a treaty of peace but failed to appear at the appointed time. The destruction of York has already been described as a part of this program. An attempt on the Wells Garrison, defended by Capt. James Converse, was the first failure of the combined enemy, but this slight rift in the clouds afforded little satisfaction to the beleaguered population herded in garrisons. Rishworth, Davis and Alcock of York were right in their opinion expressed to the General Court in 1676 that no confidence could be placed upon treaties with the Indians "talking peace with their tongues," they wrote "intending warr in their harts, never giving any testimonyalls either by resignation of there armes, bringing in there pledges or by the seasonable discovery of the Malitious plotts of there Confederates." In this desperate struggle for existence York became an armed camp immediately following the massacre. The troops under Captain Floyd were the first to give York some measure of military protection. Capt. Pasco Chubb and Lieut. Anthony

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Bracket were in command of two companies which were first sent in April 1692, as a permanent garrison. Thenceforth, billeted soldiers became a part of the daily life of the townspeople. Their presence inspired the still anxious inhabitants with confidence to inspect the ruins of their homes and take stock of material that could be salvaged. These troops were distributed convenient for the defence of the three garrisons belonging to Job Alcock, Abraham Preble and Alexander Maxwell in Scotland. While this measure resulted in present safety, yet no man dared to go forth unarmed for any distance from his home. Reconstruction of the houses that were destroyed by fire proceeded slowly as only those nearest the garrisons were deemed free from isolated attacks. Alarms were of constant occurrence and life in the town was anything but a satisfactory mode of existence. Some became discouraged and left permanently for the better protected towns in Massachusetts, but the old-established families of York, descended from the first settlers, stuck to their ancient hearthstones. Even with these precautions the relentless enemy were successful in occasional sniping operations. In 1693 Charles Trafton, the twelve year old son of Thomas and Elizabeth (Moore) Trafton who lived on the southwest side, was captured and taken to Quebec. He was taken into the service of Count Louis de Buade de Frontenac, Governor of Canada. He was baptized September 12, 1694 as Louis Marie Trafton, his master standing as godfather at the ceremony. He learned the trade of a gunsmith and about 1710 returned to York where he resided until his death.

On August 20, 1694, Daniel Livingstone and a boy were killed by the Indians near the Maxwell Garrison where he lived. The slightest relaxation of careful policing of the outskirts was attended with a fatality. In 1695 it was reported to Governor Stoughton that "there is at present at Yorke posted 29 soldiers who are ordered to scout on the Eastward side of the Towne and towards Newitchawannick." It was further stated that the town was out of provisions, there being but "2 barrells of porke." Lieutenant Preble had for ammunition at that time forty pounds of powder, twenty pounds of shot and three dozen flints.

In July 1696 Robert Winchester, a lad of about four-

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teen years of age, probably son of Robert Winchester, was captured by the Indians and taken to Canada, but the place and circumstances of this incident are not known. He was still in Canada four years later, but what became of him afterwards is also unknown. His sister Mary married Thomas Card, and thus the name of Winchester Card was perpetuated in that family.

According to Pike's "Journal" one "Goodwife" Johnson of York was wounded by an unseen Indian July 7, 1696, "of Wch wound she died." As there were several families of this name in the town at that date it is not easy to make the identification of this woman. In 1696 Col. Bartholomew Gedney had four hundred sixty men at his disposal for protection of York and Wells. He made the latter town his headquarters. Major Benjamin Church, the famous Indian fighter, Capt. Anthony Bracket and Lieut. James March were at York as a part of this command in August of that year, but with all this added support Indian forays continued.

On May 20, 1697, according to Pike's "Journal," "Young Moulton (was) taken by the Indians at York." The identity of this lad is not certain. In June 1698 a plan for the "Deffense of the Frontiers" included the assignment of twenty soldiers in garrison at York, with twenty more for scouting duty ranging the forest outskirts of York and Wells.

At this time the General Court of Massachusetts passed an Act which condemned the residents of York to remain perpetual buffers against the savages, under penalty of loss of their hard earned property or fines for refusal to stay and fight the battles for them. It was entitled "An Act to Prevent the Deserting of the Frontiers." Enumerating the eleven frontier towns, including York by name, it was provided that neither of them "shall be broken up or voluntarily deserted," except by permission of the Governor and Council. This heartless law which held them virtual prisoners, reads in part:

Nor shall any inhabitant of any such frontier town or plantation having an estate of freehold in lands or tenements remove from thence with intent to sojourn or inhabit elsewhere, without special license first had and obtained (from the Governor and Council) on pain of forfeiting all his estates in land and tenements lying within the bounds or precincts of such town or plantation. (*Acts and Resolves, vol. i, c. 25, p. 194.*)

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The produce of estates so escheated to the state, when sold, was to be used for the defence of the place wherein the absentee's property was situated. If the person so leaving was able to bear arms he was further penalized by fines to support a substitute, and the "common goal" was to be his further punishment, if he were unable to pay the fine. (*Province Laws, c. 25, 1694-5.*)

This Act, amended and approved March 23, 1699-1700, provided not only more efficient methods of forfeiture, but added penalties of ten pounds each on persons so removing who had no estate in lands or tenements. This latter class were to be apprehended on warrants and the Act was renewed yearly as late as 1713. With this club the officials in Boston condemned the people of York to fight for their lives, like rats in a trap, so that "their Majesties interests" would not be in jeopardy. Rather a singular regard for the interests of the English Crown suddenly manifested. If the Maine towns were abandoned the Indians would be so much nearer Boston, and it is easy to conclude that the Massachusetts authorities were determined to use them as buffers for their own safety.

The excuse given for these acts was the great sums of money already expended in defence which would be lost should the towns be abandoned. Thus did the majority of the deputies of the General Court, living safely in the well-protected towns of Massachusetts, force the settlers of York to stay and fight savages that they might be free from attack. The loss of money was placed above the loss of life, even after York had suffered the appalling catastrophe of the massacre a few years before.

The sad plight of the people in this frontier town aroused the sympathy of the more protected communities in the other parts of New England, and they helped out with contributions of food supplies. In 1697 Judge Sewall sent the following letter to Capt. Abraham Preble advising him of a gift of corn for the poor people of York:

6 April 1697

I have once more the pleasure of sending a little Corn to the poor families of York that are in distress, the Connecticut Gentlemen having consigned their Contribution to me. I desire and Order that Samuel Donnel Esq. and your self, together with Capt Gooch doe settle the proportion what each family shall have, and send me an Account, of the Persons names on whom bestowed and the Quantity

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to each. Praying God to give us thankfull frames of spirit for opening our Brethrens hearts towards us; and that would send a seasonable seed Time and Harvest I take leave who am Sir, your friend,

SAM: SEWALL

The end of that century found York still a garrison town with its people guarded by soldiers in the prosecution of their daily tasks. On May 9, 1698 Joseph Pray of this town, living in "Scotland," was wounded by a marauding band of savages who were making an attack on Kittery that same day. He reported that there were about fifteen in the party. This was the last casualty in the town during this war. In September of this year peace was concluded between England and France and was proclaimed in Boston early in the following December. The Canadian French could no longer take any open part in hostilities after this, although they could give aid and comfort to their allies and take satisfaction in seeing the "English heretics" harried or destroyed by the savages. At this time the Indians were in lamentations over the death of their great leader Madockawando and some of his chief sachems who had recently fallen victims to "a grievous unknown disease which consumed them wonderfully," wrote Mather. This event, coupled with the withdrawal of the French in Canada from active participation in the war, discouraged the Indians from continuing it, and on January 7, 1699 they signed another treaty of peace at Mare Point (now Brunswick). The toll of this second war was greater than the first, both in this town and in the Province, but the Indians had gained nothing by it in the provisions of the treaty, and they had begun to see that they were being used by the French as pawns in a greater game on the international chessboard.

The government of Massachusetts, located in the safety zone, far removed from the dangers of this terrible warfare, failed to give full protection to the people of the Province, the government of which they had usurped and finally bought. There was no settled policy of defensive measures. Troops were sent hither only to be withdrawn after the expense of a few months of inactivity in the garrisons, on the grounds of economy, or want of appreciation of the peculiar dangers in the theatre of war. In 1679, after the First Indian War, Edmond Randolph wrote this

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criticism: "Grievous complaints are made by the inhabitants of Maine who in the Indian War found more loss attending them by the Cowardice and inadvertency of their Church Member officers than from the Cruelty of the Indians themselves." (*Colonial Papers* *xliv*, 31.)

Thomas Newton, who was a candidate for appointment as Attorney-General for New England, in a letter from Boston dated May 26, 1690, speaking of the Indian troubles in Maine wrote: "The Charter Government cares little for that country or for the lives of the settlers but only for smaller matters." (*Colonial Papers* 578, No. 138.) While these views were expressed by persons out of sympathy with the political conditions in Massachusetts, yet they undoubtedly represent an understandable indifference to dangers, remote from their daily lives, the prevention of which only involved them in costly military expenses which brought them no immediate return.

The end of the century, coming the following year, found York still billeting soldiers detailed to protect the inhabitants in the pursuit of their daily occupations in the village and on the farms. The treaty signified that peace existed, but the people of York had no reason to give it the significance of a white man's treaty. Governor Andros had said that "an Indian deed of land was no better than the scratches of a bear's paw," and the inhabitants of Maine, mourning for their dead and impoverished by their plunderers, held the same views regarding the sanctity of an Indian's word. The officials of Boston gave it full credit and acted accordingly. The experiences of the next few years disclosed the difference between these practical and theoretical divergences. William of Orange, King of England, died in 1702 and his sister-in-law Anne ascended the vacant throne. Among the first acts of her reign was a renewal of the war against France. Joseph Dudley, who had been appointed by Queen Anne as Governor of Massachusetts, undertook to forestall participation by the eastern Indians in any military measures which he expected would be instituted by the Governor-General of Canada. He met the principal Sagamores at Casco Bay and began the parley by a fraternal address of reconciliation and a settlement of all differences which existed. The chief Indian in reply protested that their thoughts were as far from war "as the sun is above the

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earth." Bomazeen, the new Indian leader, added that peace between them would continue "as long as the sun and moon endured." Presents were exchanged in token of good faith and it was proposed that the council should close by firing a grand round on each side. In this ceremony the Indians were asked to fire the first salvo as a compliment. Their treachery was now made manifest for it was perceived that their guns had been loaded with bullets. Their previous actions during the parley urging delays for the arrival of other participants were now seen to be a part of a conspiracy to massacre the whites attending it. The appearance of several hundred French and Indians three days afterwards confirmed these suspicions. (*Williamson ii, 36.*)

THIRD INDIAN WAR

The policies of the two governments towards the Indians were based on fundamental opposites. The English authorities sought to deprive the Indians of weapons and ammunition, while the French readily furnished these to the savages, which not only enabled them to use them in securing game for food but as offensive and defensive weapons in war. It is not difficult to see why the untutored savage regarded the French as their friends. The religious side of the problem was easily developed by the Jesuit missionaries, whose intimate associations with them in their camp life and the picturesque character of the Romish ritual appealed to the Indians' fancy. The Puritan parson with his dolorous and complicated theological disquisitions never got beyond the status of a curious puzzle to the savage mind. The Indian could appreciate the symbolism of the Mass, as it conformed to their tribal conceptions of spiritual matters, also expressed by them in symbols, but they could never fathom the solemn discussions advanced by Puritan missionaries concerning atonements and justification by faith. Under these conditions the English were never able to undermine the influence of the French for any length of time over their Indian friends. They were easily induced to join the war, which the French were bound to prosecute, and in less than two months after the treaty at Casco, just mentioned, a body of five hundred Indians and French fell upon the eastern frontier from Casco to Wells in August

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1703 with a loss of seventy-three killed and ninety-five captured. On October 13 following, about sunset the Indians suddenly stole upon the house of Arthur Bragdon in Scotland, killed his wife (Sarah Masterson) and two of his children and carried his eldest daughter, Abiel, into captivity (*Pike's Journal*). She was still a captive in 1711 and her fate is unknown. This section just north of Bass Creek appeared to be an easy target for their peculiar strategy. Penhallow adds to the account of this attack in stating that "Widow Hannah Parsons & her young daughter" were captured at the same time. She was the wife of William Parsons of Wells and may have been visiting York when captured. Mather, in his "Deplorable State of New England," relates that on the trail to Canada, having been without food for three days, they took this child and hung it before the fire to roast for supper but were induced to exchange the anticipated morsel for some dogs which happened to come in a canoe at that juncture. She lived to be baptized by the name of Catherine in Montreal and, in 1729, to marry Claude Antoine de Berman, Seigneur de la Martiniere. The mother returned to New England. A year later another marauding party killed a son of Matthew Austin residing on Cider Hill. This was the second child lost to him in this cruel warfare. These apparently long intervals between attacks gave a sense of false security only to be dashed at an unexpected moment.

On May 4, 1705, a party of about a dozen Indians attacking York and Kittery killed John Brawn and Henry Barnes besides taking a number of prisoners. On October 20 following, four young sons from three to fifteen years of age belonging to John Stover at Cape Neddick were the victims of another raid on the town.

The following contemporary account of this affair was printed in the *Boston News Letter* in the issue for the week of October 22-29, 1705:

Piscataqua, October 26. On Saturday the 20th currant about 20 *Indians* appeared at Cape *Nidduck* and carried away 4 sons of *John Stover*, who were at a little distance from the Garrison. Several others that were out of the Garrison retired to it with all speed; on which the Enemy fired about an hour, then drew up the Children in sight of the Garrison and marched off. At *York* 4 or 5 *Indians* were also discovered; Major Walton with a Company of men is gone in pursuit.

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The account goes on to state that Captain Brown of Wells Garrison hearing of the attack started out to head them off before they reached the Saco River. He divided his men, giving one section in charge of Lieut. James March, who caught up with them, unobserved, and the narrative continues:

. . . as they were passing over a little Bridge, being within 15 rod of them, some few with the poor captives were got over a minute or 2 before; and our men discovering several, behind & on the Bridge, fir'd several shot upon them, which being an unexpected surprisal, caus'd most dismal Consternation among them insomuch that some fell forwards, others backwards, and some into the River, which was 10 foot deep, some throwing away their Plunder, others their Blanketts & Snapsacks.

The Indians returned the fire from across the river, killing one soldier and wounding another. In reprisal they killed one of the boys, and the youngest unable to travel, met the usual fate meted out to those who delayed their progress, a knock in the head. Whether the third boy met the same end is unknown, but Joseph, the eldest, reached Canada and was baptized in Montreal in 1707, and in 1710 he was there naturalized. Governor Dudley sent a ship to Port Royal for their release but nothing came of it. It is possible that he may have returned as descendants of this particular family which had removed to Harpswell have preserved the tradition that one of their kinsmen returned from Canada and was unable to remember his name but thought it was Stafford.

The next attack occurred about two years later, August 10, 1707, which was a Sabbath evening. Sergeant Smith and Elias Weare, returning from evening service together with Mrs. Elizabeth (Hilton) Littlefield and her young son, were slain by the Indians between York Harbor and Cape Neddick. Joshua Hilton, brother of Mrs. Littlefield, was taken captive. There was supposed to be between forty and fifty Indians in canoes taking part in this attack, and the body of Smith was reported to be riddled with fifteen bullets. Hilton was still unredeemed in 1711 and, as far as known, never returned. The *Boston News Letter*, in an account of this attack, adds that "one woman was missing." This account, not very circumstantial, as no names were given, may refer to a girl that was captured at Cape Neddick, about this period,

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hitherto unreported. This was Bathsheba, daughter of Samuel and Deborah (Littlefield) Webber of Cape Neddick. She was taken to Quebec, where she was baptized, 1714, as "Marie," and called twelve years of age. She remained in Canada and married March 11, 1720 Joseph Saleur of St. Martin, province of Quebec. Nothing further is known of her, except the recorded baptisms of her Saleur children.

By an Act passed June 28, 1706, all persons in York were required to "abide" in such garrisons as were allowed by the Governor, and to which each person should be assigned, and fines were to be imposed for disobedience of this requirement. Also all males in York, able to bear arms, were required to carry their arms "when they go to publick worship on the Lords day, or other times, and also when they go abroad to work." The legal penalty for violations was five shillings for each neglect. The actual penalty was death by a bullet from the thicket.

In the absence of any positive information to the contrary, the people of York were spared from any loss of life for the next three years. In the spring of 1710 Benjamin Preble was killed, but his place in the family tree is not known. On October 8 following, Deacon Johnson Harmon was captured at Winter Harbor, Saco, and taken prisoner to Quebec. This was rather unusual as he was thirty years of age and must have been given this chance of life for a special reason, perhaps for use in exchange for a Frenchman in New England of whom there were over forty at this date. He was returned in exchange for one of them in 1711 and lived to do valiant service as Lieutenant-Colonel in the famous raid against the Indian town of Norridgewock when Father Rasle was killed.

The only casualty reported in 1711 has been incorrectly related in a contemporary publication ("Niles' French and Indian Wars"), and we are indebted to a current newspaper account of this tragedy for the true story of the death of two of our citizens. It is told with such dramatic effect that it is better reproduced verbatim from the *Boston News Letter* in its issue of April 9, 1711, as follows:

Piscataqua, April 6th. On Tuesday last five of the Skulking Indian Enemy kill'd two Men about Scotland Garrison at York, viz. Daniel Dill and Joseph Jenkins, the last whereof they also stript and scalpt and after the Enemy withdrew, they supposing him dead

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Jenkins arose and march'd to the Garrison, and gave an account of the Action, and liv'd but about 10 hours afterwards.

Niles gives the added information that "they were fishing in one of the ponds at the time of the attack," but does not mention their names and leaves it to be inferred that the anonymous victim who feigned death survived. This is contrary to the facts, as it is known that Joseph Junkins was killed about this time but the exact date is not recorded.

In 1711 Capt. Abraham Preble's fishing sloop was taken out of York Harbor on the night of November 7-8 and the loss was not discovered until early the next morning. Preble called for volunteers from the townsmen, and Captain Heath in charge of the garrison detailed a sergeant and eight men to aid in its recapture. Ensign William Hilton, Edward Beale, Job Averill, George Jacobs and Thomas More of the local militia joined the troops and the whole party, numbering thirty-two men, went in two sloops in chase. After several hours they descried Preble's boat and, outsailing her, found her manned by a Frenchman and three Indians. They made them prisoners and put back to the harbor where they arrived about ten o'clock that night. A summary court martial was held by Captains Heath and Preble, at the house of Samuel Donnell, and Hilton was ordered to execute the Indians. In accordance with this they were put to death immediately that same night and their bodies thrown into the sea. Hilton took their scalps to Boston to claim bounty.

It is quite probable that this mercenary performance accounts for the renewal of activities by the enemy against York, which followed in a few months. In previous wars bounties had been offered for scalps, and in this conflict the prize was forty pounds each for the scalps of Indians of any age, and it was customary for volunteers to make up parties to scout for Indians, in hope of this reward. Captain Preble was reported in February 1712 as going out with such a company, but after a week's absence he came back without booty.

On April 21, 1712 Samuel Webber, father of the above-said Bathsheba, was attacked while riding from the town to Cape Neddick, and his horse was shot in three places under him, but he escaped, apparently, although when

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the report was made, he was missing. He died at home four years after this experience. On May 9 another solitary man in the town was attacked but escaped, and as a reminder of their presence near the village, a cow was killed. An account in the *Boston News Letter* of this date, in recounting these happenings at York, says: "Scarse a day passes without some mischief or other done by the Enemy."

On April 14, Capt. Josiah Willard sent eighteen men from the harbor garrison, under Sergeant Knowlton, to the mills at Cape Neddick, and while on the march they espied Indians in ambush. They opened fire on them, but the savages were in superior force, and returned the fire with such effect that the sergeant was killed at the first volley and seven men were cut off and captured. Nothing was left for the depleted force but to fight a retreating battle, which they did, and succeeded in reaching the old Stover stone garrison. They then held out against the Indians until a relief came to their rescue from the town.

Cape Neddick seemed to be the chief object of Indian wrath. On May 26 a body of twenty Indians were discovered there, "creeping to Surprise some Women a Milking," but they were driven off.

The following day twelve of the same party, probably, captured Olive Plaisted, the ten-year-old daughter of James Plaisted, near his garrison on Cider Hill, and for the second time Mary (Rishworth) Plaisted, his wife, was put in mourning for another daughter in captivity. At the same time they killed Joanna, daughter of William Beal, a girl of about the same age. This bold foray was made almost in the sight of a company of men under Capt. John Harmon, then about a mile away. As soon as the alarm was given he went in pursuit, but was unable to overtake them.

Five months later, on September 1, a party of about thirty Indians suddenly fell on Cape Neddick once more, and killed John Spencer and wounded Dependence Stover, as they were mowing in a field about forty rods from the garrison. They were protected by a small party who came out of the garrison, and for two hours skirmishing continued. The savages withdrew and spent their wrath on such cattle as they could find browsing in the vicinity. Ten were found dead, and thirty more missing.

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This comprises all the known casualties occurring in York during Queen Anne's War. These accounts of isolated attacks gathered from various sources, in contemporary documents or printed matter, do not, in all probability, cover all the casualties suffered by this town. It does not take into account losses of stock which continually depleted the needed food supplies of the residents, but it is the most comprehensive compilation so far made.

An incident in which a prominent military officer, Lieut. Moses Banks, of this town was a factor, took place in Wells in the last year of this war. The occasion was the marriage on September 18, 1712 of Elisha Plaisted of Kittery to Hannah, daughter of Col. John Wheelwright of Wells at his garrison. The contracting parties were of high social distinction and the ceremonies were attended by the beaux and belles of all the adjoining towns. In some way information about this notable affair came to the knowledge of the Indians and they made it the occasion for a demonstration. Two companies of armed men were then stationed in Wells and some of the officers were invited to the wedding. In the midst of the festivities and toasts to the bride, the Indians launched their attack suddenly, captured young Plaisted and one of the subalterns and retreated to the edge of the forest, where they held the soldiers at bay. It was found impracticable to dislodge them, without great loss of life, as they were in considerable force, and doubtless the pleas of the bride to save her husband from death influenced a cessation of the fighting. In a letter from Col. Richard Waldron to Gov. Joseph Dudley dated the next day, he detailed the conditions following this impasse:

... Twas not thought adviseable to proceed further but Lt Banks of York goes out with a flagg of Truce to treat with the Enemy abt the Redemp'n of Mr. Plasteds son and the other captive Sergt Tucker. This Banks is now here and saith he was mett wth Six Indians who cald themselves Capts of whome he knew two (vizt) Bomazeen & Capt Nathaniel: He also saw another who took acquaintance wth him by seeing him at Casco bay when the late Captives were redeemed there, so that they are doubtless Most Eastw'd Indians & Banks tells me that he that took Plasted is a Penobscotman. (*Mass. Arch. li, 241.*)

Lieut. Moses Banks was then about twenty-two years of age and from the statements of Colonel Waldron must

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have had some considerable experience with the Indians to know and be known by them.

News of the cessation of war between France and England reached Boston late in October, and was followed the next spring by the information of the ratification of the celebrated Treaty of Utrecht, signed March 30, 1713, by which Nova Scotia was ceded to the crown of Great Britain forever. The usual treaty of peace with the Indians followed, characterized by the familiar manifestations of Indian sincerity, and the customary celebration in honor of this often rehearsed formality. Thus after ten years the third serious attempt to annihilate the English settlements came to an end.

CHAPTER XXVIII

SUBSEQUENT INDIAN WARS

1722-1745

THE FOURTH INDIAN WAR

Nearly ten years' respite was given to the settlers following 1713, when the last peace treaty was signed. The townspeople in the interval were quite justified in believing that these satisfactory conditions had become permanent, but the younger element among the Indian tribes had come upon the scene and were eager to dig up the buried tomahawk. The Fourth Indian War, begun in 1722 and usually denominated the Three Years or Lovell's War, was purely of Indian origin having no connection with European dynastic wars and partook of a new character. York had a specially prominent part in this new campaign owing to the fact that a number of its principal officers were from this town. It also had a further distinction, in that war was declared against the Indians specifically and instead of being as heretofore a defensive war, where the English remained in garrisons waiting to be attacked, the military operations in this war were definitely an offensive carried to the territory of the enemy. Officially, the French in Canada could have no part in it, but they rendered the usual aid and comfort to their former allies. After several preliminary clashes between the English and the Indians, in which the latter had attacked some of the eastern forts and seized vessels, war was declared on July 25 with a time limit for the cessation of further depredations. The following named soldiers belonging to the town were on duty in the company of Col. John Wheelwright: Jeremiah Moulton, sergeant; John Forbush, sentinel; Abel Moulton, Henry Daniel, Samuel Bancks, John Hutchins, Henry Simpson, Joseph Austin, Jacob Curtis, William Moggridge, James Smith and James Powell, privates (*Mass. Archives xci, 34, 59*).

The General Court in September 1723 voted to "alow 35 men including an Officer in Lieutenants pay to be

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posted in the allowed Garrisons in the Town of York” (*House Journals v, 175*), and at the same time provided a surgeon at five pounds per month.

A force of a thousand men was ordered to be raised of which a hundred were to be stationed at York. This force was at first placed in command of Col. Shadrach Walton and, a little later, Col. Thomas Westbrook of Portsmouth succeeded him. Captains Jeremiah Moulton, Johnson Harmon and Lewis Bane of this town were the principal officers in the regiment and this trio of seasoned Indian fighters became conspicuous in prosecution of the war against the camps of the enemy. Jeremiah Moulton was then in his thirty-third year with all the vigor and courage which ever characterized his entire career. Johnson Harmon, son of John and Deborah (Johnson) Harmon, was a few years older than Moulton and of equal experience in carrying on the peculiar warfare required to meet the tactics of the enemy. Lewis Bane, the oldest of the three (about fifty at the outbreak of the war), son of Lewis and Mary (Mills) Bane, had been a leader in civic affairs in the town all his life and had passed through all the experiences of the defensive wars against the Indians which had been previously fought. The main objective of this campaign was to be Norridgewock.

The following is a roster of the company of Captain Harmon in 1721-2:

JOHNSON HARMON, Captain

John Goddard, Lieutenant	Zebulon Harmon, Ensign
Moses Banks, Sergeant	
William Card, Sergeant	

Richard Jaques, Corporal	John Lane, Corporal
Samuel Sanders, Corporal	John Carlile, Corporal
Thomas Cook, Corporal	John Card, Corporal

Sentinels

Thomas Eaton	James McFailing
Moses Eaton	Samuel Ferguson
Johnson Harmon, Jr.	James Gray
Abner Harriman	Ebenezer Clough
John Stockbridge	Joseph Smith
Abel Wray	Nathaniel Clough
David Rowse	Wyatt Moore
Cornelius Connor	John Pike
Joseph Eastman	Josiah Linscott

John Parker

(*Mass. Arch. xci, 52*)

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The following named are listed as sentinels in a Muster Roll later in 1722 and credited to the company of which Johnson Harmon was Captain:

John McLucas
Job Young
Edward Preble
Ephraim Ayers
Obadiah Holt
Thomas Bradbury
William Bradbury

Richard Flood
Thomas Webber
James Smith
John Fowell
Ezekiel Carr
James Tyler
Richard Brawn
(*Ibid. xci, 53*)

Jeremiah Moulton who was sergeant in the company of Col. John Wheelwright was promoted to be lieutenant and had under him Abel Moulton as Corporal, but none of the names of his soldiers are recognized as York men. Moulton kept a diary of his scouting movements and wrote under date of July 4, 1723 this characteristic entry, showing his spirit: "*I chose marching Rather than Lying in garson.*" Moulton had not forgotten his prey. Another muster roll gives his later companions in this warfare.

William Card, Ensign
Robert Lambert, Corporal

Sentinels

John Dill
David Welsh
William Moggridge
Ephraim Ayers
Daniel Green
John Parker
Peter Matthews

Andrew Witham
James Bragdon
Samuel Webber
Benjamin Austin
Joseph Young
David Tyler
Nathaniel Bigsbey
(*Mass. Arch. xci, 32, 134*)

This record establishes the fact that this town offered its sons for the supreme sacrifice, if necessary, to make the homes of its people safe from the savages and their allies in Canada.

The new commander-in-chief in this campaign made his headquarters in this town, and it must have been a busy place. For the first time the inhabitants felt they had adequate protection. Writing in 1724 he expressed his opinion of the previous policies and sentiments of those charged with Indian warfare. "The people generally preach up peace to themselves, if the Indians do not knock somebody in the head in Six or Seven days." (*Mass. Arch. li, 406.*)

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Hezekiah Adams, Corporal

Job Young, Corporal

John Bean, Sentinel

Darbee Manuel, Sentinel

Privates

James Tompson
 James Campbell
 Daniel Smith (son of James)
 Benjamin Austin
 Samuel Shaw
 Andrew Whittam
 John Garey
 Joseph Bracey
 Job Young, Jr.
 Joseph Simpson Jr.
 John Grover
 Ebenezer Allen
 John Baker

Joseph Favor
 Ebenezer Young
 Aquila Haines
 Abraham Batten
 Nathaniel Adams
 John Batten
 Joseph Plaisted
 John Dill
 Benjamin Whittam
 Joseph Kanney
 Samuel Baker
 John Harmon Clerk

Undeterred by this failure another expedition was organized the next year. Norridgewock was now marked for destruction and a detachment of over two hundred men divided in four companies was entrusted to Captains Harmon (senior officer in command), Moulton, Bane and Bourne. They left their rendezvous at Fort Richmond the middle of August and ascended the Kennebec in whale boats to Teconnet. From this point the story of this famous attack, the results of which thrilled all New England, will be turned over to the gentlemen of the Fourth Estate whose account of the battle is probably the first newspaper report of its kind and appears in the *Boston News Letter* of the week August 20-28, 1724:

A Particular Account of Capt. Johnson Harman of his March and Action at Norridgewock.

On the 8th day of Aug. 1724 he march'd from Richmond Fort, having under his Command 205 Men, which was divided into Four Companies; He Commanded the First, Capt. Moulton the Second, Capt. Bourn the Third, and Capt. Lieut. Bean the Fourth, the other officers were Lieut. Jaques, Lieut. Dimmuck, Lieut. Banks, and Lieut. Wright; having also with us Three Mohawks, *viz*, Christian, his Brother & Son. We had 17 whale-boats; Being well Arm'd and Stor'd with Provisions, &c. we arrived at Teuconick the 9th day, where we left Lieut. Wright with 40 Men, to Guard the whale-boats; and with the rest, the next day march'd for Norridgewock; this Evening we kill'd Colonel Bomarzeen's Daughter and took his Wife Captive. We arriv'd at Norridgewock the 12th day, about 3 o'clock in the afternoon, where we found about Sixty fighting Men and about a Hundred Women & Children. Upon our Approach within Pistol-shot of them, they fired upon us a full Volley, but wounded none of our

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Men; then we Attack'd them very briskly; they Stood their ground 4 or 5 Minutes, in which time they fired another Volley, and then fled before us; we pursuing them very hard, they made the best of their way to the River, where they had about 40 canoes; we follow'd them so close that they put off without their Paddles, not having time to take them; we presently beat them out of their Canoes, Killing the greatest part of them; the River being about 60 Yards over and Shallow; our Men followed them over, some in their Canoes, and others wading up to their Necks with such fury that but one of their Canoes arriv'd upon the other side, but others Waded and Swam over, so that we judge about 50 Men, Women and Children got over, some of them were Kill'd upon the other side by our Men, (who got over as soon as they did) and a great many others Wounded, we having not so much as a Man Kill'd or Wounded. We then returned to the Town, where Monsieur Ralle the Jesuit, their chief Commander, in one of the Indians houses, who had been continually firing upon a Party of our Men, that were still in the Town; the said Ralle having Wounded one of our People. Lieut. Jaques soon Stove open the door of the said House and found him loading his Gun, who upon Jaques's coming in, Declared Voluntarily, That he would give no quarter nor take any; Jaques hearing that, and seeing him loading, shot him thro' the head; the said Jesuit had with him an English boy about 14 Years of Age, whom he had about Six Months in his Possession, which Boy, in the time of the Engagement, he spitefully shot thro' the Thigh, and stab'd him in the Body with a Sword, and so left him; but the Boy not being Dead, we took him with us, and thro' the Care and Skill of the Surgeon is like to Recover. Capt. Mogg, one of the Chiefs of the Indians kept his house, and firing all the time he Wounded Lieut. Dimmuck, and kill'd Jeremy Queach, one of our Indian Souldiers; we presently broke down the door and rush'd in upon him, and the Brother of our dead Indian immediately shot him thro' the head; he had his Wife and two Children, whom our Men slew immediately. After which we destroy'd all their Corn and about 40 Canoes and took about Three Barrels of Gun powder, and about 25 Small Arms together with other Plunder, as Blankets, Kittles &c. It being dark by that time the Action was over, we set a Guard of 40 Men, and Lodged that Night in the Indian houses. In the Morning being the 13th day we found 26 of the Enemies Bodies, whom our Men had Scalp'd together with the Jesuit. The Chiefs that we knew among the Dead were the said Jesuit, Col. Bomarzeen, Capt. Mogg, Capt. Job Carabassett, Capt. Wissememet, Bomarzeen's son-in-law and some others whose Names I cannot remember. We took alive, 4 Indians, viz one Woman and Three Children, which are brought with us. After we mov'd Christian turn'd back and Burnt all to Ashes, and coming up with us again, we March'd to Teuconick and found our Men and Whale-boats safe, with whom we arrived at Richmond the 16th day, and so to Falmouth, acquainting Col. Westbrook with the Action who immediately sent me Express to the Lieut. Governour, to give Him an Account thereof; where we arrived the 22d of said Month.

N. B. The abovesaid *Ralle* the Jesuit, has generally appeared at the Head of the Indians in their Rebellions and was the Chief Fondater of this War.

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The *News Letter* added that "His Honour our Lieut. Governour for the aforesaid Extraordinary Service has thought fit to Present the said Capt. *Harman* with a Commission for Lieut. Colonel as a Token of his Favor, and further Encouragement."

This "official" story has another side. Previous orders had been given by Captain Moulton to spare the life of the Jesuit, as his capture was more to be desired than the resulting ignominy of killing a clergyman, although the manner of Dummer's death had not been forgotten by the men from York. Lieut. Richard Jaques, either disregarding orders or acting impulsively, ended the scene as described. Captain Moulton strongly disapproved of this act of his subordinate, and entertained a doubt as to the necessity for this extreme reprisal. Scalping was added to the discredit of the affair.

Charlevoix gives another and more dramatic account of the death of this famous Jesuit. He stated that Rasle "showed himself to the enemy in hopes to draw all their attention to himself and secure his flock at the peril of his own life. He was not disappointed. As soon as he appeared the English set up a great shout which was followed by a shower of shot when he fell down dead near to a cross which he had erected in the midst of the village; seven Indians, who sheltered his body with their own, falling around him." (*Histoire de la Nouvelle France iv, 120.*) The further account of the affair by Charlevoix, reciting indignities practiced upon the fallen body of the missionary, may be omitted as exaggerations of a partisan religionist; although with the memory of the savage butcheries and mutilations performed by the Indians on their white victims, it is not improbable that human nature could not be restrained when an opportunity like this was presented.

As darkness was falling on this scene of carnage and destruction Captain Harmon and his detachment arrived from their fruitless detour of the planting fields. A part of the plunder consisted of the plate and furnishings of the altar of the chapel before it was put to the torch. After this decisive blow the provincial officials thought it would put the Indians in a frame of mind to cease hostilities, and in order to accomplish this commissioners were sent to Canada to protest to the Governor-General his action

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in encouraging the Indians and demanding of him to use his influence in withdrawing them from further hostilities. The only result of this was that the Indians demanded the removal of all English settlements west of the Saco River, rebuilding their church at Norridgewock and restoring their dead priest; and so the war continued. The exploit was considered the most brilliant and daring of any hitherto undertaken since the one which resulted in the death of King Philip fifty years previous in the Narragansett swamps. All New England rang with applause for Captain Moulton who had accomplished an act which answered the hopes and prayers of Puritan New England.

THE FIFTH INDIAN WAR

The fifth Indian and third inter-Colonial war had its origin in Europe following an interval of twenty years' peace in New England. The periods of respite were now lengthening. The European excuse for it was the Austrian dynastic concession in which most of the powers were involved. The French authorities in Canada, as in duty bound, responded to the requirements of the situation as in former years. The savages, who had never forgotten the bitter lesson at Norridgewock, had assured the Governor-General that as long as there was an Abenakis in the world they would fight the English. This sentiment was the basis of a renewed alliance between the two hereditary enemies of the English in New England. By this time York had ceased to be a frontier town. Berwick had become the buffer settlement in the interim, and an outlying fringe of settlements eastward furnished a defensive tier to hitherto harried coast towns. No longer did great forests back of York echo the war whoop and the frequent discharge of musketry that meant the annihilation of one of its families. With the exception of those employed in the military service this town suffered no losses from direct attacks.

The Indians had been deprived for a score of years of their former rewards for white scalps from the French and ransoms for prisoners from the English and were eager for the good old days of revenge and revenue. They began their raids in July 1745 and on August 23 war was voted against all the eastern Indians of any tribe whatsoever. This sweeping declaration, however, was only a

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part of this campaign which included the entire French dominions of Maritime Canada. In this area was the great fortress of Louisburg, which engaged a special military expedition, and the relation of that exploit will be dealt with in a separate chapter on account of its strategic importance.

As no material damage was inflicted on York property by the Indians or French during this war further consideration of it need not be given. The only known personal casualty happened to Zebediah Banks, son of Lieutenant Moses, who lived on the old Banks Farm at Little River. He was captured by the Indians, probably while on scouting duty, when nineteen years of age. He was redeemed from captivity on payment by his father of one hundred twelve pounds old *tenor*. Joseph Moody gives the following incident in his diary, which cannot be classed as a casualty, under date of May 25, 1723: "Tis said that sergeant Card was beset by two Indians about 9 or 10 oclock last night near Capt Harmans barne one of which fired on him and pierced the breast of his Jacket: we scarce know what to think of so strange a story."

YORK SOLDIERS IN THE INDIAN WAR, 1725

Company of Capt. James Grant of Kittery

Arthur Bragdon, Lieutenant

Joseph Smith, Sergeant

Daniel Smith, Corporal

Michael Coffin, Corporal

Austin, Joseph

Bale, Samuel

Bracey, Joseph

Bragdon, Thomas

Hale (Haynes?), Aquila

Higgins, Timothy

Linscott, Joseph

Main, Joseph

Moulton, Jeremiah

Oliver, James

Plaisted, Joseph

Preble, Jedediah

Rankin, Joseph

Young, Job

Young, Caleb

Bragdon, Benjamin

Company of Capt. Jeremiah Moulton 1725

Bragdon, James (servant to Moulton)

Brawne, Richard

Gowdey, Amos

(*Mass. Arch. xci, 144*)

Insofar as York was concerned the Norridgewock adventure was the only outstanding feature of the campaign. Capt. John Lovewell (for whom the war is often

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called), lost his life at Pigwacket (Fryeburg) in a battle celebrated in song and story. The three years' conflict ended in December 1725 when a treaty of peace was signed in Boston by four Sagamores in behalf of the eastern tribes. The usual show of sincerity and the old familiar pledges of mutual regard accompanied this fourth formality. It was ratified August 26, 1726 at Falmouth, by a council of Indians gathered for the purpose. York celebrated the event by firing three volleys of great and small arms. The following years were generally peaceful as respects the Indians, who observed their last treaty with the usual adherence to its requirements. Spasmodic attacks on the frontier settlers occurred from time to time, but these were not estimated as violations sufficient to cause reprisals.

When the European powers decided to cease fighting their dynastic quarrels in July 1748 and peace was signed three months later, the end was reached here a year afterwards (October 26, 1749) by the fifth treaty of peace negotiated by Governor Dummer and the eastern Indians at Falmouth. The same provisions appeared in it, as in all preceding documents of the kind, and the Indians went back to their forests, loaded with presents, amid the stereotyped valedictories of mutual esteem and pious protestations of good behavior in the future.

NOTE: This may be an appropriate place to set forth a tradition, long persistent in York, for many generations, and vouched by the family historian of the principal in the story. It relates to a "massacre" of Indians by a company led by members of the famous Indian fighters of the Harmon family. The date is not definite enough for assignment to any of the several wars in which they took part, but the story is to the effect that a number of the savages were enticed to a feast and then plied with liquor until they were in a drunken stupor. In this helpless condition they were all murdered and buried in a cellar. This piece of savagery did not pass unnoticed by Parson Moody, who made it the occasion to express his horror at this butchery in a sermon. He predicted that when the perpetrators of it had passed away "there would not remain to the transgressors a male to bear up the family name. The Lord will divide them in Jacob and scatter them in Israel." The text of this remarkable denunciation is to be found in 1 Kings xiv, 10, which is not quoted here, as the curious may see it in the reference given. It is true that the Harmons no longer survived here, but numerous other families have also passed out of our history, in the course of two centuries.

CHAPTER XXIX

YORK IN THE WARS AGAINST CANADA

1745-1761

The French population of Canada to the north and east of us had been growing apace since 1690, when a son of Maine led a fleet of transports crowded with New England soldiers up the St. Lawrence and dramatically called on Comte de Frontenac, the French Governor General, to surrender the fortress of Quebec before a gun had been fired. Sir William Phips was answered sufficiently when told to come and take it, and after a forlorn attempt to storm it the would-be truculent Sir William, his "bluff" being called, retired in confusion and led his straggling and diseased troops back from that disastrous campaign. The church of Notre Dame des Victoires in Quebec is a monument yet standing to the futile and costly adventure.

Nova Scotia had become the scene of the activities of the French, as affording a more convenient line of defense and aggression as well as a better approach in this region from the ocean. On the Island of Cape Breton they had erected what was then a modern fortress at the town of Louisburg, the strongest fortification on the North American continent. It stood as a challenge and a menace to the New England colonies as it became a refuge for those who sought every opportunity to interfere with our fishermen operating on the Grand Banks, as well as our sea-borne commerce using the route of the grand circle to England. For a century this island, guarding the approaches to the Gulf of St. Lawrence, had been the pawn in the dynastic wars between England and France, oscillating from one to the other as treaties of peace ended their successive struggles. In 1632 England had restored it to France. In 1710 it was handed back to England, but in 1713 it was given to the French who proceeded to fortify the principal harbor and town which was renamed Louisburg in honor of Louis XIV. This aroused great resentment both in England and here, as the fishing industry of France employing over five hundred vessels and nearly twenty-seven thousand men in this region was the local basis of rivalry between their nationals.

YORK IN THE WARS AGAINST CANADA

The recapture of Cape Breton was long in the programme of British officials on duty in New England and even found expression in print. Judge Robert Auchmuty, of Roxbury, had written a pamphlet in 1744 on "The Importance of Cape Breton to the British Nation," and the realization of their hopes to possess it again was near at hand. The usual war between France and England was declared in March 1744 and the opportunity had arrived. William Shirley, who was then Governor of Massachusetts, secretly advised the General Court to take it by surprise, and sent the elegant aristocrat, Col. William Pepperrell, to make some preliminary inquiries as to the feasibility of this action. The other New England colonies were asked to support the plan and responded favorably. Shirley gave the command of the campaign to Pepperrell and commissioned him a Lieutenant General, Roger Wolcott of Connecticut a Major General and Col. Samuel Waldo was third in command. Enthusiasm in Maine ran high when this official roster became known, and the desire to enlist under Pepperrell's banner, bearing the motto prepared for it by the famous Whitfield "*Nil desperandum Christo duce,*" was prompt and in many cases insistent. Col. Jeremiah Moulton of this town was given command of the Third Maine Regiment, and the others were Pepperrell's (commanded by Lieut.-Col. John Bradstreet), and Col. Samuel Waldo's. On the day when the militia companies of York were called together Dr. Alexander Bulman, the popular surgeon of this town, wrote the following letter to General Pepperrell, which is a good example of the spirit manifested here to join the expedition:

To the Hon. Colonel Will. Pepperrell, Esqr., in Boston.

York, Feby 4, 1744/5

Hon. Sir:—Having a favorable opportunity by my neighbor J. Sayward, I tho't it might not be disagreeable to let you know that agreeable to the late proclamation, this day the several companies of the town were called together, (except one), and there was considerable readiness in many to enlist; and as I was informed 17 of Capt. Harmon's snowshoe men have already entered their names enlisted. About ten or twelve have enlisted at large under any captain whom the Governor shall appoint. About ten more under Mr. James Donnell. And twelve of Capt. Sewall's company have signed a paper signifying their intention of enlisting, tho' desirous of first knowing who is like to be their Captain. Among these twelve the Lieutenant

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of the company was one. Here I cannot but observe, (and indeed it was no small part of the end of my writing to let you hear of what I doubt not but your Honor will be pleased with), and that the said Capt. Sewall called his men to his own house and generously entertained them all with a dinner and much encouraged them to engage in the present expedition, promising to as many of his men as would go that he would give them out of his own pocket so much as with the Province pay they should have 8£ per month. And that if any of their families were in want he would supply them so they should not suffer. An example (I think, and I doubt not your Honor will think), worth speaking of, and worthy of imitation.

Some decline enlisting till they know who shall be the general officers as also who shall be their particular Captain. I have some reason to conclude from what I have heard that your Honor has declined, so that I look upon my (self?) free from any special obligation to attend the present service. But yet if there be blank warrant for a surgeon's mate, if it might be filled up with the name of John Sweet of York, he is willing and I hope would be able to serve his King and Country in that capacity. I would before I conclude this scrip inform you that this day I waited on your lady and found her health something bettered. That your Honor, with the Honorable brethren, may have council from above to direct in the important affairs you are from day to day engaged in is the hearty desire of your Honor's most humble and obliged servant,

A. BULMAN.

P.S. I have reason to apologize for my freedom but I must omit it till I shall have the pleasure of seeing your Honor face to face.

On February 8, William Vaughan of Portsmouth sent his congratulations to Pepperrell, whose appointment as General, commanding the projected expedition to Louisburg, had been gazetted. Vaughan added this information to his complimentary message: "I was lately at York, and find the people exceeding ready to go, but are in confusion on account of officers. I hope Capt. Donnell will be appointed a Lieut. Coll., and Elder Harmon a Major, as he was the first man that engaged with me in the affair, even before Capt. Donnell came. I pray that if these gentlemen are appointed above Captains that they may have an allowance to nominate the officers of these companies. I have desired the gentlemen at York to march one company next Monday to Boston, to give life & Spring to the affair. I hope you will encourage the same." That fine old hero of the Indian Wars, Johnson Harmon, sent the following appeal for a chance to serve his king and country once more, and it must have thrilled the heart of General Pepperrell to read it:

YORK IN THE WARS AGAINST CANADA

York Febr 16th 1744(5)

Hond Sir:

This waits on you with my duty wishing you all the success and comfort that prosperity can afford you in the great trust repos'd in you. May the conduct of Heavn always atend you in evere scene of life. The Province of God blessing me with so good a measure of health and my inclinations being strong to wait on you to Lewisburgh, I am persuaded their is something yet for me to do their before I leave the world. And as your smiles is all I crave in order to my going with you, I shall look for my reward either in the coming world (if I am cal'd of in the cause of my king and country) or as you see I deserve if ever I return to New England. If you'l favour me with a line in answer, I shall look upon it as a token of your regard. I beg leave, Hon'd Sir to subscribe myself

Yr dutifull hble sert

Johnson Harman

(6 *Mass. Hist. Coll. x, 103*)

The work of enlistment proceeded rapidly, and in two months after the General Court had voted to undertake the expedition the necessary force had been recruited. Eight regiments or 3,250 men from Massachusetts constituted its part of the entire expedition, of which Pepperrell wrote: "I think one third part were enlisted from the County of York" (2 *Me. Hist. Soc. xii, 104*). The names of most of them are lacking, but it is of record that one hundred and eighteen men of this town went on the Louisburg Expedition (*Sayward, Diary*). It was a popular war.

The York troops made their rendezvous in Boston and on the morning of March 24 Commodore Rouse, in command of the thirteen transports, hoisted a signal to weigh anchor. They reached Canso in the first week of April where they were detained by ice. The venerable Samuel Moody, chaplain of the Maine troops, preached on Sunday from the text "Thy people shall be willing in the day of Thy power" (*Psalms cx, 3*), but the attendance at his meeting ashore was not compulsory and a diarist wrote: "several sorts of businesses was Going on, Som a Exercising Som a Hearing Preaching." (*Pomeroy, Louisburgh Memorial, p. xx.*) Another chaplain was Rev. Samuel Langdon, later President of Harvard College, who now lies buried in York.

Commodore Peter Warren, R. N., in command of the British Naval Forces in American waters, was ordered by

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the Admiralty to support Pepperrell with his fleet. He arrived from the West Indies in the *Superb* with three other ships of his division, altogether mounting one hundred eighty guns, and with the provincial squadron under Commodore Edward Tyng of Falmouth, investment of Louisburg was undertaken by the combined land and sea forces. As was the habit of British officers when associated with "Provincials," Warren assumed an air of annoying superiority towards Pepperrell and his officers, and it required patience and tact on their part to prevent an open breach which would hazard the success of the expedition. The continuous bombardment, with sallies in force from time to time, weakened the morale of the defenders and after six weeks of this process Duchambon, the French commander, raised the white flag and agreed to capitulate. On June 17 the provincial troops led by Pepperrell's regiment marched into Louisburg and after salutes were exchanged the French troops "with their arms, music and standards" marched out with the full honors of war and sailed for France. It was a complete and glorious victory. Banquets, revelry and relaxation followed, with Parsons Moody and Langdon preaching from appropriate texts the following Sunday. The joyful news was dispatched by messengers, and throughout Maine the ringing of bells and the barking of cannon expressed in noise what the people felt in their hearts. A day of thanksgiving was proclaimed for July 18 in this Province, and it does not require much imagination to picture the taverns of York filled with patriots and resounding the toasts to Pepperrell and Tyng. The Commanding General, to whom the keys of the fortress were surrendered by Duchambon, presented them to Governor Shirley on his return to New England.¹

Notwithstanding the efforts of many persons interested in the personnel of this famous military adventure, the first of purely New England origin and accomplishment, the service rolls of the expedition have never been found. English archives as well as every known source in this country have been searched in vain. As a consequence the

¹ An attempt was made in England to give Warren the chief credit for the success of the expedition. Even in later years Lord John Russell, in his introduction to the Bedford correspondence (*i, p. xlv*), made this statement: "Commodore Warren, having dispatched by the Duke of Bedford for the purpose, took Louisburg." (!) It may be added that Lord Russell is a descendant of the Duke.

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author is unable to present a complete list of "the brave men of York," as Pepperrell called them, who followed his colors to victory.¹ Those names which have been recovered from various sources are here given. In addition to Chaplain Moody and Johnson Harmon, the name of Dr. Alexander Bulman deserves special mention. He was the personal physician of General Pepperrell, much beloved by him and who was called upon to mourn his untimely death which occurred during the siege. Jonathan Sayward was also a participant in command of the sloop *Sea Flower* and brought back with him as part of the spoils of war tableware, candlesticks, andirons and brass tongs, all of which are now a part of the furnishings of his famous mansion.

LOUISBURG SOLDIERS FROM YORK

Capt. Nathaniel Donnell's Company: Josiah George, Shubael Boston, Joseph Leavitt, Joseph Boston, David Morrison, Sergeant Dotson and John Clement.

Capt. John Harmon's Company: Joseph Webber, Sergt., Joseph Cole, Hugh Holman, Noah Penass (?), Joshua Ramsdell, Daniel Young, Moses Samoss (?), John Gary, Paul Roach and John Wells. They were "Snowshoe Men."

Capt. John Card's Company: John Linscott, John McCluker, Jonathan Dodson, Sergeants, Elias Banks, Corporal, William Davis, Daniel Grant, Malachi Castle, John McDaniel, John Moulton, Nathaniel Abbott, Jonathan Clough, John Simpson, Ebenezer Knapp, John Connaway, Joseph Webber, Joseph Barton, William Moore, Isaac Provender, and Shubael Barton.

Capt. John Storer's Company (mostly recruited from Wells): Simeon Merryfield, Michael Wilson, Jedediah Preble (*Bourne, History of Wells*).

Ichabod Jellison, David Bane, and Francis Raynes were at Louisburg, but it is not known in which company, as also John Kingsbury who had the misfortune to leave his leg behind him as a result of wounds received at one of the assaults. He enlisted as a boy of eighteen years and stumped around on his wooden peg for more than sixty years. Amputation was performed by the French surgeon of the Royal Convent and Hospital there, and Frank D. Marshall, Esq., a descendant, has the bill for services

¹ Burrage, Maine at Louisburg, pp. 57-59.

HISTORY OF YORK

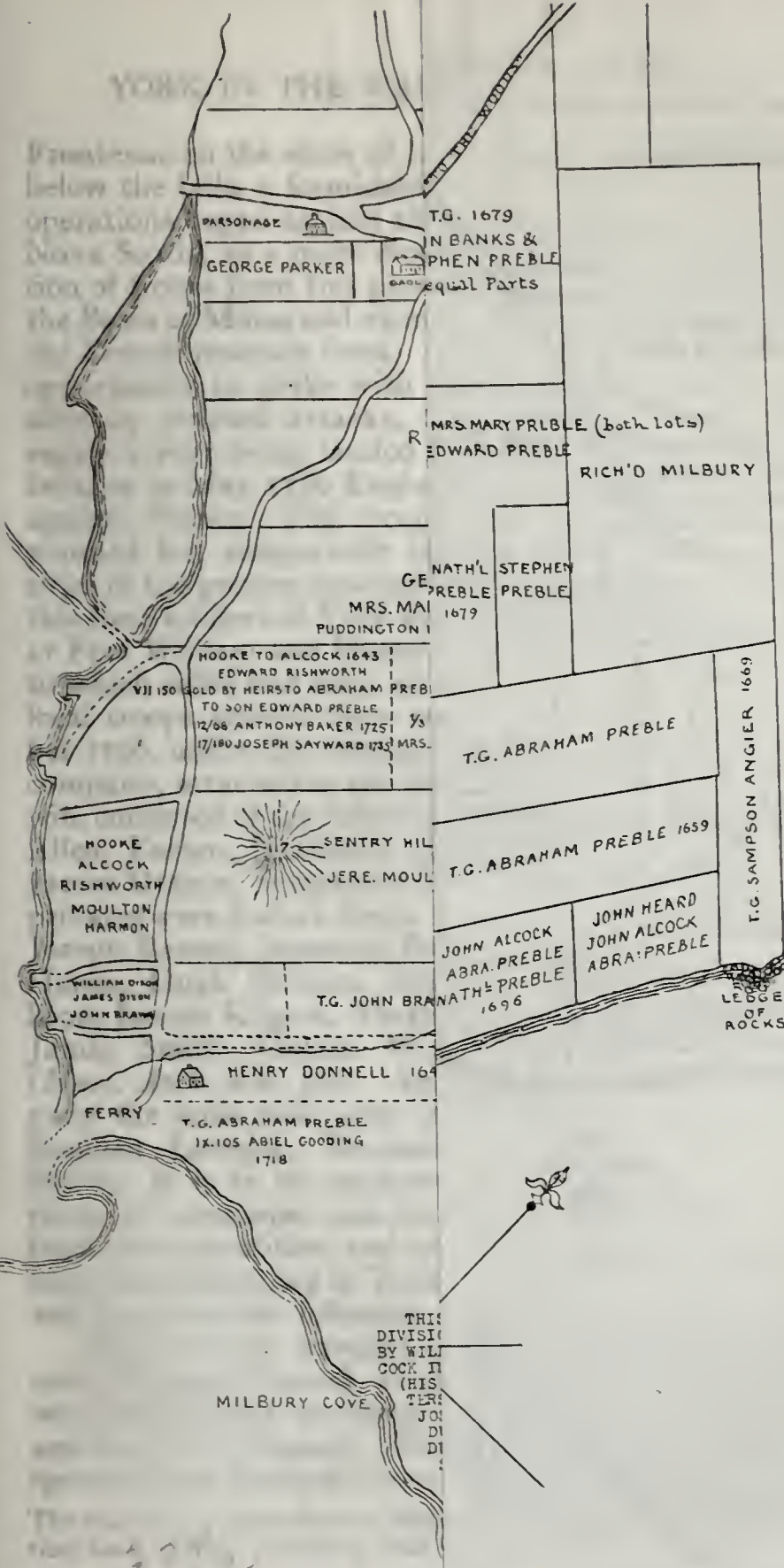
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The treaty of peace between France and England, signed at Aix-la-Chapelle October 18, 1748 closed this war here, which had cost Massachusetts 178,000 pounds sterling, later reimbursed by the English government. An article in this treaty deeply offended the people of York as well as the rest of the Province. By it Louisburg was surrendered to the French after three thousand citizens of Massachusetts had paid the supreme penalty in the recent expedition for its capture. Those of this town, in common with the others, had been used as pawns in this unhal- lowed dynastic war and were now denied the fruits of their sacrifices of blood and treasure. All such exhibitions of the indifference of the German-born kings of England to the interests and sentiments of the New England colonies resulted in a lack of confidence in the monarchy which resulted in the debacle that followed their fatuous course a generation later. The Province had a breathing spell of several years following, which was utilized by these hereditary enemies in preparation for the inevitable conflict that would determine whether the lilies of France or the "Union Jack" was to fly at the masthead as a symbol of supremacy on this continent. It had now become a matter of general concern as the French were penetrating into the Ohio and Mississippi valleys on our rear.

In 1755 provincial troops were still billeted at York and Capt. Thomas Bragdon was in command of a company acting as a guard to convoy government stores destined for Fort Halifax. In May 1756 England again made a declaration of war against France after desultory sniping in scattered localities from Virginia to the St. Lawrence. Gen. Edward Braddock's army had been defeated and himself killed at Fort Duquesne near Pitts- burg and Maine as well as the whole country was aroused. Days of fasting were held throughout New England and the fighting spirit called for a finish fight. The French had been erecting forts at Ticonderoga, between Lakes George and Champlain, Fort Frederic at Crown Point, Fort

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PARSONAGE
GEORGE PARKER
T.G. 1679
IN BANKS &
PHEN PREBLE
equal Parts

MRS MARY PREBLE (both lots)
EDWARD PREBLE
RICH'D MILBURY

GENATH'L STEPHEN
PREBLE PREBLE
MRS. MAI 1679
PUDDINGTON I

HOOKER TO ALCOCK 1643
EDWARD RISHWORTH
VII 150 SOLD BY HEIRSTO ABRAHAM PREBLE
TO SON EDWARD PREBLE
172/68 ANTHONY BAKER 1725 1/3
17/180 JOSEPH SAYWARD 1733 MRS.

T.G. ABRAHAM PREBLE

HOOKER
ALCOCK
RISHWORTH
MOULTON
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SENTRY HIL
JERE. MOUL

T.G. ABRAHAM PREBLE 1659

JOHN ALCOCK
ABRA. PREBLE
NATH'L PREBLE
1696

JOHN HEARD
JOHN ALCOCK
ABRA: PREBLE

T.G. SAMPSON ANGIER 1669

WILLIAM DYSON
JAMES DYSON
JOHN BROWN

T.G. JOHN BRANN

LEDGE
OF
ROCKS

HENRY DONNELL 164

FERRY

T.G. ABRAHAM PREBLE
IX. 105 ABIEL GOODING
1718

MILBURY COVE

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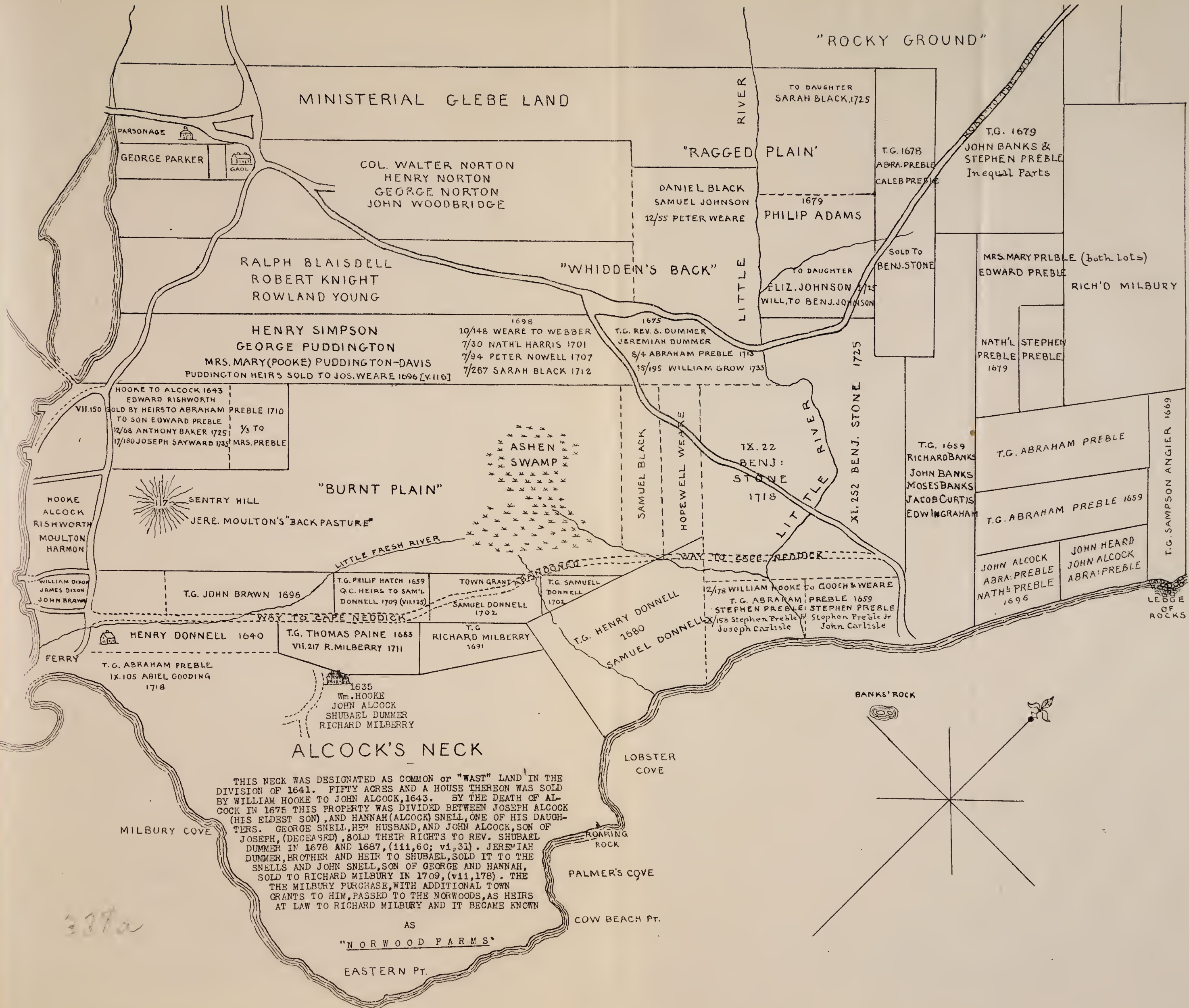
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HISTORY OF YORK

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MINISTERIAL GLEBE LAND

"ROCKY GROUND"

"RAGGED PLAIN"

"WHIDDEN'S BACK"

"BURNT PLAIN"

ALCOCK'S NECK

THIS NECK WAS DESIGNATED AS COMMON or "WAST" LAND IN THE DIVISION OF 1641. FIFTY ACRES AND A HOUSE THEREON WAS SOLD BY WILLIAM HOOKE TO JOHN ALCOCK, 1643. BY THE DEATH OF ALCOCK IN 1675 THIS PROPERTY WAS DIVIDED BETWEEN JOSEPH ALCOCK (HIS ELDEST SON), AND HANNAH (ALCOCK) SNELL, ONE OF HIS DAUGHTERS. GEORGE SNELL, HER HUSBAND, AND JOHN ALCOCK, SON OF JOSEPH, (DECEASED), SOLD THEIR RIGHTS TO REV. SHUBAEL DUMMER IN 1678 AND 1687, (v11, 60; v1, 31). JEREMIAH DUMMER, BROTHER AND HEIR TO SHUBAEL, SOLD IT TO THE SNELLS AND JOHN SNELL, SON OF GEORGE AND HANNAH, SOLD TO RICHARD MILBURY IN 1709, (v11, 178). THE MILBURY PURCHASE, WITH ADDITIONAL TOWN GRANTS TO HIM, PASSED TO THE NORWOODS, AS HEIRS AT LAW TO RICHARD MILBURY AND IT BECAME KNOWN

AS
"NORWOOD FARMS"

EASTERN Pt.

PARSONAGE
GEORGE PARKER
CADL

COL. WALTER NORTON
HENRY NORTON
GEORGE NORTON
JOHN WOODBRIDGE

DANIEL BLACK
SAMUEL JOHNSON
12/55 PETER WEARE

TO DAUGHTER
SARAH BLACK, 1725

T.G. 1678
ABRA. PREBLE
CALEB PREBLE

T.G. 1679
JOHN BANKS &
STEPHEN PREBLE
Inequal Parts

RALPH BLAISDELL
ROBERT KNIGHT
ROWLAND YOUNG

HENRY SIMPSON
GEORGE PUDDINGTON
MRS. MARY (POOKE) PUDDINGTON-DAVIS
PUDDINGTON HEIRS SOLD TO JOS. WEARE 1696 [v. 116]

1698
10/148 WEARE TO WEBBER
7/30 NATH'L HARRIS 1701
7/94 PETER NOWELL 1707
7/267 SARAH BLACK 1712

1675
T.G. REV. S. DUMMER
JEREMIAH DUMMER
8/4 ABRAHAM PREBLE 1715
15/195 WILLIAM GROW 1733

TO DAUGHTER
ELIZ. JOHNSON 1725
WILL. TO BENJ. JOHNSON

SOLD TO
BENJ. STONE

MRS. MARY PREBLE (both lots)
EDWARD PREBLE

RICH'D MILBURY

NATH'L STEPHEN
PREBLE PREBLE
1679

HOOKE TO ALCOCK 1643
EDWARD RISHWORTH
SOLD BY HEIRS TO ABRAHAM PREBLE 1710
TO SON EDWARD PREBLE
12/68 ANTHONY BAKER 1725
17/180 JOSEPH SAYWARD 1735

1/3 TO
MRS. PREBLE

ASHEN
SWAMP

SAMUEL BLACK

HOPEWELL WEARE

IX. 22
BENJ:
STONE
1718

XI. 252 BENJ. STONE 1725

T.G. 1659
RICHARD BANKS
JOHN BANKS
MOSES BANKS
JACOB CURTIS
EDWINGRAHAM

T.G. ABRAHAM PREBLE

T.G. ABRAHAM PREBLE 1659

T.G. SAMPSON ANGIER 1669

HOOKE
ALCOCK
RISHWORTH
MOULTON
HARMON



SENTRY HILL
JERE. MOULTON'S "BACK PASTURE"

WILLIAM DIXON
JAMES DIXON
JOHN BRAWN

T.G. JOHN BRAWN 1696

T.G. PHILIP HATCH 1659
Q.C. HEIRS TO SAM'L
DONNELL 1709 (v11, 125)

TOWN GRANT
SAMUEL DONNELL
1702

T.G. SAMUEL
DONNELL
1702

12/178 WILLIAM HOOKE TO GOOCH & WEARE
T.G. ABRAHAM PREBLE 1659
STEPHEN PREBLE
STEPHEN PREBLE
158 Stephen Preble Jr
Joseph Carlisle
John Carlisle

JOHN ALCOCK
ABRA. PREBLE
NATH'L PREBLE
1696

JOHN HEARD
JOHN ALCOCK
ABRA. PREBLE

LEDGE
OF
ROCKS

FERRY

HENRY DONNELL 1640

T.G. THOMAS PAINE 1683
VII. 217 R. MILBERRY 1711

T.G.
RICHARD MILBERRY
1691

T.G. HENRY DONNELL
1680
SAMUEL DONNELL

T.G. ABRAHAM PREBLE
IX. 105 ABIEL GOODING
1718

1635
Wm. HOOKE
JOHN ALCOCK
SHUBAEL DUMMER
RICHARD MILBERRY

LOBSTER
COVE

BANKS' ROCK

ROARING
ROCK

PALMER'S COVE

COW BEACH Pt.

MILBURY COVE

337a

YORK IN THE WARS AGAINST CANADA

Frontenac on the shore of Lake Ontario and Fort Niagara below the falls, a formidable chain. Early in 1755 active operations began against this menace, but the nearness of Nova Scotia, as a more direct threat, occupied the attention of troops from this province at Annapolis, Chignecto, the Basin of Minas and vicinity, where the so-called potential French neutrals lived. As usual the Indians took this opportunity to strike with their old allies wherever possible by isolated attacks, though not in force. British regulars were being landed at Boston in increasing numbers, as in May 1756 England made a declaration of war against France. The recapture of Louisburg was again planned but temporarily postponed to meet the necessities of the greater strategy of the coming campaigns. At this time soldiers of York were actively engaged in service at Fort William and Henry, at the head of Lake George, to which relief had been rushed after the surrender. The local troops arrived there two months later, about October 1756, under the command of Capt. Joseph Holt. His company, attached to the regiment of Col. Ichabod Goodwin, consisted of the following officers and privates: Tobias Allen, Ensign; Nathaniel Harmon, Charles Trafton and James Deshon, Sergeants; David Preble, Drummer. The privates were Joshua Ayers, James Averill, Joseph Bracey, Joseph Baston, Jeremiah Bean, Caleb Moody Carr, John Huson, Hugh Holman, Ichabod Jellison, Hezekiah Jellison, Joseph Kilgore, Abraham Linscott, William Moore, James Smith, Gideon Wittum and Benjamin Weeks (*Mass. Arch. xciv, 500*). Another muster roll of this company the same year adds these names: Webster Simson, Stephen Lovejoy, Benjamin Woodman, and Samuel Smith. It is to be understood that, in most cases, the roster of companies was made up from volunteers taken from many localities, and in the lists which are to follow, only those belonging to York will be given. This company was in service the following year (*Ibid. xciv, 379*).

The year 1757 brought a new Governor to Massachusetts, Thomas Pownal, as successor to Governor Shirley, who had finished his career in an unsuccessful campaign against Fort Niagara. Pownal made his first fighting speech to the General Court in which he said:

The war is no longer about a boundary, whether the French usurpation shall extend to this or that mountain, this or that river; but

HISTORY OF YORK

whether that people shall wrest from British hands the rights and powers of trade and drive us from the Continent.

These were brave words but the French hung on tenaciously to their possessions at Ticonderoga and Crown Point, and the English contingents could not translate Pownal's sentiments into victory. The English government was slow in meeting the activities of the French on this side of the ocean, but in 1758 there was a change of Ministry which brought into public notice a statesman who was soon to become the popular idol of the American people, William Pitt. Renewed vigor marked this infusion of new blood. Major-General Jeffrey Amherst and Admiral Edward Boscawen, in command of the land and naval forces, regular and provincial, headed a third expedition to reduce Louisburg. Nearly seven thousand troops and fifty-seven vessels constituted this formidable array. Of this number about six hundred were recruited in Maine, and investment of this old French fortress began in June 1758, and on July 26 the commandant capitulated. The news of this righteous restoration thirteen years after its capture by Pepperrell was received in York on August 17 with great rejoicing, with the usual noise of cannon and bells while toasts to "Billy" Pitt marked the gathering of the men folks who sought the taverns in the evening. In this adventure Gen. James Wolfe, first flashed on the scene of his meteoric military career on this continent. This commanding genius was selected the next year to bring this epochal contest between the two greatest military and naval powers of Europe to a speedy decision.

Col. Jedediah Preble, a native of York, was in command of a regiment this year and one of his companies was under command of Capt. James Gowen of Kittery. A large number of the officers and privates were from this town: Samuel Rounds, Ensign; John Adams, Lieutenant (died July 16, 1758); Samuel Beal, Sergeant; and John Black, Corporal. The privates were: Benjamin Beal, Josiah Beal, Josiah Beal, Jr., Obadiah Beal, Joseph Beal, Moses Banks, Josiah Banks, Joseph Bradbury, Richard Brawne, Matthew Bright, Jonathan Beal, Samuel Bridge, Samuel Cook, Daniel Curry, John Cook, John Grover, Edward Harmon, Joseph Harrison (died July 3, 1758), Aaron Ingraham, Samuel Kingsbury, Joshua Lord, Joshua

YORK IN THE WARS AGAINST CANADA

Moore, George Moore, Thomas Moulton, Joshua Mc-Lucas, Thomas Oliver, Samuel Park, Daniel Pottle (died August 24, 1758), Joseph Rounds, John Ramsdell (died October 3, 1758), Ebenezer Smith, Dependence Stover, Richard Tynan, Moses Whitney, Benjamin Welch, Samuel Webber, Jr. (*Mass. Arch. xcvi, 501; xcvi, 63*). It is not known where this company served but presumably at Ticonderoga. In addition to these David Philbrook and Ebenezer Preble were "in the army" this year. In June, 1758 the schooner *Endeavor* of this town was captured by the enemy in the "Bay of Fundee." William Grow, her master, Edward Simpson, James Grant, Alcot Banks and Samuel Adams were taken with her.

The disastrous campaign of Ticonderoga in which our troops were defeated with the loss of two thousand men in July, and during which at least eight of York soldiers died, was the only unfavorable record to be noted in the campaign of this year. Three companies had soldiers from York distributed amongst them, *viz.*: in the company commanded by Capt. Ichabod Goodwin, Samuel Milbury was Lieutenant; Johnson Moulton, Ensign; and David Philbrook, Sergeant. The privates were: James Allen, Joseph Bracey; Abraham Bowden, Ebenezer Bowden, John Dill (died September 29, 1758), John Dailey, Joshua Grant (died September 2, 1758), Joseph Kilgore, Peter Grant, Joshua Linscott, Samuel Spinney, Charles Webber and Samuel Webber. In the company commanded by Capt. Caleb Willard, Joseph Bridges and Joseph Hasley (died August 26, 1758) are credited to York. In the company commanded by Capt. William Osgood are found Thomas Rhodes and James Smith (died August 13, 1758). This company served from the middle of March to the middle of November at Ticonderoga. In 1758 Samuel Milbury was Lieutenant and Johnson Moulton, Ensign, in Ichabod Goodwin's company (*Mass. Arch. xcvi, 237*).

With one satisfying victory behind them at Louisburg the St. Lawrence was the next objective, and the ancient city of Quebec, crowning its majestic cliff at the junction with the St. Charles, was marked for capture. It represented the key to the French military structure in North America, and while that remained the French menace lingered. With Wolfe was joined Sir Charles Saunders, R.N., and the atmosphere was charged with confidence, as Fort

HISTORY OF YORK

Niagara was surrendered July 25 and on the twenty-seventh Ticonderoga and Crown Point were reduced by General Amherst. Repetition of the story of the siege of the great fortress of Quebec, the heart of the activities of France for one hundred fifty years, the Battle of the Plains of Abraham and the dramatic deaths of Wolfe and its defender, the brave Montcalm, would be beyond the scope of this volume. Here and there the French power was broken on October 8, when Quebec with its garrison of about five thousand men came under the British flag.

This town was represented at this decisive engagement by one of its native sons, Col. Jedediah Preble, in command of a regiment of provincial troops. He took part in the assault and was near General Wolfe when he fell mortally wounded (*Willis, History of Portland, 1st ed. ii, 304*). As a large part of his regiment was composed of Maine troops it is assumed that one of his companies, under command of Capt. James Gowen, was a part of the besieging army. Thirty of this company came from York and their names are here given as a memorial of their service: Josiah Beal, Matthew Bright, Josiah Beal, Jr., Obadiah Beal, Jonathan Beal, Joseph Beal, Samuel Cooke, John Cooke, Daniel Carey, John Grover, Edward Harmon, Aaron Ingraham, Samuel Kingsbury, Joshua Lord, Joshua Moore, George Moore, Thomas Moulton, Joshua McLucas, Thomas Oliver, Samuel Parker, Joseph Rounds, Ebenezer Smith, Dependence Stover, Richard Tynan, Moses Whitney, Benjamin West and Samuel Webber, Jr. (*Mass. Arch. xcvi, 501; xcvi, 63; xcvi, 437*).

The rest of this campaign consisted of mopping up the scattered garrisons occupied by the French on our frontiers, or keeping a skeleton army of occupation in charge of the captured territory. This service, while not so spectacular, was of importance, and troops from York continued to do this necessary duty for several years. In 1760 Capt. Johnson Moulton commanded a company at the siege of Ticonderoga and Crown Point, which had many York soldiers in it. Those which have been preserved include the following names: Dummer Sewall, Lieutenant; John Bradbury, Lieutenant; Benjamin Dunning, Samuel Beal, James Allen and James Dillaway, Sergeants; Ebenezer Preble and Joshua Linscott, Corporals; and Napthali Harmon, Drummer. The privates

YORK IN THE WARS AGAINST CANADA

were Nathaniel Abbott, Samuel Adams, Samuel Adams, Jr., David Averill, Aaron Banks, James Baldwin, Joseph Baker, Samuel Beal, William Beal, Benjamin Beal, Josiah Black, William Bracey, Benjamin Bracey, Richard Brawn, Joseph Bracey, Joseph Bracey, Jr., Samuel Bracey, Solomon Brawn, John Bridge, Joseph Dill, Ebenezer Grant and Benjamin Goodwin (*Mass. Arch. xcvi, 363*). This muster roll is imperfect as the subsequent sheet is missing. William Lewis of this town, attached to Capt. John Small's company was in service this year and the following list of soldiers invalided home from Albany contains the following from York: Abraham Nowell of Moulton's company and these from Captain Wentworth's: John Parker, John Chapman, John Furlund, Thomas O'Bryan, Moses Welch, Daniel Crosby and Corp. Samuel Grover (*Mass. Arch. xcvi, 353*). Capt. John Wentworth's company contained, in addition to the above, the following soldiers of York remaining in active service in January 1761: Thomas Moody, Lieutenant; Thaddeus Trafton, Ensign; Joseph Allen, Sergeant (deceased since last return); Charles Trafton, Sergeant. The privates were: Joseph Allen, Jr., Timothy Crosby, Simpson Grover, John Heaton, James Oliver (deceased since last return), Jonathan Sargent (minor), Joshua Trafton, Samuel Tripe, Curtis Thompson, Jotham Trafton (minor), Moses Welch, Jr., and Gideon Whitten (minor).

Capt. Johnson Moulton was transferred with his command to Halifax for garrison duty this year and a letter from him to Lieut. James Sayward is here inserted as an intimate picture of contemporary life in barracks:

To Lieut. James Sayward att Old York

Halifax, November 27, 1761.

Sr. I wood acquaint you that their is orders for most of the Regtm. to Be discharged this Winter or as soon as transports comes from New York. So I wood advise you to not Be in a hurry to come to the Regiment Before for there orders from Col. Thwing, or from me for I don't know Bout I shall stay as thear is three Capt. too Lieut. seven Subs, Eighteen enCampheners (?), tow hundred and forty Privates to stay as it is not settled yet, I cant say hou stays or hou Coms hom.

JOHNSON MOULTON

P.S. All frends are well at Present at this Place and I hope this Line will find you so at hom and al frends at hom.

I will Right to you as soon as the fewd is Seteld. Due Be Kind enough to Right to me the first oportunity.

Liut. Bean is very ill. My Copt. to Mr. Bradbury

HISTORY OF YORK

Accompanying this letter was an order to Lieutenant Sayward, as one of the recruiting officers, to proceed to Castle Williams to communicate with Captain Gowen and Ensign Lane by sending one of his three recruits in York, Charles Hutchins, Jacob Boston or Richard Banks, as messenger to deliver letters (*Sayward Family*, p. 55). James Sayward, who had been at Crown Point in 1760 as Lieutenant under Capt. John Bradbury, was commissioned by Gov. Francis Bernard as Captain of a company of foot in Col. Jonathan Hoar's Regiment, on May 16, 1762 and was on duty with it at Halifax during most of this year. The following men from this town were attached to it: Thomas Trafton, Lieutenant; James Dillaway and James Allen, Sergeants. The privates were Josiah Beal, Josiah Dill, Edmond Bridges, William Babb, Josiah Bracey, Samuel Bracey, Joseph Bradbury, Daniel Bragdon, Zachariah Bragdon, Richard Banks, Jacob Boyden, Arthur Dilloway, Amaziah Goodwin, Martin Grant, Ebenezer Grant, Samuel Grover, Benjamin Grover and Charles Hutchins.

Capt. Johnson Moulton continued on duty this year with his company, of which Abraham Linscott was Lieutenant. He had the following men from this town as privates: Moses Banks, Samuel Bridges, Joseph Burdeen (son of William), Joseph Bracey, William Bracey, Solomon Brawn, John Daley, Peter Donfee, John Doyle, Richard Evans, Joseph Foster, Ebenezer Flood, Joshua Grant, Naphthali Harmon, Samuel Lord, Daniel Ramsdell, John Ryan, Josiah Stover, Matthew Webber, Joshua Whitten, Gideon Whitten and Benjamin Welch.

In 1763 the company of Capt. James Gowen continued in occupation duty with John Adams as Lieutenant; Samuel Rounds, Ensign; Samuel Beal, Sergeant; and John Black, Corporal. Samuel Bridges, Benjamin Beal, Richard Brawn, Joseph Bradbury, Josiah Black, and Moses Banks (son of Joshua) were privates. This muster roll is incomplete (*Mass. Arch. xcvi*, 63).

Capt. Johnson Moulton, still on garrison duty in 1763 with his company to which the following men from York, in addition to his previous list probably transferred from other companies, were added: Richard Evans, promoted as Sergeant, with Joseph Bradbury, Jacob Burdeen, Samuel Grover, Abiel Goodwin, John Henney, John

YORK IN THE WARS AGAINST CANADA

Hodgdon, Joshua McLucas, Robert Oliver and Samuel Webber as privates (*Mass. Arch. xcix, 280*).

These comprised all the known York soldiers in this campaign attached to local companies, but the names of Benjamin Foster, Jr., and Ezekiel Foster are recorded as from York in 1758, and James Horn in 1759 and 1760. In 1759 William, son of William Moore, was reported as "wounded." This closes the record of the last war between the French and English on this continent. For eighty-five years the people of this town had been engaged in battling a combination of Europeans and Indians which had smeared the land with the blood of its people and cluttered the terrain with the wrecks of their habitations. Wasted by wars, pestilence and famine these cruel appeals to the arbitrament of the sword were now at an end.

CHAPTER XXX

THE FRENCH NEUTRALS

"I know not if the annals of the human race keep the record of sorrows so wantonly inflicted, so bitter and so perennial as fell upon the French inhabitants of Acadia." — *George Bancroft.*

This town furnished a local background as its share in one of the romantic incidents of Colonial days, as well as one of the blackest chapters in the history of English government on this continent. This story carries with it the coloring of Longfellow's "Evangeline," if not some of the actual tragedy delineated in his famous poem. The action centers around the conquest of the French settlements in Acadia in which soldiers from this town lent their aid, and Parson Moody his prayers. When the fortress of Louisburg fell in 1745 to the victorious troops under Sir William Pepperrell, it left the surrounding territory in Nova Scotia peopled with Frenchmen loyal to the lilies of France, who were not subject to the jurisdiction of this fortress. By the Treaty of Aix-la-Chapelle, ratified October 7, 1748, hostilities between England and France came to an end for the time being. Each crown surrendered to the other all territorial conquests and all existing prisoners. The island of Cape Breton on which Louisburg was situated was thus repossessed by the French. This result was a source of chagrin to the people of New England, and to the inhabitants of Maine a distinct disappointment after their sacrifices made in the capture of Louisburg. The ancient feud of centuries between France and England was not thus to be permanently settled. It was the dramatic struggle of two European giants for supremacy in the New World. It meant either the domination of the French or English in North America, as it was politically and materially impossible for them to exist in close contact with their rival claims put forth by the two sovereigns.

By the Treaty of Utrecht, April 11, 1713, the territory of Nova Scotia had been ceded by France to Great Britain, and in the northwestern part of the Province there lived large colonies of descendants of the ancient French habitants, who were by that document guaranteed not only their title to their lands, but were accorded the status of

THE FRENCH NEUTRALS

neutrals as between the two sovereigns. They were not required to take the oath of allegiance to the king of England and remained in this anomalous position. These people were not directly affected by either the fall or the return of Louisburg. For a generation they had been undisturbed in their political relations. Abbe Raynal describes them as a virtuous, simple-minded, industrious, unambitious and religious people, a characterization which we can accept without controversy. They lived in equality, contentment and brotherhood — rich enough for their modest needs and led by the parish priest as shepherd of the flock to whom all spiritual as well as material matters in their lives were referred. (*Historie Philosophique et Politique, vii.*)

The English colonists were settled on the Atlantic Coast with Halifax as the center of government when Great Britain resumed control of Nova Scotia. These French neutrals, in the conception of the Halifax officials, at once engaged attention as a source of potential trouble. As early as 1745 Governor Shirley of Massachusetts had proposed their deportation to other British colonies (*Palfrey v, 134*), and he may be considered the instigator of the inexcusable political crime which was perpetrated by subsequent English officials on these simple Acadian peasants.

At the end of a decade following the capture of Louisburg in 1745 the relations existing between the local officials at Halifax and the French neutrals were far from satisfactory, due to the suspicions of the English that these people were surreptitiously giving aid and comfort to the French in Canada. Complaints of trespassing and sniping and even military activity were charged against the Acadian farmers who were always hoping for a return of French sovereignty. Constant recurrences of these incidents produced the necessary incitement to a renewal of the inevitable conflict which was staged at Fort Duquesne, Crown Point, Niagara and the French province of Acadia. At this date the French claimed territorial rights as far west in Maine as the Penobscot and as much more as they could possess by continued pressure on the line of English settlements. The Acadian province, inhabited solely by descendants of the early French settlers, covered settlements about Annapolis, Chignecto, Bay Verte and

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the Basin of Minas, containing by estimation about eighteen thousand souls. They had refused to take the oath of allegiance unless it was modified to relieve them of the necessity of bearing arms against the French government even in defense of the Province. Thus they became in character as well as in name "French Neutrals." They were an industrious, frugal people, passionately attached to their national culture and to their religion. They firmly refused whenever attempts were made to coerce them to take the required oath. Thus these simple peasants became an awkward problem in the British Colonial government. The extremists considered they were harboring a potential enemy in their midst and determined to force the issue. The Governor and Councillors of Nova Scotia in conjunction with the military representatives of England in 1755 determined on a policy of dispersion of the neutrals among the British colonies on the Atlantic seaboard. Actual hostilities broke out afresh. Encroachments of both nations on disputed territories furnished the sparks which developed into furious flames of war. Hostilities extended from Pittsburgh in the south to Louisburg in the north. The latter fortress was again besieged by Major-General Jeffery Amherst commanding the land forces and Admiral Boscawen commanding an English fleet of fifty-seven vessels, as related in a preceding chapter.

Before the conclusion of hostilities an expedition, headed by Gen. John Winslow, sent by Massachusetts to this region conveyed a momentous decision to these people. Without knowing its purport they were summoned to meet in their chapels September 5, 1755 to hear their doom. Acting under instructions at Grand Pre, General Winslow delivered to them a preachment on their disloyal attitude, after which he informed them that all their possessions, moveable and immoveable, except money and household goods, were forfeited to the Crown; that they were in the status of prisoners to remain in custody of the king's troops until they should be removed to such places outside of the Province according to his Majesty's pleasure. The pathos and shock of this scene have been portrayed in poetry and prose by famous writers, both French and English, in excuse and censure of this tragic decree. Some stood petrified, unable to express their

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emotions. Some gave vent to their distress in pitiful wailing, while others in their terror fled to the woods in an aimless endeavor to escape the scene of their plight. Houses were put to the torch, the country laid waste and every heartless measure taken to force these hapless peasants into obedience.

The more hardy were able to penetrate into the wilderness where they found sanctuary and sympathy in the camps of the savages. Some even reached the outlying settlements of lower Canada, but those who attempted with their aged parents and the encumbrance of children to reach friendly protection were driven back by hunger and infirmity to surrender as prisoners at discretion. The transports sent to Annapolis to convey the ill-fated people of that vicinity met with sullen but passive resistance. The heavens were clouded with the blackening smoke of hundreds of their simple habitations. Men of our race and traditions were engaged in as inexcusable an orgy of devastation as was ever perpetrated by the Huns in ancient or recent wars. The story is a blot on the record of the muddling management adopted by English Colonial officials. No adequate excuse has ever been offered for this brutal decision. Thousands of these helpless unfortunates were driven like cattle — weeping, praying and chanting hymns to the Virgin in a language unknown to their oppressors. The burden of their cry was “Au revoir but not adieu.” Transports delivered them to every British colony from Maine to Georgia. The Province of Maine received a share of this despoiled and expatriated people. The exact time of the arrival of the number assigned to York cannot be stated. In 1761 there were twenty-one of these unfortunates living in York among a people alien in culture, religion, and language. Despoiled of their property, they came and remained in the capacity of paupers. In 1760 there were over a thousand of these miserable captives domiciled in the Province of Massachusetts. An act was passed for the support and relief of them in the various towns. Overseers of the poor were required to make provision for their support until reimbursed by the Crown or the government of Nova Scotia. To whatever locality they were assigned they were unwelcome. Differences in language and religion made friendly intercourse impossible. Williamson (*History of Maine ii*,

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349) refers to them as "ignorant, bigoted Catholics," but if anything could exceed Puritan bigotry the parallel does not readily come to mind. Their request for ministrations by their priests was refused, and they were not even permitted to leave their location. To the discredit of our Anglo-Saxon race this crime has only a precedent since the galley slaves were herded by Nero. Broken-spirited, they had no incentive to work or opportunity to do so and were falsely regarded as indolent. This condition gradually became intolerable both to the towns and to the French exiles. They held a natural dislike for the English and, deprived of the means of following their religious ceremonies, they remained disaffected and unhappy exiles longing to return to their native land. Under the circumstances they had no ambition to perfect settlement or encourage industrial habits. There is no reference to them in the town records, but the provincial records show that thirty pounds was paid to York for her disbursements in their behalf. When the policy of exile was found to be permanent those who could do so undertook to rejoin their relatives, but owing to lack of means of communication they often wandered from province to province in a hopeless quest. Even this humane concession was often denied them and the General Court forbade the landing of them within its jurisdiction and drove them back whence they came. Had these outrages been perpetrated by the Bedouins of the desert or Inquisitors of Spain, English writers would have filled volumes with righteous indignation in poetry and prose.

The church records of this town have preserved the names of Thomas LaVallee, one Murdeu and Thomas LaValle-Gillard who apparently became property holders as they were on the tax list of 1761. It is possible that some of the French names became Anglicized and have lost their identity in the course of time. Some names like Dirco, Facundas, Mellin and Fontaine have the appearance of being French names or attempts at Anglicizing them. Perhaps the most distinctive French name found in the records is that of one Stephen Decatur, a name which in the succeeding generation furnished many a thrill to American patriots in the War of 1812 against Great Britain. He was taxed in this town as late as 1770, showing that he had become naturalized and had accepted the

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alternative of joining his future with hospitable English people in York, but his connection with the famous Decatur is not known.

There is nothing of record to show that the above-named were deported from Acadia. In fact, the town records have no reference to these people whatever and, as far as official information permits, but one family is known by name as residing here and supported by the Province, while another, Francois LeBlanc, "late Inhabitant of Nova Scotia" petitioned the General Court in 1756:

Praying that he & his Family may be removed from Point Shirley where he now dwells to the Town of York for his more comfortable Subsistence among some Friends & Relations of his who dwell there/
(*Acts and Resolves of the Province of Massachusetts Bay, Vol. xv, 582.*)

As his petition was granted it is presumed that he came here to live with his family (*Prov. Laws 1756-7, c. 129*). Of one French neutral family, that of Peter Doucet, consisting of himself, wife and seven children, there are sufficient documents to establish his residence in this town for several years. They were assigned to this town by a committee of the General Court and arrived January 15, 1756. They were placed in the care of Col. Nathaniel Donnell as agent for the Province and he rendered accounts for lodging, subsistence and clothing. He charged board at the rate of thirty shillings a week at first and afterwards twenty-two shillings. In 1757 he rented a house for their occupancy and provided them with facilities for house-keeping, necessary provisions and other supplies for this purpose. One of his bills is here incorporated showing what was furnished these unfortunate exiles as well as giving interesting information concerning the cost of staple articles at that period.

1757 To Suplyd the French Neutral Family at York:

Novbr	11	To 1½ Bushel Corn @ 25/ To 1 gallon Oyl 20/ 6 Bushells Potatoes @ 20/ To 95 lb. Beef @ 1/-	£1-17-6 7-0-0 4-15-0
Dec	16	To 126 Ditto & head & Pluck &c	7-10-0
Jan	24	To 2 lb Hogs fatt @ 4	0-8-0
1758			
Jan	27	To 216 ln Pork @ 2/ To 1½ Bushel Corn 25/ 1½ Ditto Rye @ 30/	21-12-0 4-2-6

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Feb	7	To 1 gallon Molasses	£1-2-6
	9	To 1 Load Wood	2-5-0
	15	To 4 Load Ditto @ 45-	10-17-6
	27	To ½ Bush. Peas 30/ 1½ Bushel Corn 37/6	2-10-0
Mch	4	To 70 lb Hogs fatt 4/	14-0-0
	8	To 1 gallon Molasses	1-2-6
		To 1½ Bushel Corn @ 25/	1-17-6
	10	To 7½ Flower @ 1/3	0-12-6
	15	To 33 lb Good fish @ 1/3	2-1-3
	23	To 1 gallon Molasses 22/6 1½ Bushel Corn @ 25/	3-0-0
Apr	4	To 3 Bushel Corn @ 25/	3-15-0
	14	To 6 lb Flower @ 1/3	0-10-0
	15	To the Rent of the House & Garden	12-10-0
			Old Tenor £103-8-9
		To 5 Pair Shoes omitted	7-10-0
			£110-18-9
			In Lawful Money 14-15-10

York May 27, 1758.

(*Mass. Arch. xxiv, 37*)

An itemized account of Colonel Donnell for support of this family from June 1758 to May 1759 shows an addition to the items of the previous account. They were allowed rice, milk, barley, cheese, salt, mutton and cotton wool. Pasturing of a cow was charged at twenty-five pounds and rent of house and garden the same amount. The total bill for that year was £201-15-3 old tenor. As no bills are found after November 1759 it is probable that this family was sent or permitted to go elsewhere, as the Province by this time encouraged their removal under certain restrictions. The renting of the house above referred to was occasioned by the birth of a child in this family. In recording this it was stated that none of the children were able to earn their living except the two eldest, and of these the daughter (fifteen years of age) was obliged to look after the household during her mother's confinement and long convalescence, for Donnell reported that "she was disordered the Whole Winter and not able to doe anything to suport the family & I was obliged to find Wood for two fires the most part of the Winter." (*Mass. Arch. xxiii, 522*).

In 1760 it was found that the county was not caring for as many neutrals in proportion as other counties in the Province, and thirty-four were assigned to some of the eastern towns. They stopped at York on their way and while here were furnished with one hundred seventy-seven

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quarts of milk, eleven loaves of bread and forty-two pounds of flour together with one quart of "rum and shugar" for a sick woman. They were housed in the storehouse of Mr. Nowell for which a charge of £4-10 was made, but one-half of it was disallowed.

John Fontaine, before mentioned, had three children baptized here 1757-1760, and Thomas Levalle-Gilard was married here to Mary, daughter of Hugh Holman, and a son was baptized in 1769 by Rev. Mr. Lyman.

CHAPTER XXXI

A JOURNAL OF OCCURRENCES IN YORK

1735

Nothing can give a more intimate view of the daily life of a community than the well-filled diary of some resident who had the habit of jotting down the things that happened in his town, or the news of occurrences elsewhere, to form the topics of interested talk in the tap rooms of the local taverns. Such diaries or journals become the source of a great variety of facts which supplement the more formal official records, giving them a human touch, and so become our most valuable historical material. Unfortunately only three such journals exist for this town. Two of them are very brief, covering but a few years each, while the third begins rather late (1761), but is extremely useful for the period it treats.

In order to present such a picture as a diary would convey the attempt is here made to supply the deficiency by collating all the known facts which are of record, in their chronological sequence, relating to events occurring in this town in the year 1735, as an example of the daily life of the people here at that time. This year has been selected for no particular reason, but as an average twelve-month, which is disconnected with any general matter of paramount importance, like a war, to give it an abnormal tinge. These daily entries are typical of the time, and represent actual occurrences gleaned from all available sources, and are set down in the manner of a contemporary diary to give a suggestion of the human and personal element, such as an actual journalist would write it in recording the day's doings and the news from "abroad."

1735.

JANUARY.

1. (Wednesday). Cousin William is arrived at Portsmouth from the West Indies.
2. Lt. Banks sold a marsh lot, formerly his father's, to John McIntire, Jr.
4. the 27th of the last Month, a young Man of this Place walking along the Street, slipt and fell on the hard Ground, and was so hurt, that he vomited Blood abundantly, and lived but a

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few Days; during which Time he was in Distress of Conscience, lamenting his mis-spent Life, and giving most solemn and earnest Warning to the many that came to visit him; especially young People and his vain Companions, that they would leave their evil Courses and not put off their Repentance till a Death-Bed, as he had done; particularly he vehemently requested of One of his Acquaintance, that he would promise him two things. viz. 1st *That the Money he purposed to spend in Strong Drink he would lay out in buying good Books; And 2ly. that the Time he would have spent in the Tavern he would employ in Reading of them.* It was the dying Desire of the Deceased that the Ministers of the Town would improve his Example for the Warning of others.

5. (Sunday).
6. John Harmon bought a lot of land on the Road near Lindsay's, of Jonathan Bane.
7. Cos. Wm. informs that Negroes in Jamaica have risen and intend to make themselves Masters of the island (if not soon subdued).
10. Inferior Court has been in session.
11. A girl was born to Lieut. Moses Banks, named Elizabeth.
12. (Sunday).
13. Joseph Moulton gave a marsh lot to his son Abel today.
14. Nath. Ramsdell sold a small lot in Brixham to Joseph Leavitt, the tanner.
15. Doctor Bennett had a son born to-day which he called William.
19. (Sunday). Parson Moody preached on the Death of the Sinful young Man who Repented on his Death-Bed, to great acceptance of Many.
20. Lt Banks gave a marsh lot to his son Job to-day, as I hear.
24. A son born to Joseph Farnham across the River, called Starlin.
25. My grandfather and his brother were barbarously murdered by the Savages forty three Years ago this day at the great Massacre, when Parson Dummer was shot off his horse and a hundred Captivated and Kill'd. I was only two years old at that time.
26. (Sunday). Very high tide in river today.
27. Dr. Bulman sold 14 @ in Scituate to Crisp Bradbury to-day. The estate of Joseph Young was appraised to-day.
29. Hear that Jo. Youngs estate was worth over £400.
31. Crisp Bradbury sold 12 @ on the South side to Aleck McIntirs.

FEBRUARY.

2. (Sunday).
6. There was a daughter born to John Milberry to-day named Susanna.
8. Josiah Main sold four shares of Common Land to his son Amos, the School Master.
9. (Sunday).
13. Daniel Moody and Mary Pearce were married to-day. James Donnell sold part of the Preble homestead lot to Deacon Sayward.

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15. The *News Letter* is come to hand which relates the Story of the Young Man whose death here last Month is given as a Warning to those who keep Evil Companions.
16. (Sunday).
18. Crisp Bradbury sold 14 @ at Scituate to Jona. Sayward.
20. William Boynton, son of Caleb, was married to-day to Hannah Jones.
21. Hear that Aleck Junkins made his will to-day.
22. High today on Account of Full Moon.
23. (Sunday).
24. From the *News Letter* come to hand we learn of great storms in the Country and the Posts delayed by the deep snow.
28. News is brought that Elder James Sayward of Gloucester, formerly of this town, was married on January 30th, to the widow of Ebenezer Davis of Gloucester as second wife. His first wife was named Stover and lived at Cape Neddick. This has been a summer month only two or three cold days.

MARCH.

1. Nathaniel Crediford entered his intent to Marry Elizabeth Beale, but she forbid publishment 'Tis said she prefers Josiah Littlefield of Wells.
2. (Sunday).
3. Paul Nowell had a son born today which he called Paul. His wife was Mary Nutting of Cambridge. They were married last year in Newbury.
Arthur Bragdon sold 6 acres to John Grover and 12 @ to Nathaniel Lewis both on the South Side.
8. Joseph Gray's daughter was baptized Sarah.
9. (Sunday)
11. Town meeting today, Deacon John Harmon Moderator. Voted against paying the Selectmen 5 shillings a day for their services. Jeremiah Moulton Dea. Thomas Bragdon Samuel Sewall John Sayward and Samuel Clarke elected Selectmen for ensuing yeare.
12. Jerry Bumstead the Glazier sold a lott to Nathaniel Donnell this day. James Donnell sold his halfe of the Homestead to his brother Nathaniel.
15. John Curtis and Abigail Donnell intentions published.
16. (Sunday)
17. Samuel Donnell the Shipwright sold 5 @ on South Side to Joseph Cole.
18. A surprising thing happened on Tuesday sennight in Kittery which is certified by Parson Moody, his son Joseph and two other ministers. Mary Smith baked 3 loaves of Indian breade of the same meal One came out of the oven the Colour of a Blood Puddinge This loaf can still be seen.
22. Daughter born to Barsham Allen named Mary.
Doctor Bulman bought 30 @ at Tonemy Hill of William Grow.
Crisp Bradbury sold some land to Enoch Dill.
23. (Sunday).
24. Jonathan Bane sold 10 @ to John Card.

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25. Samuel Webber the Miller of Cape Neddick is mortally sick and made his will today. Elias Weare his neighbour informs this and saith Doctor Bulman attends him but gives no encouragement.
28. Deacon Joseph Sayward got a release of Mortgage on his Homestead today from William Pepperrell. It has been running 11 years but since the town appointed a Committee three years ago to compound with his Creditors and pay his debts his affairs are nearly straightened out.
Parish meeting today. Took action to prosecute Trespassers on the Parsonage Land. Those who live next this lott are continually Fencing in land that does not belong to them.
30. (Sunday).
31. Not so warm as last month, very little snow left on ground.

APRIL.

1. Inferior Court began sitting today Mr. Moody prayed.
4. Samuel Bragdon deeded 20 @ on SW Side to his son Jeremiah.
5. The snow is not yet gone from the woods.
6. (Sunday).
7. Sam Preble the Mason bought 16 @ of Dr Bulman at Tonemy.
8. Daniel Farnum sold 6 @ on SW Side to Joseph Main.
9. Crisp Bradbury bought of Jonathan Sayward the lott at Scituate which he had sold last February.
Joseph Kingsbury had a son born today which he named Samuel.
10. Nathaniel Leman the Tailor is very sick and made his will today. He came from Charlestown several years ago.
13. (Sunday).
17. Quite hot.
18. Esquire Moulton sold 14 @ to Amos Main the Teacher on Country Road.
20. (Sunday).
21. Another hot day.
23. Began plowing the lower field Very warm today.
25. News from London that the Queen of Prussia is safely delivered of a prince amidst great rejoicing.
27. (Sunday).

MAY.

4. (Sunday).
8. Town meeting today. Elder Milbury Moderator. Chose jurors for the next Court of Assize and Gaol delivery.
10. Our Pastor has been preaching the Gospel in York thirty seven yeares this instant month. The Lord has blest his work with us and his son labours acceptably in Scotland.
11. (Sunday).
15. Town meeting today. Elder Milberry re-elected as Representative for the General Court. Also there was a parish meeting same time Lieut Daniel Simpson Moderator and they voted to hire a Supply for the Pulpit as occasion requires: also to Fence in the Burying Place.
18. (Sunday).

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19. Jabez Blackledge sold to John Grover the five acre lott which he bought of Elihu Parsons in 1716.
20. Superior Court began today. Sheriff escorted Judges to the Town House.
22. Dr. Bulman bought 14 @ at Scituate of Crisp Bradbury.
25. (Sunday).
26. Andrew Pearce was married to Jane Carr today. Samuel Thompson sold his brother Joseph 10 @ at Huckleberry Plain.
A son born to Ralph Freeman. His name is John.
29. Samuel Webbers will allowed in Court today. He gave all his property to his five sons and six daughters. His sister Bathsheba captivated by the Indians many yeares ago is yet in Canada and married there to a Frenchman.
31. Intentions of marriage of John Drew a new Resident here and Hannah Staples of Kittery are Published today.

JUNE.

1. (Sunday).
2. Elizabeth Swett was married to Mark Prime of Rowley.
6. Samuel Johnson had a daughter today which he has named Humility. I opine she was called this out of regard for Humility Preble.
7. Aleck Junkins bought 3 @ on South Side of Enoch Dill.
8. (Sunday).
11. Anniversary of Accession of His Majesty to the Throne. We drank his health at Ingrahams.
12. A daughter was born to Lieut Benjamin Stone today named Elizabeth.
15. (Sunday).
17. Enoch Dill sold two tracts on S. W. Side to Aleck MacIntire Jr.
18. Dill sold another lott to young MacIntire.
19. Court sat today Parson Smith of Falmouth prayed. The Indian woman Patience Boston was brought to triall for murdering her bastard child. A great throng in attendance. She says it is Trott's child.
20. Trial continued.
21. The Indian woman convicted of murder and sentenced to Death.
22. (Sunday).
25. Town Meeting today. John Woodbridge Moderator. Chose jurors for the next Court of Comon Pleas and Quarter Session.
26. Jo. Young bought 4 @ on Ferry Neck of young Henry Simpson.
29. (Sunday).
30. Isaac Stover bought 10 @ of Webber the Carpenter at Cape Neddick.

JULY.

1. Daniel Simpson the County Treasurer says the Province Tax of this town for the present year is £8-14-09 being Three Pounds less than Kittery. Inferior Court opened today. Not many present.
5. Abraham Tyler of Scarborough was published to Esther Sayward

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- the Deacons daughter but tis said she does not favor him and the marriage is doubted by many.
6. (Sunday).
 10. We heare the Throat Distemper which broke out last May in Kingston N. H. is now very mortal in many townes in that Province.
 13. (Sunday).
 15. Surveyor Sewall laid out some lande near the Berwick Line for Jo. Thompson.
 16. William Beal had a son born today which he named Obadiah for his father.
Elias Perry sold 20 @ on the S.W. Side to young John MacIntire.
 17. The Dog Dayes are beginning now.
 20. (Sunday).
 21. The Generall Court has appointed halfe of the courts to be held at Falmouth hereafter.
 24. Patience Boston the Indian woman who was convicted of murder last month was hung today on Stage Neck. She spoke very penitently and stepped off the cart without hesitation. Parson Moody and his son Joseph relate her remarkable conversion before execution. A sad affair.
 27. (Sunday).
 29. Joseph Moulton sold a Marsh lott to Nathaniel Donnell and 2 @ on Sentry Hill formerly belonging to his wifes father. Jasper Pullman also mortgaged his house lott to Donnell. Joseph Plaisted Esq bought of Thomas Pickering 7 @ on Ferry Neck.
 30. Ebenezer Coburn the Shippwright who removed to Durham N. H. sold his interest in his father-in-law Spencers estate to John Cole today.

AUGUST.

1. It is told in last News Letter that a woman sat in the stocks in London for 2 Houres for swearing upwards of Two Hundred Oaths.
3. (Sunday).
6. A child was born to Rowland Young (son of Job) last night. Did not heare what it was.
9. Deacon Sayward bought a third of the old Abraham Preble lott in Lower Town.
10. (Sunday).
11. There has been much rain this month and it is feared will spoil the Hay.
13. Francis Beatell and Mary Banks were married today. She is daughter of Lieut Moses of Little River.
15. One hundred yeares ago was the Great Storm when the Angel Gabriel was wrecked at Pemaquid and many other vessels lost in the same storm. Parson Avery was miraculously saved with his wife on Thatchers Woe. There be much poetry and writinge of songs about it.
17. (Sunday). Very high tide today.

HISTORY OF YORK

20. The Throat Distemper is come here from Kittery and is very fatall scarce any surviving who are attacked.
21. Two Children died today of the Distemper.
22. Another Death today.
24. (Sunday).
25. Last week 120 Irish passengers arrived at Portsmouth among whom we heare there are Persons of Substance.
26. Deacon Thomas Bragdon of Scotland had a son born named Daniel.
29. Moon very red tonighte.
31. (Sunday).

SEPTEMBER.

1. The Distemper continues with more Deaths all young children. Those attacked have much fever and Weakness with gray patches in the throat which become putrid with much Mortification and they soon die with much difficulty of breathing.
4. Town Meeting today Samuel Came Esq Moderator. Chose a juror to serve at the Generall Sessions of the Peace to be held at Falmouth the first time there.
5. Quite high tide today.
7. (Sunday) Prayers in Church for the affliction that is upon us.
9. Elias Perry is very sick and made his will today soe I hear. Dr. Bennett informs he cannot live long.
11. Child born to William Babb I heare a son.
13. Severall more children have died of the disease.
14. (Sunday).
15. Severall more children have died of the Distemper which now goes to the Eastward. We alsoe heare itt has come to Boston.
19. Samuel Webber left a large Estate the Appraisors brought in £1124-3-01. He came here from Gloucester many yeares ago with his father and has been a prudent manager of his Mills.
20. Eclipse of moon tonight Began about Half past Seven through at Ten.
21. (Sunday).
22. The Distemper carried off two children last night.
24. Hoare frost last night.
25. There is much commotion about Counterfeit bills of New Hampshire Money putt forth by one Patten of Wells which he saith was made in Ireland and he accuses two of this town of havinge some of the forged bills from him. William Mortimer who left Town recently and is now in Gaol in Boston is said to be one of his partners. Tis said that a man named McDonald gott the work done in Dublin.
28. (Sunday).

OCTOBER.

1. Daughter born to John Witham named Lydia.
Estate of Elias Perry was appraised today by Samuel Sewall and Diamond Sargent. He left £149-05-10 a good amount for a Laborer but he was a Sober prudent man.

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5. (Sunday). Daughter born to William Milberry which is called Ann.
7. Son born to Samuel Sewall at the Ferry named David. He is the seventh son of his father who was also a 7th son. If he grows up he will have power to cure diseased as tis said.
Inferior Court met today.
9. Aleck Junkins had a son born today which he is to call after himselfe.
11. More Deaths from the Distemper the last week.
12. (Sunday). Mr. Moody prayed for those who have been Afflicted and besought God to spare further Punishment for our sins. Few present: all with the sick.
14. Distemper continues here and elsewhere and a Day of Fasting and Prayer is called here and in many Towns as we learne.
18. One Caleb Young gave in to the Town Clerk his intentions to marry Julian Reardon but she forbid the Publishment.
19. (Sunday).
20. Birthday of His Majesty George Second of the name. Went to the Green Dragon in evening where Loyall toasts were drank to his health and to all the Royall Family. Not much spirit owing to the Distemper.
Col Johnson Moulton deeded to his son Joseph the 6 @ Lott in Lower Town left to him by old Jerry Moulton: alsoe all his Plate Jewels Rings &c alsoe his house lott on Meeting House Creek.
23. Town Meeting today. Deacon Sayward Moderator. Chose jurors for a Speciall Court of Assizes.
24. Son born to Edmund Black named Edmund.
25. Mr Ames in his Almanack saith Venus is now the Morning Star.
26. (Sunday).
27. Deacon Sayward sold the Preble Lott in Lower Towne to John Mitchell of Kittery.
29. Seven yeares ago was the Great Earthquake which shooke all of this Province mightilie. Itt lasted two days in severall quakes.
31. The Special Court of Assizes appointed to try the case of Counterfeits of the Colony of Connecticut Bills is dissolved. Tis tho't the Trial will be held at next Assizes. Two of this town are mentioned in it.

NOVEMBER.

2. (Sunday).
5. Heavy froste last night. Tis thought this will check the Distemper. We learn that in the storm of yesterday a schooner of Marblehead was wrecked on the Whaleback and several drowned. The Mastr and some others saved were badly frozen.
9. (Sunday).
11. The Judge allowed Nathaniel Leman will today and approved his Wife as Executrix.
12. Abel Whitney and Mary Cane were married today.
13. Thanksgiving Day. Parson gave us a sermon about our Blessinges.

HISTORY OF YORK

14. The Distemper has got as far as Cape Porpus and carries off a greate many Children. The whole Country is alarmed.
16. (Sunday).
17. Surveyor Sewall laide out the new Ministerial Lott of One Hundred acres in the stated comon in Second Parish Boundes.
19. Caleb Norwood made his will today I heare. He is the Innholder on Alcocks Neck.
23. (Sunday).
25. Mr. Nicholas Sewall was throwne from his Horse today while riding out and was Picked upp Unconscious and never spoke. He died in a few houres. He was 45 yeares of age and left a Wife and Ten Children the youngest only a yeare old.
27. Nathaniel Chapman and Miriam Young were married today.
28. John Cane was married to Mary Favor of Kittery.
30. (Sunday).

DECEMBER.

1. Have been afflicted with Sore Throat for the past few days but through Divine Mercy I am much better today. I had a slow Fever and much Difficultie in swallowing. I heare that itt attacks some grown people but not with such Severity. I thinke I took it from a neighbours child who died lately as I was there as watcher at night.
3. A light fall of Snow today.
6. Quite a heavy fall of snowe today and the ground now well Covered.
7. (Sunday) Went to Church today to give Thanks for my Recoverie.
10. Very cold today. Heare provissions are scarce in Boston.
14. (Sunday) Parson Moody preached Acceptably today on Punishment of the wicked which never endeth. The coals in my foot stove went out before the Long Prayer was finished The bread rattled Sadlie in the Communion Plate.
17. Another fall of Snow with High Winds.
20. The intentions of Benjamin Welch and Martha Connaway of Agamenticus Districte were published today alsoe those of Nathaniel Freeman and Mary Perkins.
21. (Sunday).
23. John Heard of Kittery and Mariah Bradbury married today.
25. John MacIntire bought 40 @ of John Linscotts house lott at Huckleberry Plain. Mr. Moody drew up the deed and his wife was a witness.
26. A Town Meeting was held today in the New Town House to choose triall jurors for the Inferior Court next month. Alsoe there was a Parish Meeting afterwardees att which Deacon Harmon was Moderator They voted to sell Parson Moodys Negro who hath not been of good Service and to Hire a man in his Place to attende on him.
28. (Sunday).
31. I praise the Lord he has spared me through this Presente year in health.

CHAPTER XXXII

YORK IN PRE-REVOLUTIONARY TIMES

THE POVERTY OF THE TOWN

While wars and rumors of wars occupied the front pages of the newspapers of the Province for threescore years of the eighteenth century, the civil life of the people went on about as usual except during the first few years, despite these military distractions and the necessary requirements of military protection. Naturally this was accomplished under continuous hardships. The Selectmen in 1703 in a petition to Governor Dudley and the Council recited their financial and economic difficulties for the past fourteen years:

“Our Land at p'sent doth come Short of Produceing our bread Corne. Our Mills a wholly useless, wee are taken off from our Employem^t: have lost much Corne and Hey in our remote Skirts this Summer, Wee have borne almost an Equall Share with Pressed Soldiers, in Watching and Warding. And Wee have Lost every Way in runing the hazard of Venturing to our ungarison'd houses, our Stocks left, are our Chief Livelyhood, and if you take away them wee shall not be able to subsist.”

They requested that their taxes which the Massachusetts officials, safe from such conditions, laid on them as if ordinary peaceful existence obtained in Maine, be reduced to their means to pay. Again the next year they represented that they had been “Restrained following their Labour, for their Support and a Livelyhood, that for the year past they have not been able to Raise a tenth part of the bread-corn necessary for their Subsistence, and are Required notwithstanding not to Quitt, but Maintain their Post. And furthermore are Assessed in the last Year the Sum of Eighty Pounds by this Honourable Court.”

In view of this callous attitude towards them the townspeople seriously considered abandonment of their homes as an extreme measure if their representations went unheeded. “Or at least,” they asked, “that they may have Permission to remove from their hazardous Post, without forfeiting their Interests there, and Seek their Safety and Support in such other Parts of this Province as

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they shall be Directed to." This reference to a possible request for permission to vacate the town without loss of their property has been explained in Chapter XXVII, "The Struggle for Existence, 1692-1712," in connection with the Province law which prohibited the settlers of York abandoning their town during the Indian troubles.

In 1705 the Representative from the town to the General Court, Lewis Bane, memorialized it for relief of the hard-pressed people, notifying the Massachusetts authorities that "they will be very shortly constrained to desert the province." He said that there were two years of back taxes which they are not able to pay while they are ordered to live in garrison houses and their own homes and lands are "going to ruine."

RETURN OF TWO OLD FAMILIES

In 1713 a great grandon of Ralph Blaisdell, who had settled here in 1635 and removed to Salisbury in 1640, came to the former home of his ancestor to resume connection with the town. This was Ebenezer Blaisdell, born December 29, 1686, son of Ebenezer Blaisdell, Sr. of Amesbury, a cooper by trade. It is possible that his grandfather Henry Blaisdell (1632-1705), who left here when he was eight years old, had told him of the beauties of their first New England home and he was thus encouraged to take up his residence here. At all events, with Ralph Farnham, he bought land on the west side of Capt. John Pickering, August 27, 1713, extending from the river to the Kittery line. In 1716 they divided their purchase on which Blaisdell had already built his home.

He married about January 1713 Mrs. Abigail (Ingersoll) Lewis-Junkins, widow successively of Morgan Lewis and Joseph Junkins, and daughter of John and Deborah (Gunnison) Ingersoll of Kittery, by whom he had eight children. The genealogy of this family appears in Volume III.

In 1718 Wymond Bradbury and his sons Wymond, Jr. (born 1695) and John (born 1697), descendants of Thomas Bradbury, one of the earliest settlers of Agamenticus, also came to the old town to take up their residence here. Their grandfather had left it eighty years ago to settle in Salisbury, where they were born. The father was a cooper and they became prominent citizens leaving

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descendants who continued the family record with honor. John Bradbury took up his residence on Ferry Neck and carried on farming and carpentry, while Wymond lived in town and carried on the cooperage trade with his father. In 1727 the latter leased from the parish a small plot of land on the Glebe, near Nicholas Sewall's tannery, "where the ministers barn formerly stood," for a term of twenty or thirty years, paying to the minister as a quitrent "One Well Buckett yearly." In 1730 he assigned this lease to his son Jabez Bradbury of Fort Richmond, near Brunswick. (*Deeds xiii, 205*).

VISIT OF THE SUPERIOR COURT JUSTICES

The town had the honor of receiving the Chief Justice and the Associate Justices of the Superior Judicial Court of the Province in May, 1719. They arrived here by the way of Spruce Creek, and "got comfortably to Mr. Woodbridges (tavern) about sun-set." These visitors were the famous diarist of the Colonial period, Samuel Sewall of Boston, Benjamin Lynde of Charlestown, Addington Davenport of Boston, and Edmund Quincy of Boston. They came to hold Court. Chief Justice Sewall was a cousin to Rev. Samuel Moody and lodged at the parson's house where he "had a very good Chamber and bed." He noted in his diary "the wonderful mercy of God in preserving this new house from destruction by fire." On his return his other cousin Samuel Sewall took the Judge "over the river in his canoe" (*Diary iii, 220*).

IRON ORE

About 1720 there appeared in town a Mr. Caleb Spurrier who was a London merchant and called himself in various documents a "Cymester" and a "plummer," which being interpreted freely signifies a chemist or a metallurgist. He was interested in the possibility of developing mines and minerals in this country and came to York with that idea in view. The town at a meeting held on March 13, 1721/2 granted him, for a period of twenty-one years

Leave and Liberty to digg, Raise or open any Places of Mines or Minerall in any Place or Places in York Commans; not damnifying the highways: for ten shiling p. tun, he first entering into bonds with two such men as the town shall appoint on their part for the payment of said money: and five shillins p. tun for Iron Oare. (T.R. i, 423.)

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Capt. Peter Nowell and Mr. Richard Milberry were chosen to take this bond to secure the payment "for valuable oare before he Carry it from said Commans, and on March 23, 1721/2 Spurrier executed this instrument and probably began to "digg, Raise and Carry of any Mines, minerals or oare" in accordance with his contract (*Deeds x, 270*). It is not improbable that there might have been bog iron in the swamps in the northwest part of the town and it is known that limonite (Yellow ochre), exists on the shore of Tonnemy Pond, but where he dug his "mines" is not known, nor the success he had in his enterprise. It is not probable that either "Cymester" Spurrier or the town profited much by his scheme. He is later found in 1725 living in Portsmouth and in 1727 in Boston. York seems to have escaped being the scene of a Comstock lode.

DIFFERENCES AMONG CANINES IN CHURCH

It may be expecting too much from a people leading a pioneering life on the frontier to look for any well-developed sense of humor in the management of their business affairs. The attendance of dogs at church worship furnishes an excellent example of the solemnly ponderous way our ancestors took to deal with those unruly members of dogdom, who so far forgot themselves and the sanctity of the place as to indulge in unseemly scraps, during the long and soul-harrowing sermons of Parson Moody. Instead of ordering the Sexton to kick them out of the building they went to the extremity, in 1734, of producing "An Act for Preventing Dogs coming into the Places of Public Worship in this Town in Time of Divine service." This fulmination against them reads as follows:

Whereas, It is an Indesent thing the Dogs should be Suffered to come into the Place of Publick Worship in Time of Divine Service, & is often the occasion of great disorder & disturbance by their Quaraling & fiting &c. Therefore — Voted & enacted that if any Person, after the first day of April next, shall Suffer his or her Dog to come into either of the Places of Publick Worship, in this Town, in time of Divine Service, the Person so offending shall Forfeit and pay to the Use of the Poor of the sd Town, the Sum of Five shillings be Recovered by the Overseers of the Poor, before any of his Majesties Justices of the Pea: in this County." (*T. R. ii, 10*)

Any dog who failed to obey this injunction could be classed as a cur, but it is certain that the boys were de-

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prived of a strong incentive to go to meeting and enjoy the dog fights. It is safe to say that they understood these shows better than the theological disquisitions of the pulpit.

WILD HORSES

It appears that in 1735 the number of horses in the town had increased to such an extent that many of them were allowed to run wild in the unsettled back country. They were described as "not serviceable & fit for any good use or good for a Markit, which eat much of the Fead that might nourish a Better Bread of horses." These wild horses were of under size and evidently of poor stock, and the town authorities wished to secure a type "more Serviceable & profitable to the owners & consequently for the Publick." Accordingly the town passed a law penalizing the owners of stallions who allow them to run at large after the age of one year unless "Fourteen Hands High." It cost delinquent owners twenty shillings for violating this order and the poor of the town were to profit by the fines. (*T. R. ii, 68.*)

THE THROAT DISTEMPER 1735-6-7

The historic epidemic of diphtheria had its start in New Hampshire in 1735 and spread rapidly in all directions covering the entire New England states within two years. It reached York in the fall of that year and spread from town to town like a prairie fire. A day of fasting and prayer was held in this parish in October as it had spread as far as Cape Porpoise by that time. It was generally called the canker sore throat on account of the ulcers which accompanied its more malignant forms. Adults were not entirely free from it. Parson Smith of Falmouth fell a prey to an attack of this disease but survived and in his journal wrote: "Not one has lived that has had it of late." In the issue of February 5-12, 1736, the *News Letter* said: "The Distemper rages afresh again at York, and visits the same Houses where it had already been." For three years this pandemic pall hung over York and the Province after its first deadly assaults, and broke out with renewed severity in 1737. The same writer enters in his journal that year: "It proves mortal at York and Wells." There must have been a hundred deaths in this town from this disease.

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WOLVES

It may be a reminder to the present generation to recall the danger our ancestors underwent and the losses they suffered from the attacks of these vicious canines, which made traveling by day a problem and the nights hideous by their howlings around their dwellings. In 1741 the town offered a bounty of one pound for the head of a wolf trapped or killed in the town limits, a sum equivalent to nearly fifty dollars in our present money, and is an evidence of the price they were willing to pay for relief from their depredations. When a head was brought in the tongue was cut out, to prevent duplication of claims, and then exhibited hung up on the meetinghouse as an encouragement to others to help rid the town of their presence. This bounty was continued yearly as late as 1800, almost within the knowledge of the fathers of the present old people.

STRAY FOOT WARMERS

As a means of keeping themselves comfortable in the refrigerating atmosphere of the unheated meetinghouse, during the winter Sabbaths, portable foot stoves were invented in this period. They were constructed of sheet iron fashioned in the form of a cube, about a foot in all its dimensions, supported by a frame work of wood, and supplied with a metal handle for convenience of transportation. The sides of iron were perforated with small holes, usually in some formal design, to allow the radiation of heat from the inside, furnished by smouldering charcoals.

It seems like losing a bass drum to speak of these affairs being left in the meetinghouse by their owners, but such had been the neglect to remove them after the conclusion of the day's services, that for fear of the danger of fire the Selectmen, in 1748, were instructed to promulgate a town ordinance fining the delinquent owners and forfeiting the stoves to the use of the poor of the town.

THE ELEVEN LOST DAYS IN SEPTEMBER 1752

During the month of September 1752 the almanacs used by the people here underwent an epochal change, as also throughout the British Empire. As it affected York

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in the same degree it is proper to describe it. As explained in another chapter the calendar used by England was different from that in use on the continent of Europe and had been for a century and a half, to the great confusion of everybody. Finally England surrendered to the inevitable, and pursuant to the Statute of 24 George II (1751), Cap. 23, Parliament decreed that January 1, 1752 should be the first day of that year and so thereafter. But still another alteration was to be made. Astronomers and mathematicians of Europe had been making calculations on the passage of time in the centuries past, and arrived at the conclusion that there had been an error of a certain number of days which should be taken into account in the new calendar. Among these *savants* were many scientific men belonging to the Roman Catholic Church, or its religious orders. The decision was to cut eleven days from this year, and September was chosen for the surgical operation. The day following Wednesday, September 2, was called Thursday, September 14, an excision that was little understood by the mass of people, and many believed that in some way the Pope had stolen those eleven days from them for some ulterior purpose. This was a popular cry in Europe and England, but whether York indulged in this form of superstition is not known. As a consequence nothing happened or is of record here September 3 to 13, inclusive, as they never existed.

HURRICANE IN 1752

The *Boston News Letter* of July 23, 1752, contains an account of a severe hurricane which visited York the previous week, and from the description it is clear that the center of the storm passed directly over the southwest side of the town. The report of it states that:

The Wind then blew with great Violence N.E. and shifting to S.E. laid the Corn &c level with the Ground in many Places, but soon returned with the utmost Fury from the N.W. so that within the Compass of about a Mile and an half on a Neck between Broad-boat Harbour and the River, there are two or three Barns torn all to pieces and laid in Ruins; part of the Roofs of several Dwelling Houses rip'd off and carried 10, 15, and 20 Feet distance and dash'd to pieces; one Barn of 40 by 30 was mov'd whole and doubtless would have been carried much further but was stop'd by a large Rock: This violent Hurricane was attended with severe Thunder and Lightning, and great Rain; The Extremity lasted about 10 or 15 Minutes.

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DESTRUCTION OF WINCHESTER CARD'S HOUSE, 1752

Another disaster occurred on the southwest side this year by the burning of the residence of Winchester Card, as told by the same journal:

Last Tuesday was Fortnight, (Dec. 5th), at York; a little Girl, the daughter of one Winchester Card, going into the Garret with a Lamp, just at Dusk set fire to a Bundle of Flax Stalks, by which the House and most of the Goods were consumed to Ashes. The good people there, and in the neighbouring Towns, have been liberal in their Charity to the Man. By the next Thursday night his Neighbours had hauled out all the Timber for a new Frame, which was set up within seven Days from the burning of the House, and they are going on with it.

The account further states that people in Portsmouth contributed money for his immediate needs in liberal amount. The paper takes the occasion to read a warning lesson against bringing flax stalks into the house, owing to its inflammable character, but omits any reference to the lamp.

VISIT OF GOVERNOR SHIRLEY, 1754

The disputes with the Indians of eastern Maine at this time had arisen, as elsewhere detailed, from the encroachments of the settlers upon their hunting grounds and fishing stations. The owners of the New Plymouth Patent, claiming all the land from the Kennebec to the Sheepscot Rivers, and as far inland as Norridgewock, were making unusual efforts to occupy and improve their property. The Indians strenuously objected to further extension of English settlements, and to adjudicate this difficulty Gov. William Shirley and the Council, with a volunteer force from various towns in Massachusetts, set out from Boston by water, on Saturday, June 22, of this year. The Governor was accompanied by an imposing retinue of interested officials, including Colonel Mascarene, the Commissioner of Nova Scotia, Ex-Lieut.-Gov. William Dummer, while the troops, in transports, were under the command of Major-Gen. John Winslow.

The season naturally assured a pleasant and favorable trip to Falmouth where the parley was to take place, but by one of those tricks of the weather the squadron was shortly called upon to ride out a fierce gale. One of the clerks of a company sailing in a transport thus described their predicament:



libert pinx.

Pelham sc.

WILLIAM SHIRLEY
Governor of the Province of the Massachusetts Bay
1741-1756



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23 June Came on the Most Violent Storm that Ever Was Known att that time of the year the Wind South East We Steared for Piscataqua harbour and had Come With-In two Miles of it But Night coming on we tacked the Sloop about and Let her Run Before the Wind all Night After Break of Day the Storm Increasing and the Men almost all Sea-Sick It tore away our Gibb Saile which Put our Men Into a Great Surprise: We Made Way for Land and about one or two of the Clock Sailed into York harbour.

This was Sunday afternoon, at an hour when Parson Lyman was holding forth to his flock, and probably few were down on the waterfront to welcome the unexpected and distinguished visitors. York was not situated topographically convenient on the seacoast as a port of call between Boston and the eastern towns, and as a consequence few such expeditions found it necessary to enter the harbor. What occurred following the dropping of the anchors of these storm-tossed snows, galleys and sloops we are unable to say. Nine years before this Shirley had commissioned Jonathan Sayward in the Louisburg campaign and doubtless was personally acquainted with him, which would be sufficient for the young and now successful merchant, living in the finest house in town, decorated with trophies from the Cape Breton campaign, to invite the Governor and his party to accept his hospitality, and taste some of his choice wines and rum, on which he was then paying a considerable excise tax. Or Sir William Pepperrell just across the line in Kittery, hearing of the Governor's dismal voyage may have induced him to spend the night at Kittery Point. We have no local diarist for this period, and must leave it to the imagination. They remained in harbor throughout Monday, probably to straighten out the storm-tossed vessels and started for Falmouth on Tuesday morning. The company clerk gives us the following incidents connected with their departure:

25 June Sailed from York for Cascobay When Benjamin Kindale fell from the Bowl Spleate and Went under the Keele of the Sloop Came up att the Stearn and Sprang into the Whale Boate Laughing: Caleb Bean fell into York River and Drove down Stream twenty Rods and was taken up by James Sharp.

The "Shirley Galley" with its consorts, bearing Governors and Councillors in powdered wigs and officers in their red uniforms and glittering buttons, must have been a marvelous sight for the villagers of this frontier town, and one

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long to be remembered by them in their fireside discussions at the Green Dragon and Ingraham's.

AN EARLY CONTROVERSY ON THE LIQUOR QUESTION

On June 15, 1754, the General Court, by a vote of fifty-two to seventeen, passed an act granting an excise duty upon wines, distilled spirits, limes, lemons and oranges, sold by retail. This combination suggests many things. It was regarded as a new, annoying and unconstitutional method of taxation. The House, in explanation of its passage, stated that it was "a salutary Excise Bill whereby all that consumed spirituous Liquors, the Rich as well as the Poor; those who consumed them for Luxury, as well as those who consumed the same for Necessity, might pay the Excise therefor." The Council at first refused approval but later relented and gave its consent. Governor Shirley on June 17 sent a message to the House in which he said it would be "imposing a *Burden* upon the People which would be inconsistent with the *natural Rights* of every private Family in the Community . . . to be subjected to keep and render an Account of the Quantity of the excisable Liquors, which they shall consume in their *private* Houses to Collectors and their Deputies," under penalty for refusal. He recommended to the members that its operation be suspended until it had been printed and sent to the towns during the recess, and "yourselves informed of the general Sentiments of the Country." The Court was adjourned till October 17 to await the results of this important referendum. The York representative, John Bradbury, had voted against its passage.

Meanwhile, the usual number of inevitable pamphlet-eers rushed into print. At least ten of these political infusions were issued in that year with such fanciful titles as "the Cub new-licked"; "the Eclipse"; "the Relapse"; and "Monster of Monsters" by Tom Thumb, Esq. In the "Crisis" the author asks, "Is there a New England man weary of his Priviledges? If this is not the case, and God forbid it should ever be, we shall unite to a Man in instructing our Representatives tenderly to cherish LIBERTY and PROPERTY and defend us from so grievous an EXCISE." He closed with this tribute to the Governor:

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“Awake, ye Bards, the sprightly Lyrick
Now Hey for Praise and Panegyrick.
The *Monster* Slain, the People freed,
And Wreaths round SHIRLEY’S glorious Head.”

One writer asks, “How would a Man of any Spirit after he had given an Account bear to be accosted by a *little dirty Fellow*, with a Sir, I do not believe you have given a true account, you must Swear to it?” The objectors called it an invitation to perjury and bribery and corrupter of morals, charges that sound familiar at the present time. Evidently our forefathers took their liquor seriously. When this bill reached York a town meeting was held August 1 that year, and the following sentiment was expressed, possibly influenced by these vigorous pamphleteers:

Voted, That the said Bill (in the apprehension of the Town) is Grievous, burthensome and Inconsistent with the natural Rights of every private Person & Family: and that Mr. John Bradbury, their Representative, not only continue his Endeavours against the said Bills passing, and thereby comply with the Sentiments of his Constituents, but also Return his Excellency Thanks of this Town, for his Paternal care of their Rights and Privileges, so dear to them and giving them opportunity of standing up for the same, praying his Excellency the Bill may not pass into a Law.

When the General Court reassembled after the recess the same bill was repassed with a more stringent provision than before respecting reports of the private consumption of liquor, a section not in the original bill. Every person consuming liquor in their home, not purchased from an innkeeper or a retailer, was required to render an account of the amount so used. Exemption was made in favor of the Governor, the President and Fellows of Harvard College, settled ministers and grammar school masters. As York had only two ministers and one grammar school master, this class distinction had little interest for the general run of tipplers.

As an example of the tax paid by York’s most sumptuous householder, Jonathan Sayward in his records shows that in three separate years it cost him £16-10-0, £11-10-8 and £13-17-6 for his family consumption in twelve months. The tax being four pence a gallon for rum and six pence for wines, the curious can figure out how many gallons were drank in his house in a year.

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THE EARTHQUAKE OF NOVEMBER 18, 1755

Seventeen days after the disastrous earthquake which nearly destroyed Lisbon, Portugal, when sixty thousand persons were killed by falling buildings New England was visited by another earthquake, the most severe in its history. It occurred on Tuesday morning, just before daylight, the moon about two hours high, the heavens clear and an unusual stillness prevailed. Sleepers were awakened by violent rocking of beds, the falling of bricks from the chimneys, pewter platters tumbling from the dressers, and the creaking of timbers as houses swayed with the vibrations of the quake. For nearly two minutes this awesome tremor kept up, and people rushed out into the open for safety. Animals added to the tumult by neighing, lowing, and the howling of dogs and the startled cackle of fowl gave evidence of their reaction to this terrestrial disturbance. The movement of the quake was in a northeast and southwest axis at first and it was followed by a sort of vibratory action, Chimneys bore the greatest injuries being generally broken at the roof line and otherwise twisted out of position. The Ingraham brick house was badly shaken up, bricks being loosened and cracks in the walls started. About an hour after the first shock another one followed, but of lesser intensity, and for the next four days slight rumblings ensued, tapering off, as it were, while the earth's crust was getting adjusted to its new position. As far as known there was no loss of life during this phenomenon in York. It made a profound impression upon the community here as elsewhere, and in a day when the minds of the people were easily excited by such manifestations of "Divine Displeasure" the ministers in the town took advantage of it to revive the faith of those heretofore careless in their church life. Fasting and prayer in frequent meetings resulted in renewals of the covenant by many as is told in connection with the pastorate of Isaac Lyman and Samuel Langdon.

EMIGRATION EASTWARD

About the year 1760 the "Course of Empire" moved from York in reverse gear, and about a dozen families of this town removed to the near and distant parts of the British provinces. Branches of the Banks and Weare

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families went to Nova Scotia; Stovers, Prebles, Hutchins, Westcotts and Perkins to Penobscot, Castine and Sedgwick; Prebles to Machias, Bowdoinham, Georgetown and Boothbay; and Moultons to Bath.

THE NEW KING

On October 25, 1760, George II of unimportant memory was gathered to his fathers and his son automatically ascended the throne as George the Third, who was to become of very important memory to the people of this country. News of his accession did not reach York until about January 5 and the usual gatherings in the taverns toasted the health of His Majesty with the formal phrase: "The King is dead, long live the King." Some of them drank it loyally while to others it simply meant another drink.

RETURN OF WANDERING YORKERS

In 1763 the town welcomed on their return two prominent absentees. On May 17 Nathaniel Barrell, son-in-law of Judge Sayward, came home from London after an absence of three years, "to the great joy of his friends" (*Bradbury, Diary*), to which may be added, in all probability, his wife, Sally Sayward.

A month later Capt. Johnson Moulton, who had been absent "in the wars" for more than two years, also resumed his life here under more peaceful conditions. On August 11 following, by proclamation of the king, a public Thanksgiving was observed in the town on account of the reestablishment of peace by treaty.

WRECK OF A YORK SLOOP IN 1763

The *Boston News-Letter* prints the following account of the loss of a York vessel, which foundered off Cape Ann in January of this year. The name of the sloop is not given, and the Master's is given as Adams. She was from Boston bound for "Old York with a very valuable Cargo" and was cast away in a storm "on a Place call'd the Salvages near Cape Ann the 5th of this Inst." It states that she got clear of the reefs, and then sprang a leak, and that a passing vessel tried to transfer those on board but the seas were so high that it was impossible, and "Every Soul

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being 8 in Number, Passengers included, perish'd in the Water."

PROPOSAL FOR A UNION OF THE COLONIES

When the famous Jonathan Mayhew, who had visited this town in 1743, published in 1750 his remarkable "Discourse on Charles the First and the Doctrine of Passive Obedience and Non-Resistance," he kindled the spark which set all the thinking men in the colonies by the ears, and it soon grew into a blaze which never died out until Lexington and Concord. In 1754 the ideas of this pamphlet found expression in a resolve of the General Court in favor of a union of the colonies for mutual protection. It passed by a narrow majority, 41 to 37, as the proposal was full of explosive material, and among the negatives was John Bradbury of this town. Col. Jedediah Preble, a native son, then representing Falmouth, was with the majority. Twenty years later John Bradbury presided at a patriotic meeting here that gave voice to the spirit of union with the rest of the colonies.

EARLY TRAVELING TRADESMAN

In 1763 one William Davies "lately come from England," advertised that he would be in York on specified days of the week, regularly, to full and dye cloths, and remove stains and grease spots from all kinds of fabrics. He was the forerunner of the peripatetic peddler.

THE NON-IMPORTATION AGREEMENT

The frugality cry, "save your money and you can save your Country," following the lead of the merchants of Boston in the non-importation policy, was taken up by the church here as a patriotic duty, as a result of a meeting called for this purpose. It was in effect an embargo of self-denial against articles of luxury, such as silks, furs, millinery, glue, starch, cheese, glass, paper, etc., hitherto imported from England. The towns generally in New England adopted this form of commercial "boycott," as a protest against the Townshend Acts of 1767.

Next year the first troops were sent from England to enforce these laws. The people resented this open intimidation, and when General Gage needed transports, his

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request of the owners of vessels in York to furnish shipping for the use of the troops was refused. In these ways this town testified its adhesion to the cause of liberty and freedom when the occasion required.

BURNING OF REV. MR. LANGTON'S HOUSE IN SCOTLAND

From the issues of the *Boston Chronicle*, November 21-28 and December 12-19, 1768, the following account of the destruction of the parsonage at Scotland is taken, as furnished by "correspondence" from Portsmouth and York:

We hear from the upper parish in York that on the Ninth inst. the dwelling house of the Rev. Mr. Samuel Lankton of that place, with great part of the household furniture, cloathing &c. was consumed by fire. The family was in great danger of perishing by the flames, it happening about midnight, two or three children saved their lives by jumping out of the window in the back part of the house. The fire broke out in the kitchen, and was first discovered by the servant maid, so that the family, consisting of thirteen persons were mercifully alarmed and escaped the flames, only a few household articles and some wearing apparel was saved. This melancholy accident has involved a very large and worthy family in great distress, they being almost entirely destitute of food and raiment. Their loss is estimated at upwards of £3,000 old tenor being nearly everything they had in the world.

A HEAVENLY PORTENT

While this was not a purely local happening a correspondent of the *New Hampshire Gazette* from this town, under date of June 28, 1770, sent the following item: "A COMET now appears in the Heavens as large in Magnitude as any of the Superior Planets." Another observer called it "a fiery comet nearly in opposition to the sun." As these mysterious celestial visitors were always a source of wonder and awe in an age when superstition was rife one can readily believe that the universal prediction was that "somethin' awful's goin' to hap'n," and it did.

Fin de Siecle

By the time the town had arrived at the year marking the hostilities which opened the Revolution, it had settled down into an orderly community which maintained the regular habit of transacting the routine business of choosing officers annually, drawing names of jurors out of the box and then adjourning. Aside from its participation in the current political agitations of the times, nothing of purely local interest occupied their attention. The last

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act of the citizens in 1775 was to hold their annual town meeting on March 14, at which the only business transacted was the election of officers, as though no crisis was impending.

Joseph Simpson, Esq., was chosen Moderator, and Daniel Moulton Town Clerk.

Dr. John Swett, Edward Grow, Joseph Grant, Jeremiah Weare and Samuel Harris were elected Selectmen and Assessors.

Nicholas Sewall and Thomas Bragdon were chosen as Wardens; Thomas Nowell and Matthew Ritchie as Constables.

Besides these, the following named persons were selected to fill the minor town offices:

Surveyors of Highways. Enoch Hutchins, Henry Talpey, David Sewall, Esq., Dr. Job Lyman, John Sedgeley, Matthew Austin, Ebenezer Sayward, Thomas Bragdon, Jonathan Nowell, Jr., Samuel Shaw, Jr., Joseph Hasty, David Preble, Daniel Blaisdell, Nathaniel Moulton, John Kingsbury, Samuel Parsons, Jotham Trafton, Ebenezer Blaisdell, Jr., George Moore and John Stone.

Fence Viewers, Field Drivers and Hog Reeves. Peter Littlefield, Abraham Bowden, Josiah Stone, Paul Dudley Woodbridge, Joseph Bragdon, John Stover, Nathaniel Abbott, David Grant, Abel Moulton, Jr., Nathaniel Swett, Daniel Bragdon, Jr., James Junkins, Jr., Samuel Kingsbury, Joseph Nowell, Samuel Linscott, Daniel Grover, Jonathan Farnham and Joshua Moore.

Tithing Men. Samuel Nason and Joseph Grant.

Sealers of Leather. John Sewall and Joseph Grant.

Culler of Fish. William Moore.

Surveyors of Lumber. John Stover, Richard Trevett, Joseph Bragdon, Joseph Grant and John Stevens.

Culler of Staves and Hoops. Samuel Derby.

Sealers of Wood. Caleb Preble, John Stover, Cotton Bradbury and John Weare.

Surveyors of Clapboards and Shingles. John Stover and Cotton Bradbury.

With these men at the helm the town faced the inevitable Revolution, after providing that the Constables should pay over the town monies to the Treasurer elected by the Provincial Congress, and agreeing to indemnify them for their acts in this respect.

CHAPTER XXXIII

LOOSENING OF THE MATERNAL TIES

1760-1774

The conquest of Canada, with the elimination of their ancient enemies the French from their flanks and rear, gave the colonies a welcome sense of security which they nor their ancestors had ever before known. They were now able to live in security and develop their destinies untroubled by dynastic wars in Europe or fearful of savages now deprived of their former allies. This situation inevitably led to a sense of new-born strength and the consciousness of future invulnerability. The three thousand miles of ocean separated them from everybody. Herein dwelt the germ of emancipation from interference of external control and the loosening of the ancient maternal ties. They were never cordial nor strong, but "independence" was a strange word in their political dictionary, and nobody knew how to define it, or give evidence as to its effects. Englishmen had never visualized a state of society without a king and submissive subjects, the one to rule over them by Divine Right, and the other to tremble at his commands.

At this juncture the stupid, prerogative-ridden George, third of his name, unable to speak English, came to the throne from his Hanoverian environment to rule over Englishmen in America who couldn't speak German. This was one of the underlying causes which started the loosening of the old ties and led up to the rupture. War, so far as York is concerned, began in 1765 as it did elsewhere. The passage of the Stamp Act on January 10 of that year aroused great resentment in the colonies and the people here entertained the same sentiments regarding it as an invasion of their "rights." Mob violence against the few customs and revenue officials who tried to put it into effect resulted, and the offices were looted for the objectionable stamped papers and the documents committed to public bonfires. The Act was repealed in March 1766, and news of the event reached York on May 17 by an express from Boston, and it can be believed that the joy of the towns-

HISTORY OF YORK

people was expressed in the ringing of bells, drums beating, colors flying, gun firing and — loyal toasts drunk to “the Great Pitt.” Then arose the problem of reimbursing those officials whose offices, houses and personal property had been destroyed by the “Sons of Liberty.” These innocent officials suffered great losses as they were only performing their duty in enforcing an Act of Parliament. They appealed for relief to the king and he recommended that the Province give them compensation. The House of Representatives voted to refer the matter to the country “for the purpose of knowing the Minds of their respective constituents.” A town meeting was called to meet here Monday, July 21, 1766, to consider the reference. “After some Debates,” it was voted that in the opinion of this Town:

a Just and faithful examination and enquiry be made: who are the sufferers; what there Loss & Damage is: and whether all circumstances considered they all shod be made whole. only such as may appear to be fit subjects of it. That this enquiry be very Scrutenous: That best endeavours be used to find out where or by whom these Sufferers shall or ought to be compensated; either by any Particular Town or Towns or the Province in General: and however this may turn we conceive it ought finally to be made good and paid by the Person or Persons who committed these most horrid and Detestable Violences: and this we strictly enjoyn our Representative to use his utmost power and Influence to affect.

This cautious statement of opinion closed with an expression of confidence in “our present Representative” (Jonathan Sayward) and the decision was left to his discretion (*T. R. ii, 156*). It is apparent that the influence of Mr. Sayward can be seen in the ambiguity of this action, but it was the last time that his views found voice in the town counsels. This was followed by the Act of Parliament, passed June 29, 1767, imposing duties on imports of paper, glass, painters’ colors and teas, combined with the establishment of a Civil List to be paid out of this tax and the surplus revenue to be at the disposal of Parliament. The General Court met this situation in February 1768 by taking the next step in the great drama. By resolution it invited the other twelve colonies to form a Confederation to deal with these laws and obtain redress by a united front in dealing with the Ministry. Jonathan Sayward, the representative from York, spoke and voted against sending such a letter, but it was passed by an overwhelming majority, against the protest of Governor

LOOSENING OF THE MATERNAL TIES

Francis Bernard. This royal representative, as the mouth-piece of a class of politicians of the die-hard conservative upholders of "prerogative," was adding his mite to the widening of the threatening breach. He refused to grant charters to new towns in Maine, because it would result in sending new members to the General Court hostile to the king! Sayward was one of his chief supporters. The English government condemned this intercolonial letter as "highly inflammatory and tending to sedition" and commanded the Court to rescind the resolution without delay. This was boldly refused by a vote of ninety-two to seventeen and Governor Bernard thereupon prorogued the session and declined to issue precepts for a new election. Sayward was one of the "17" notorious in that day as "Rescinders," and the only one in Maine to support the demand. Excitement ran high, and broadsides, caricatures and newspaper articles expressed the general condemnation of the minority. The "92" were acclaimed in prose and verse, toast — at banquets as patriots. In a broadside dated June 30, 1768, entitled "The Rescinders," their excuse for voting to submit is thus pilloried:

Is this the Language of the brave, the just
The Guardian Gods in whom the People trust?
Detested TRAYTORS, fly the Sight of Men
And never dare to mention RIGHT again.

Paul Revere designed a caricature entitled "A Warm Place — Hell" which pictured the monstrous open jaw of a dragon, with flames issuing forth; and the devil with a pitchfork driving the "17" Rescinders into the fire, exclaiming: "Now I've got you — a fine haul, by Jove." The leading man in the company of the "17" is shown reluctantly facing the belching flames and an imp flying overhead, about to prod him with a three-tined fork, cries out: "Push on Tim," referring to Timothy Ruggles of Hardwick. John Calef of Ipswich is shown with a calf's head, but no other figure has any identifying marks. Underneath the caricature is a descriptive verse:

On brave *Rescinders* to yon yawning cell
Seventeen such miscreants sure will startle Hell
There puny Villains damn'd for petty sin
On such distinguished *Scoundrels* gaze & grin.
The out-done *Devil* will resign his sway
He never curst his millions in a day.

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Upon this situation York responded with no uncertain voice, in a few words, but patriotically to the point. At a town meeting held September 13, 1768 they voted: "this Town highly approve of the Proceedings of those of the late Hon^{BLE} House of Representatives who were not for rescinding

Voted, that this Town Sincerely thank the late Hon^{BLE} House of Representatives, who were for maintaining our Just Rights and Liberties" (*T. R. ii, 160*).

The town had made itself heard, but the voice was not the voice of Jonathan. He was no longer its Sir Oracle.

From this time forward began the political and social cleavage of opinion between the two opposing philosophies of government-conservative and liberal or independents. The formal records of town meetings do not give us a complete picture of the rival forces. We must find it in the private letter or the contemporary diary. From one of the latter sources we get a view of personalities and current events. John Adams in his diary (1770) has preserved his impressions of the situation in this town, as told him by his landlord of the Woodbridge Tavern, concerning the controversy of 1768. Adams writes that he was told by "mine host" that

David Sewall is not of the liberty side; the Moultons, Lymans and Sewalls and Sayward are all of the prerogative side. They are afraid of their commissions; and rather than hazard them they would ruin the country. We had a fair trial of them when we met to return thanks to the ninety two anti-rescindors; none of them voted for it though none of them but Sayward and his book-keeper had courage enough to hold up his hand when the vote was put the contrary way.

The identity of this bookkeeper is not known. "The Moultons" were Daniel, Judge of the Inferior Court of Common Pleas (1766), and Jeremiah, Tertius, Sheriff (1761), and their families; "the Lymans," then of adult age, were Dr. Job and his nephew Theodore. The "Sewalls" included David, Register of Probate (1766) and Justice of the Peace and Quorum (1767), and his brothers, but the chief of the "prerogative" faction was Jonathan Sayward, of whom an extended account is given in another chapter. It is easy to see that the recipients of favors from the Royal Governors had no appetite for political agitation, that looked like a challenge to established authority.

LOOSENING OF THE MATERNAL TIES

No action seems to have been taken in 1770 about the "Boston Massacre" on March 5 of that year. The succeeding scenes in this drama followed in regular order towards the climax. On December 28, 1772, the town passed the following resolution:

1. Resolved, That as the Inhabitants of this Town are faithful and loyal Subjects of his Most Gracious Majesty, King George the third they are well Intitled to his most Gracious favour; and to be protected and secured, not only in their natural and Constitutional Rights as Englishmen, Christians & Subjects; but in all and every, the Rights and Priviledges, contained in the Royal Charter of this Province.

2. Resolved, as the opinion of this Town, that divers of those Rights, Liberties and Priviledges, have been broken in upon, and much Infringed, to the great Grievance of this Town, and justly alarming to the Province.

3. Resolved, That in the opinion of this Town, It's highly necessary some just and reasonable Measures be adopted for the Speedy Redrefs of such Grievances, so burthensome and Distrefsing to us: which, if made known to our most Gracious Sovereign — We cant but flatter ourselves (as our cause is so just) that would be pleas'd to remove them. 1

4. Voted, that our Representative at the Gener Court, use his utmost Endeavours and Influence for the speedy Redrefs of our Grievances in such 3 wise, Moderate 2 and prudent 1 way and manner, as shall appear to him most fit & likely to take effect and as his Wisdom and Judgment shall dictate.

5. Voted, that the Clerk give out a Copy of the Proceedings of the Town at this Meeting to the Select Men, who are desired to Transmit the same to the Select Men of Boston: with the thanks of this Town to that Town for the early care they have taken of our Invaluable Rights and Priviledges and the Zeal they have for preserving the same."

As the political controversy approached the crisis Judge Sewall aligned himself with the vast majority of his neighbors in the town and Province, feeling that their desire for independence was natural and just. He became a staunch supporter of the Whigs, as the patriots were called, doubtless feeling that alienation of the friendship of all his old associates on a debatable political issue, even if it became a lost cause, was not worth the enmity that would embitter his life ever after.

Again, on January 20, 1774, a committee consisting of John Bradbury, Esq., Thomas Bragdon, Esq., Capt. Joseph Holt, Capt. Daniel Bragdon, Capt. Edward Grow and Mr. John Kingsbury were chosen "to consider in

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what manner the Town's Sentiments may be best express'd on the present Independent Crisis and make report" on the following day. Their report is expressed in these resolutions which were adopted and a copy ordered sent to the Town Clerk of Boston:

At a meeting of the Freeholders and other Inhabitants of the Town of York, regularly assembled at the Town House on Monday the 20th day of Jany. 1774.

The Honble John Bradbury Esq. chosen Moderator.

The Town immediately proceed to choose a Comtee, namely: The Honble. John Bradbury Esqr, Thomas Bragdon, Esqr. Capt. Joseph Holt, Capt. Danl. Bragdon, Capt. Edward Grow & Mr. John Kingsbury to consider in what manner the Town's Sentiments may be best exprefsd on the present Important Crifis, and make Report to this Meeting upon ye Adjournment tomorrow.

Voted, this Meeting to be Adjourned to tomorrow, two oClock afternoon.

Upon the adjournment viz: Tuesday Jan. 21st two oClock afternoon: The said Comtee Reported, which, with the Amendments, is as follows: "The Comtee appointed by the Town to Consider in what manner their Sentiments may be best exprefs'd on the present Crifis, beg leave to report: —

1. That the People in the British American Colonies, by their Constitution of Government, have a Right to Freedom and an Exemption from every Degree of Opprefion & Slavery.

2. That it is an Efsential Right of Freeman to have the Disposal of their own Property and not be Tax'd by any Power over which they can have no Control.

3. That the Parliamentary Duty Laid upon Teas Landed in America for the Exprefs purpose of raising a Revenue, is in effect a Tax upon the Americans, without their consent.

4. That the several Colonies and Provinces in America have ever recognized the Protestant Kings of Great Britain as their lawful Sovereign: and it doth not appear that any Parliament have been parties to any Contract made with the American Settlers in this howling Wilderneys.

5. That this Town approve the Constitution Exertions & Struggles made by the opulent Colonies, through the Continent, for preventing so fatal a Catastrophe as is Implied in Taxation without Representation: — and that we are, and always will be ready, in every Constitutional Way to give all afsistance in our Power to prevent so Dire a Calamity.

6. That a Dread of being Enslav'd ourselves and of Transmitting the Chains to our Posterity, is the Principal Inducement to these Measures.

7. Voted, that the Sincere Thanks of this Town are Justly due and hereby are given to all such Persons in this and the several Provinces & Colonies on the American Continent, especially to our Brethren of the Town of Boston, so far as they have Constitutionally

LOOSENING OF THE MATERNAL TIES

exerted themselves in the support of their Just Liberties and Priviledges:

Which was Read Paragraff by Paragraff and accepted — And thereupon, Voted, that the Town Clerk Transmit a fair Copy to the Town Clerk of Boston: and then the Meeting was Dissolv'd.

An inevitable psychological reaction against extreme measures prevailed throughout the country after this bombardment of paper resolutions, and conciliatory measures began to find favor through the counsels of the Conservative elements. But the duties on tea still remained, and a boycott against its use was inaugurated by housewives and husbands. When Parliament insisted on its importation the Boston Tea Party of December 16, 1773 resulted. This was a local outbreak, but was secretly approved by the "Sons of Liberty" and their supporters. The people of New York and Philadelphia sent the tea ships back to London (*Holmes Annals ii, p. 303*). Back came the angry growls of the British lion. Closure of the Port of Boston followed. Acts of Parliament altered the Massachusetts Charter which increased the powers of the Governor arbitrarily, changed the manner of drawing jurors and provided for certain kinds of capital crimes to be tried in England. The reaction to these acts was definite and hostile. Nevertheless, the prospect of civil war rested heavily on the minds of many, not only in York, but in the entire Province. This sentiment was naturally fostered by the conservative element in this town of which Judge Sayward was the principal advocate. John Adams describes this situation in a letter to his wife from York, dated June 29, 1774, in which the Judge is pictured as the cause of the doubts of many as to the righteousness of the American cause. He wrote:

The prophet of York has not prophesied in vain. There is, in this town and county, a Laodiceanism that I have not found in any other place. I find more persons here who call the destruction of the tea mischief and wickedness than anywhere else; more persons who say that the duty upon tea is not a tax nor an imposition, because we are at liberty to use it, than anywhere else. I am told the Deacon insinuates sentiments and principles into the people here in a very subtle manner; a manner so plausible that they scarcely know how they come by them.

THE YORK "TEA PARTY"

On September 15, 1774, the Sloop *Cynthia*, James Donnell, Master, rounded Stage Island and came to an-

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chor off Keating's wharf, with a cargo for his uncle, Deacon Jonathan Sayward. The latter records in his diary that she came from Newfoundland. Ordinarily this was not an important entry in the Deacon's interleaved almanacs as he was an owner of several vessels engaged in the coastwise trade and they were constantly departing and arriving. But this particular arrival was of more than passing interest on account of her cargo. The interest was political, rather than commercial. It took some time for the facts to become known, but it was finally learned that Captain Donnell had aboard about one hundred fifty pounds of the contraband article, tea! Immediately the story of the picturesque Tea Party staged on the waterfront of Boston on November 13 of the last year began to be rehearsed, and the "Sons of Liberty" regarded it as a challenge to their embargo on this symbol of tyranny. Sayward notes that when this became a matter of town talk "a number were uneasy," and it was a week of "confusion." An impromptu town meeting was called on September 23, and a committee was chosen to seize it and thus prevent its sale and distribution. This informal committee proceeded to carry out their instructions, and despite the protests of Donnell they came aboard and forcibly removed the forbidden tea and took it to the store of Capt. Edward Grow on the river front below Sewall's Bridge, for safe keeping "until further Discovery could be made," according to a contemporary account. Meanwhile the "Sons of Liberty" were making their plans to show their compatriots elsewhere that York was not a healthy place for the importation of tea. The narrator of these events thus describes the climax as one of the witnesses: "And the Evening following a Number of Pickwacket Indians came into Town and broke open said Store and carried it off: which has not been heard of since." Like its famous predecessor the identity of this party of "Pickwacket" braves has remained a secret to this day, and the story of it has not been told for a century and a half. Thus York had its "Tea Party," though it has not been so well advertised as the Boston affair.

Then came the Continental Congress which met at Philadelphia September 4, 1774, and unanimously passed a Declaration of Rights expressed in fourteen articles.

LOOSENING OF THE MATERNAL TIES

In town meeting on January 9, 1775 it was voted that "this Meeting acquess in & approve of the 14 articles contained in the Continental Congress" and that a committee consisting of Mr. Joseph Grant, David Sewall, Esq., Capt. Daniel Bragdon, Messrs. Ebenezer Blaisdell Junior, John Weare, Caleb Preble, Edward Grow, Johnson Moulton, Jeremiah Leavitt, Samuel Harris and Dr. John Swett were appointed to carry out the provisions of the eleventh article (the non-importation recommendation?). The constables were ordered not to pay out any money "raised for the use of the Province" until authorized at the next town meeting. Capt. Daniel Bragdon was chosen Representative and David Sewall, Esq., John Simpson, Esq. and Dr. John Swett were delegated to give him written instructions for his guidance at the next Provincial Congress to be held at Cambridge. The instructions speak with feebler voice than could be expected in the matter of breaking connection with the English crown, but words are used to conceal thought and Sayward in his diary gives a closer view of the mental attitude of the people in these exciting months. The instructions read as follows:

Capt. Danl. Bragdon chosen to represent this Town in the next Provincial Congress to be held at Cambridge. Voted and granted to Capt. Danl. Bragdon, Fifteen Pounds on acct. of his Service as a Representative of this Town, and as a Delegate to the Provincial Congress. David Sewall Esq., Joseph Simpson Esq. & Doctr. Swett chosen a Comtee to draw up Instructions to our Delagate who is to attend at the next Provincial Congress and Exhibit the same to this Meeting as soon as may be.

The Comtee withdrew a short space of Time and then returning made the following Report.

"To Mr. Daniel Bragdon: Whereas you are chosen by the Town of York to represent them in a Provenial Congress proposed to be held at Cambridge some time in Febr. next: The Town think proper to give you the following Instructions:

That you do nothing that shall Militate with the proceedings of the late Continental Congress.

That you on no pretence whatever give your Voice or consent to Afsume any new form of Government.

That you do not consent or advise to any Infraction upon the Laws of the Province of the Mafsachusetts Bay made & enacted under the Royal Charter of *William & Mary*.

That you do not as a Congress afsume any Governmental Acts.

That to your utmost, you endeavour to prevent every Measure that shall lead the Province into a Civil War.

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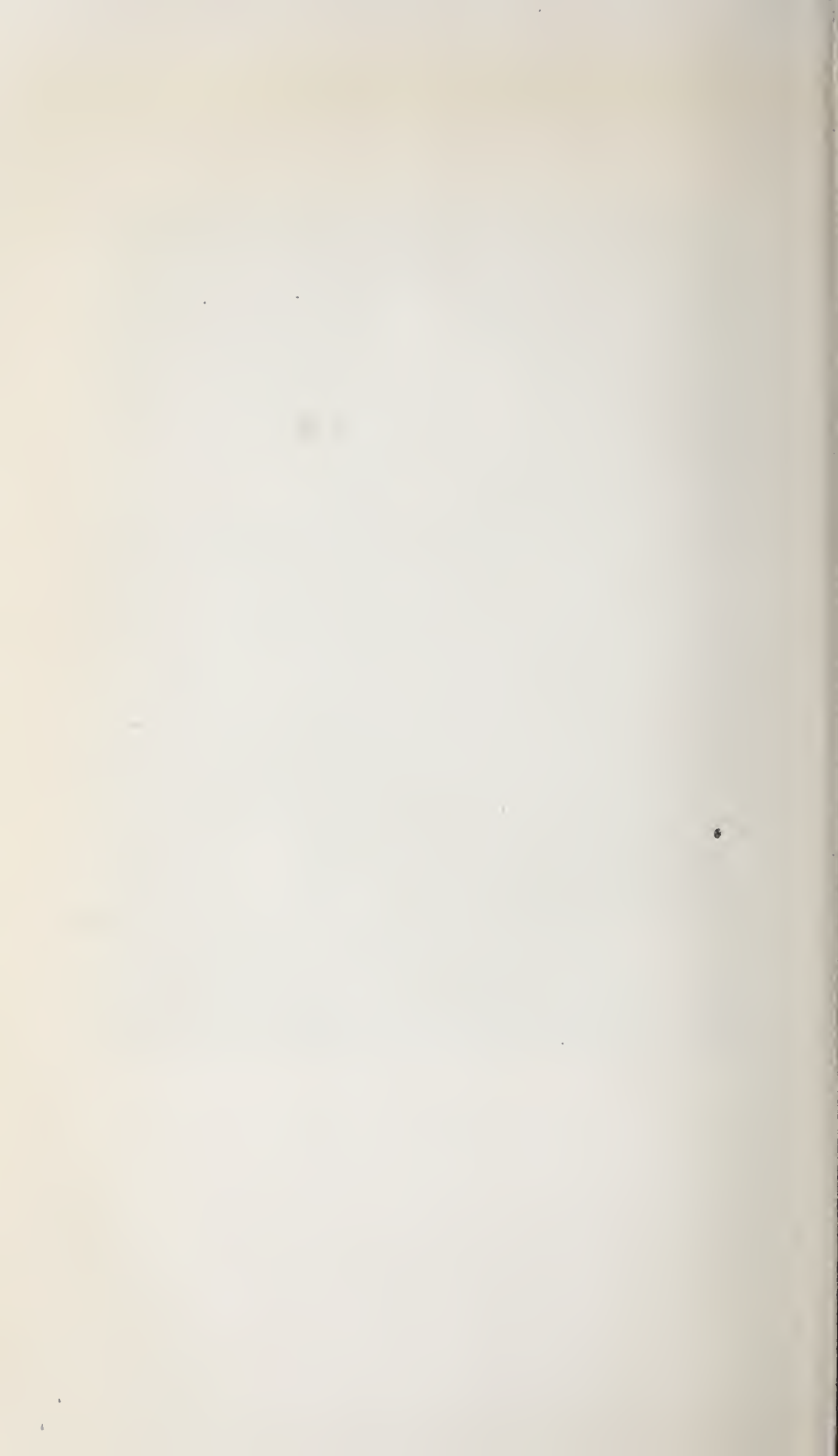
That should the Congress by a Major Voice Assume the Government or Adopt any Plan for a New Government: You immediately enter your dissent in the Name of your Constituents.” which being read by Paragraph was voted and accepted. Voted that the Clerk Record the Proceedings of this Meeting.

Nevertheless, the time for resolutions and arguments was past. The authority of the Crown was gradually weakening, and being transferred to local committees representing the “rebels.” The midnight hour for royalty in these colonies had struck.

Henceforth everything was done in the name of the American People.



JONATHAN SAYWARD
1713-1797
Justice of the Provincial Court



CHAPTER XXXIV

THE EVOLUTION OF A TORY

One of the distinctive historical characters of this town merits a special chapter to record the interesting story of his rise from a small beginning, the attainment of social and political leadership and his decline and fall in public estimation. This chapter is devoted to Jonathan Sayward. He was the eldest son and third child of Joseph and Mary (Webber) Sayward, born November 9, 1713. His father in his generation was one of the leading citizens in civil and religious activities of the town, a grandson of Henry Sayward, the miller. Of his father and great grandfather references will be found in their appropriate places and it will only be necessary to mention them as having a direct contrast with the subject of this chapter as to conditions of life in his boyhood. Joseph Sayward, one of the Elders of the church, was more enterprising than judicious, like his grandfather Henry, and by 1732 when Jonathan was but nine years of age he was so deeply entangled financially that the town unanimously passed a vote to take charge of his affairs "compounding with Sayward's creditors and paying his just debts." It is a fair conclusion that this object lesson of mismanagement and possible lack of thrift in his father (albeit with no taint of dishonesty), left its impress on the boy and instilled into him the value of prudent management of his affairs as he grew to years of discretion. Certain it is that as compared to his father's and great grandfather's business careers, his own success stood out in glowing colors. His father died in 1741 when Jonathan was twenty-eight years of age. By this time he had begun his independent career and his gradual rise in his small business world can be read in the public records of the county.

In 1735 he describes himself as a "laborer"; in a deed of 1740 he was a "coaster"; in 1750 he had become a "trader." It is easy to visualize his development from an employee to an independent business man. Concurrently he began to take an interest in public affairs. He was chosen town clerk in 1736; constable in 1741 and was

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commissioned in 1745 to command the sloop *Sea Flower* in His Majesty's service as a transport in the expedition against Louisburg. In this period he was accumulating and saving property. Like all active men living on the seacoast he naturally found opportunities for his genius in seafaring investments. In 1761 he had acquired interests in six sloops engaged in coastwise trade. Between the business of dispatch and return of his vessels he was using his spare funds in buying negotiable notes, discounting soldiers' wages, investing in mortgages and buying "Commons" rights in the town. In 1762 he recorded in his diary that he had two thousand pounds at interest. One of his sloops *The Three Friends* was sold for four hundred pounds sterling and the diversity of his mercantile ventures is illustrated in another entry in his diary the same year: "I put on board for Boston 500 lbs. beaver small fur" and 25 lbs. "Casters." Thus in his fiftieth year he had acquired a competence and on the last day of the year 1762 he piously entered in his diary: "Go with me, Oh Lord, into another year. Keep me company and let the blessing of God remain with me." He had become in this period of time one of the outstanding men of York and its leading citizen, whose reputation had extended beyond the confines of the town. In his diary, under date of November 30, 1761, he enters this record: "I heard I was appointed a Justice of the Peace; Lord help me in doing my duty and improving for Thee" was his sincere expression of obligation on receipt of this news of his commission at the hands of Governor Thomas Pownal.

The social and political position of Jonathan Sayward was now insured in the town and Province. He could contemplate his rise from the ranks of the common people through the social grades of laborer, coaster, mariner and trader to be addressed by his fellow citizens as the Hon. Jonathan Sayward. He was reappointed by Gov. Francis Bernard in 1768, a Justice of the Quorum, and in 1772 he was appointed a special Justice of the Court of Common Pleas and Judge of Probate for York County, and in 1774 his original commission was renewed by Governor Gage. It might well be asked what natural or acquired qualifications Jonathan Sayward, once laborer, coaster and trader, possessed to administer the judicial duties which devolved on him. It is evident that he was not himself insensible to

THE EVOLUTION OF A TORY

his lack of early training. The following letter to Governor Hutchinson shows his appreciation of this feature:

York, October 6th, 1770

Honord Sir:

I remember with gratitude the obligation you have laid me under in the late appointments of justices in our county. I am sure of their abilities and Disposition to do all the good they can.

Give me leave to hint an affair to your Honor for the good and use of all the Justices of the Province, which is this: there is no Direct and Particular Plan of Duty Pointed out that I know of for a Justice his rule to bring on and carry a Pross. unless he can pick it up out of our law or some authority which are calculated more for the Island of Great Britain than for us: however, we in the country cannot borrow those authoritys, nor are we at hand with Persons Cappable of giving advice, though to our honor I may say we have some in the country that are connessieurs in the Duty of their office: if your honor would advise that some would undertake to publish a small tract on that subject, it would add to the many obligations the province are under already to you. The late Mr. Gridley took in subscription for that purpose. Perhaps he partly executed his plan before his death; if so that might be got and the sooner finished I think it would not only be a public good but that the author might raise a Personal benefit. Our dependence on Mr. Gridley's performance Prevented our Laying out for other helps. I submit the whole to your Honor's consideration, and now say one word on Polliticks, this hath been the cry with us, better the ministry take away our privileges than we give them away, my answer is they had better take them than we throw them away, which in my weak oppinion we are doing fast. I am with all submission your Honor's most obliged and obedient Servant,

Jonathan Sayward

To the Honorable Thomas Hutchinson, Esq.

The town had already honored him as well as itself in choosing him as its representative to the General Court in 1766-7-8. In the latter year, under date of May 9, he entered the following in his diary: "Jonathan Sayward elected. Largest number voters ever — 129/ I had 67, Capt. Grow 40, Capt. Bragdon 22." By this time he was a full-fledged aristocrat and a Tory. The session of the General Court in June 1768 following his last election was exciting and epoch-making in the political history of that generation, and its acts proved to be the embryo of full-fledged Revolutionary activities. It is worth while to quote his diary for June of that year to learn his reaction to the decisions of the members:

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All this month in Boston doing my duety at the Generall Court in which time an event took place which may be fatal in its Consequence to the Libertys of this government. the Case was this: in the Session of last winter it was proposed to send Circular Letters to the other governments inviting them into a Coalition in Remonstrating to our Mother Country agin Certain Dutise and Revenues which they were pleased to Lay on us and to Cominto Certain Resolutions Ryspecting them which we had done. I was then in the House of Representatives and was much against Resolutions being sent in a Publick manner by authority. I then said it would bring the weight (of) ministerial Vengeans on this province. I have lived to see my Prediction fulfilled. We had this last Session an order from the Kings Minstr of State to Rescind that Letter and if we denied the governor is orderd to Dissolve the General Court: in the reasoning of the above I was one of the 17 that was for Rescinding and 90 that was against it: which Govt. Disorder have Infused and the 17 are treated with all Contempt and the printers are full against us. Time only will Disclose whether the 17 are in the Right or the 90.

This political skirmish was the most significant event in the long list of clashes which led up to the final arbitrament of arms. It forced a definite alignment of those who supported the royal "prerogative" and those who believed it was an outworn device to keep the colonists in a condition of subserviency to a foreign potentate, alien to their blood and ignorant of their tongue. The issue was vital and fundamental and as such became the occasion for a violent outburst of condemnation of the renegade "17," who were bombarded with every epithet from scoundrel to traitor in capital letters in the newspapers, broadsides and caricatures of the time. Sayward, being the only one from Maine who voted with the "Rescinders," was the target not only for local critics, but the object of bitter attack in common with his fellow members throughout the Province of Massachusetts. The "Sons of Liberty" dredged deep in the Thesaurus of Scurrility to hold up these seventeen Representatives to the contempt of the people. Sayward suffered with his associates in this paper warfare. He was caricatured in a drawing by Paul Revere of the group being driven into "Hell" by the devil, and in a broadside of 1768 entitled "The Rescinders," which in prose and verse stigmatizes them as puppets of Governor Bernard in various servile positions waiting upon him. Sayward is called "His E——y's Chief Soothsayer and Grand Oracle of Infallibility." This was one of the mildest characterizations of the whole number, but probably expressed an

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opinion generally held by the public, as evidenced in like terms by John Adams a few years later when relating the incidents of a dinner with the Judge.

This was the turning point in the political career of the Judge. He had aligned himself with the losing side and the unpopular party. After this events went from bad to worse in the political philosophy of Judge Sayward, as he was now a partisan of the Royalists against the colonial patriots. When in July 1773 the Council and House of Representatives sent a petition to the king asking the dismissal of Governor Hutchinson and Lieutenant-Governor Oliver, Judge Sayward expressed his opinion of this in his diary in these sincere words: "I think the Governor has been most injuriously treated by the Court and I think the Province will Repentt of this Conduct." Acts hostile to the Crown succeeded with rapidity and the disorder, in the opinion of the Judge, reached its climax in December of that year when the patriots, disguised as Indians, performed their historic defiance of the Taxation Law regarding a cargo of the well-known domestic beverage. In his diary December 17, he gives vent to his distress in this entry: "The men of Belial arose in boston and took Possession of the 2 ships of tea and hoised all out and turned it into the Dock." The Judge's cup of woe (but not tea) was now full. The spirit of revolt against taxation was reflected in the town itself among his neighbors, and this open defiance of authority aroused a great patriotic response here. A town meeting lasting two days (described elsewhere) resulted in resolutions approving the famous "Boston Tea Party" but not until, as Judge Sayward records in his diary, "after a most severe opposition made by Mr. Samuel Clark and my self got our resolves so far moderated as to thank them for what they had constitutionally done"! This concession to the feelings of Judge Sayward was a small reward for two days' debate, as the spilling of tea by a mob was neither constitutional nor legal. Judge Sayward adds: "The opposition to parliament will undoe us." The town meeting this year elected a new board of Selectmen in sympathy with the patriotic cause and social amenities were wrecked thenceforth. Judge Sayward records in his diary April 9, 1774: "After meeting the former select men and all the justices and most that are called tories did not join the company as

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usual but went to Woodbridges by themselves." The political line of demarcation was now developing into social cleavage.

We get a glimpse of the embarrassing position in which the Judge was now placed. John Adams, then a leading lawyer on the Provincial Circuit, came to York in June 1774, and thus records his meeting and conversation with Judge Sayward at a court dinner:

At York, at dinner with the Court, happening to sit at table next to Mr. Justice Sayward, a representative of York, but of the unpopular side, we entered very sociably and pleasantly into conversation, and among other things he said to me, "Mr. Adams, you are going to Congress, and great things are in agitation. I recommend to you the doctrine of my former minister, Mr. Moody. Upon an occasion of some gloomy prospects for the country, he preached a sermon from this text — 'They know not what they do.' After a customary introduction he raised this doctrine from his text, that in times of great difficulty and danger, when men know not what to do, it is the duty of a person or a people to be very careful that they do not do they know not what.'"

This oracular jingle of words which seemed, however, to contain some good sense, made us all very gay. But I thought the venerable preacher, when he had beat the drum ecclesiastic to animate the country to undertake the expedition to Louisburg in 1745 and had gone with it himself as a chaplain, had ventured to do he knew not what, as much as I was likely to do in the Expedition to Congress. I told the Deacon that I must trust Providence as Mr. Moody had done when he did his duty, though he could not foresee the consequences.

(Diary of John Adams ii, 339-40)

In this relation we have a picture of the leader of the Revolution and later the second President of the United States politically fencing across the table with our full-fledged Tory.

The incident of the importation of contraband tea into York in September by a master of a vessel in the employ of Sayward, as elsewhere related, served to inflame the Sons of Liberty against him, more than ever, and angry voices were raised against him in the town of Berwick. He relates this under date of October 25:

I am informed I am to be mob'd this day I have sent a letter to Benjamin Chadbourne Esq of Berwick to prevent it as the mob is to come from Berwick.

As far as known no personal violence was inflicted on him as a result of this warning, but he was beginning to taste

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of the fruit of unpopularity, and it was more than bitter. Such was the political excitement of the citizens that Judge Sayward declared he "would not sit in any case so as to give judgment," but adds that the Bench "broke up peaceably." In March he records that he was "threatened the whole of last week by the mob and in danger but not yet destroyed." The news of the beginning of armed conflict reached him on April 20. "I hear," he wrote in his diary, "an engagement Hath Happened between the King's troops and the inhabitants (at Lexington). Particulars not arrived yet," and the next day he saw "60 good men" march off from York to assist the "embattled farmers." Everything was now headed for disaster, in the opinion of the Judge.

It was now the opportunity of the townspeople to consider the attitude of the Judge in the past, as well as to obtain some hostage for the future. He had consistently aligned himself with those in authority who had been, in the opinion of the people, inimical to the liberties and rights of the colonists, a close friend and correspondent of Governor Hutchinson, even after he had abandoned his office and gone to England, and they resented his association with their enemies. They wished to clear their decks for action, and did not intend to harbor a potential enemy at home, while engaged in a death struggle with open enemies. So they appointed a committee to require him to disclose the nature of his correspondence with the late Governor and others of his party. This was made a matter of public record in the Town Books, and appears in the following language:

(The) Town having been somewhat uneasy and disaffected with conduct of Jonathan Sayward Esqr, supposing to be not hearty & free for the Support & Defence of our Rights, Liberties & Privileges in this Dark & Difficult Day, but rather the contrary:

He came into the Meeting & made a Speach: whereupon the Town Voted it was Satisfactory

At a Meeting of the Freeholders and other Inhabitants of the Town of York assembled on Tuesday the 16th of May, 1775, by adjournment from the 21 of April preceding:

The question being put whether the report of the Committee who were appointed at the beginning of this Meeting to view such Letter or Letters as Jonathan Sayward Esqr has received from the late Gov'r Hutchinson or others, and make such Remarks upon the same as they think proper who reporting that the Acct's he gave were

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Satisfactory to them, and Advise the Town to accept the same:
Voted the said Report be accepted.

Danl Moulton Town Cler.

In despair at the doings of the "madmen and hot-heads" he wrote that summer: "The common people may do as they please"! On September 12 his political trials were further weighted by the death of his wife, Sarah Mitchell, with whom he had lived for thirty-nine years. On December 31 of that year he enumerates the various afflictions that have befallen him domestically and politically:

I am now arrived to the close of the year through the forbearance of god it hath been a year of Extraordinary trials: beside the Death of my wife (the greatest of all) which is mentioned and remarked on the 12th Sept I have Lost a new Sloop Cast away this month and Suffered the Loss of one or more Cargoes in West indias and Lonely by the death of one and another but this is but small Compared with the Hazzards I have and am Still in on account of my political sentiments and Conduct. I have been Confined upon honor not to absent my Self from the town and a Bonds man Jotham Moulton Esq for my comptence often threatened afraid to go abroad, have not been out of town these nine months through fear though my business Greatly Required it the Loss of trade the Scorn of the abject Slight of friends Continually on my Guard all my offices as Judge of Probate Judge of Court of Common Pleas Justice of Quorum Justice of Peace taken from me Constant Danger of being Driven from my Habitation so much that I have constantly kept £200 Lawfull in Gold and paper currency in my Pocket for fear of sudainly being Removed from my Abode. I have been examined before Committees and obliged to Lay open my Letters from Governor Hutchinson to Swear to my private Conversation all the above I have Sufered from Principle I was one of the seventeen in the year 1767 or 8 that Rescinded as a member of the Generall Court I were originally against sending out the Circular Letter Inviting the other Governments into a Combination as it would bring Displeasure on this Government and I now apprehend it Laid the foundation for our Present Troubles/

One cannot but sympathize with him in his fallen estate. It appears from his diary that he endeavored to lighten the burden by filling the vacancy in his home circle with a second wife, but death intervened to prevent its accomplishment: "June 14 — Widow Mary Foster daughter of Mr Samuel Clark of York died. A woman of a superior mind; great Knowledge and esteemed Pious. I have had some thought of her if she had continued and I had changed my condition."

On May 14, 1776 humiliation added its sting to the

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injuries which he considered he had suffered in the cause of loyalty to his king: "I signed the Test act in the presence of David Sewall, Esq. and Job Lyman, Esq. and they are witness now."

It was now wartime and these exceptional measures were necessary to the success of the Revolution which was in full swing, but even in days like those the social amenities were not entirely withdrawn by those with whom he cared to associate. Those whom he called the "common people" and the "Scorn of the abject" did not extend to those who recognized in him the qualities of a gentleman though opposed to his Tory attitude. On June 26, 1776 he records that he was "invited to dine with the Judges of the Superior Court in this town. I went and Dined with them on my own accomp had a free Conversation of Different Sentiments in Polliticks The Conversation was agreeable to me and I apprehend so to them."

On July 17 he read the Declaration of Independence voted two weeks previously, at Philadelphia. Nothing could now surprise him. He was almost speechless. "Its all beyond my Debth," he wrote. "I am lost in Wonder." At the close of that year he was still incredulous and in his annual resumé wrote, "I firmly believe we shall be obliged to submit," but his mental distress was still unrelieved. He closes with this expression of his continued grief over what he considered the madness of the people and on the following day, the beginning of the new year, he continues: "If we succeed it will be many years after I and this Generation are gone before we shall feel any of the Comfortable fruits of Independence."

On July 21, 1777 he was brought before the Committee of Safety on suspicion of carrying on a correspondence in England. Some personal compensation, however, came to him on October 19 when he ended his widower's estate by marrying Mrs. Elizabeth Plummer of Gloucester, Mass., on which event his diary contains this aspiration: "The Lord make us Blessings to one and the other." The mental processes of the Judge are somewhat cryptic regarding his matrimonial connections if we consider an entry made in his diary some years later on an anniversary of his first wife's death. This was his comment: "I believe she hath been Happy ever since."

The remaining years of the Revolution found him

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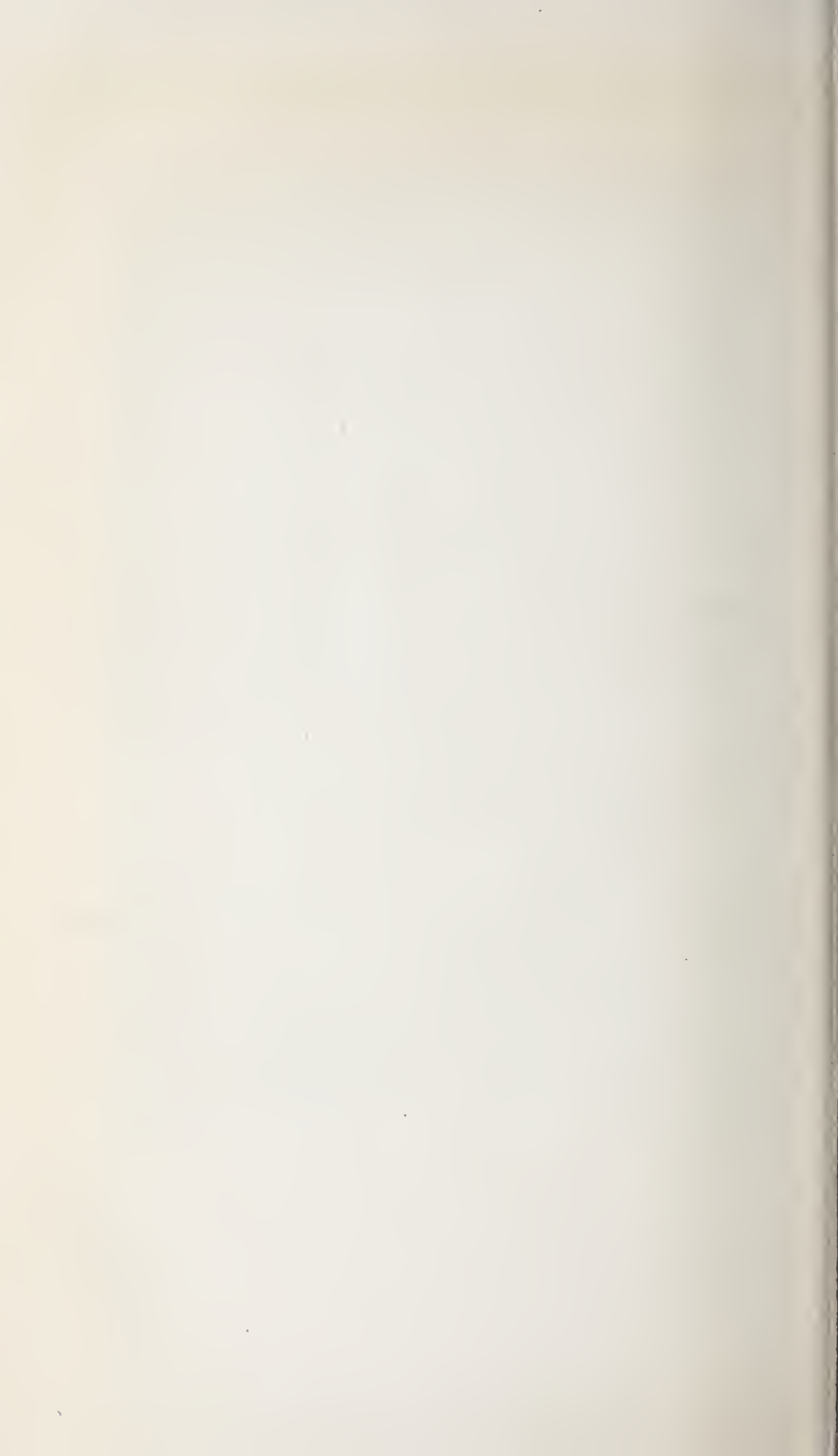
simply waiting the turn of events and on December 28, 1780 he had not yet lost confidence in his judgment of the result. He writes in his diary "Our independence is yet a great uncertainty whether we shall support it. My opinion hath been that we shall not and I am of that sentiment still."

At the close of the next year he generalizes his sentiments in these words: "Distraction is become common. New kinds of sickness, various opinions. . . . I had almost forgot to add we have new Polletitians & new Polliticks almost as strange as the other Disorders." On March 2 he records a "peaceable town meeting" and on August 8 following, he writes "the Enemy" when he corrects himself by continuing "or rather King's vessels are taking sundry privateers." The sturdy old Tory had unconsciously come to use the word enemy as descriptive of his king's defenders.

On April 29, 1783 he records: "A Day of Publick Rejoicing on accompt of Peace," the last act in the tragedy of his life which contradicted his diagnosis of the times in which he lived. His social evolution from a laborer to an aristocrat had distorted his judgment of the strength of the Democratic ideal and while he suffered indignities and deprivation of his official position and prestige as well as great financial loss through his loyalty, which proved to be a mistaken policy, he did not suffer the extreme penalty inflicted on others and he was spared banishment from his native country. While he never recovered his former high public standing in the Province, his fellow townsmen did not cease to look up to him as a natural leader in town affairs. He became Elder of the church. In the social life of the town his house was always a centre of gayety and luxurious entertainment. His diary gives us information of dinners at his house to the judges of the Court whenever they met in York. At these affairs wine flowed freely. At various times he records the purchase of "one Quarter casks of wine" for which he paid six pounds each. Bridal dinners with a "large company" were part of his social generousities. His large house was elegantly furnished for the period and a part of its furnishings consisted of chinaware, candlesticks and andirons, as well as other parlor decorations captured when Louisburg fell. He patronized the



CORNER CLOSET IN SAYWARD MANSION
Showing Chinaware Brought from Louisburg



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arts and a fine portrait painted by Blackburn of his only daughter graced the walls of his reception room. Another one of himself and one of his wife, which was unfinished and somewhat crude, displayed his intent to preserve his features for posterity. Public men visiting York were received at his house as a matter of course, and he notes the visit of an Italian nobleman on July 30, 1785 who was "making a tower of the States." He noted that "his waitting men appear better Dressed than himself." He mentions a visit from Dr. Elisha Perkins of Connecticut, the inventor of the famous Perkins' tractors, a panacea "which almost Instant cures any pulmenary Pluritick and Rheumatik Disorder."

A visit to Boston in 1783 resulted in the purchase of a new chaise for which he paid one hundred fifty dollars and we can picture him taking an airing with his family in this new vehicle and on occasional pleasant summer Sabbaths riding to Portsmouth to occupy the pew which he had bought in the church there at a cost of five hundred pounds "Hamshire money." His patronage of literature was also a part of his generosity and desire to acquire a liberal education. He was one of the subscribers to Prince's "Chronology of New England," and to Rev. Jeremy Belknap's "History of New Hampshire" and other like purchases are mentioned in his diary. He also patronized the "Publick Prints," as newspapers were then called, and read them carefully, as his diary testifies. One last political reference in his diary in 1789 relates the "Tumultous Rejoicing" which accompanied the visits of President Washington to Boston, Salem, Newbury and Portsmouth. The old Judge was still unreconciled. He notes that "vast crowds" came to see him "whome they called the Saviour of America," but the tone of his description of these events does not indicate that he regarded him in that light. His public and private charities were large and he supported all public improvements in the town with liberal subscriptions. His political contumacy can be overlooked in the finer qualities of his character as a man and a Christian. How far he accepted the changed political character of his native country is not known. Sixteen years after the defeat of the British Army at Yorktown the bitterness of disappointment had lessened, and under the social influences of good company and good wine at a

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dinner given to Judge Sewall and some visitors he heard "a long letter of 5 sheets Dated 30 of this month (Jan. 1797) from Mr (George) Thatcher (of Biddeford) from Congress as sensible and Prudent as any I have seen on Pollitiks," he wrote, and added: "We drank his health." This postprandial courtesy may be accepted as evidence that he had determined to bow to the inevitable.

The last entry in his diary April 21, 1797 records a severe northeastern storm lasting two days. The end of all earthly honors came to him on May 8, 1797. A grave-stone in the Old Burying Ground gives this just contemporary estimate of his life:

In memory of Jonathan Sayward, Esq., Amiable and Social in address: instructive and entertaining in conversation; benevolent, charitable and pious, uniting the Gentleman and Christian. Various offices, civil, judicial and ecclesiastical with honor and reputation sustained. He died May 8, 1797 ae. 84.

The *Columbian Sentinel* of June 3, 1797 recites at length the prevailing sentiment elsewhere regarding the loss sustained by the town and Province and Country at his death:

He was descended from ancestors distinguished for piety. His mental powers were strong and brilliant; for although destitute of a liberal education he acquired an extensive knowledge of men and things. He was several years a representative in the General Court; and in various judicial departments in the county.

The office of a ruling elder in the church he sustained at his death. His hospitality to strangers and his liberal distribution of the good things of life (which a kind Providence had bestowed on his laudable exertions), among the needy and necessitous, many, very many, with gratitude and pleasure recollect. The social and useful manner of receiving and entertaining his numerous and extensive acquaintances and connections, which he uniformly exhibited through life, was peculiar to himself, and in which few, if any, exceeded and rendered him uncommonly agreeable to all classes of people. His exemplary behavior in the possession of those duties which adorn the Christian character, was apparent in every place and station in which he was called to officiate. A very large and respectable collection of citizens on the 11th ultimo, with undissembled marks of esteem, respect and affection, attended the interment of this amiable, good man.

By his will he bequeathed the largest part of his property to his grandson, Jonathan Sayward Barrell, eldest son of his daughter Sarah, wife of Nathaniel Barrell, a few bequests to personal friends of his earlier days, being the only legacies outside his immediate family. His

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“Mansion House,” after the decease of his wife, who was given the use of one half, was bequeathed to his grandson, above-named; and it is now the property of Dr. Leonard Wheeler of Worcester, Mass., who occupies it as a summer home.



THE SAYWARD MANSION
Now owned and occupied by Dr. Leonard T. Wheeler

This closes the story of a career blighted by the Revolutionary maelstrom which carried him by Fate to the wrong shore, and left him a political derelict, stranded on the rocks. Had he chosen the other current in the beginning of the controversy, it is not improbable that with his natural talents, his wealth and his engaging personality, he would have risen to even greater heights in the new order of things, and attained higher political preferment in national affairs.

CHAPTER XXXV

YORK IN THE REVOLUTION

1775-1783

The record of the participation of this town in the great struggle for Independence has been told in fragments by various writers in the past, and the purpose of this chapter is to bring these scattered references into proper relationship to each other and to the larger story of the war itself. There need be no exaggeration of the importance of the attitude of the citizens of York regarding this epochal revolt, either in respect to priority of action, extent of commitment, or value of contribution to the general result. This town, as one of the hundreds in the colonies, did its duty fully as we should expect to find from the records which substantiate it. Its citizens were long of the opinion that the ultimate destiny of this continent did not rest in the conception of a dependent colony of a distant State, with no voice in its relations with the world at large. The people of England, if truly represented by the ministries of the kingdom, had little or no knowledge of the sentiments which actuated these colonists as freeborn Englishmen, and to a certain extent they were alien in thought as well as philosophy, to their kinsfolk on this side of the Atlantic. Five generations of the people of York had painfully hewn out of a "howling wilderness," as they expressed it, a country where Englishmen could live in civilized safety and it was natural that they should wish to become masters of their own political destinies, rather than the vassals of a distant monarchy. It was an inheritance of the breed that "Britons never shall be slaves," and York men of British blood grew up in the idea that it was incongruous for them to be the pawns of a European king. Every town in the thirteen colonies had this same sense of proportion — York as well as, but no more than, the rest. It is permissible on the Fourth of July to indulge in oratorical fireworks and exaggerate the part which any community had in beginning, continuing or ending the Revolution, but it is historically unsound to suggest that the Declaration of

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Independence was drafted here or that the idea of "taxation without representation" was born in York. Claims of this sort have been made by nearly every local historian from Maine to Georgia. It is well to be conservative in presenting the facts in the case. To have done its obvious duty always in these trying years is sufficient glory, and the plain historical record will give more than ample satisfaction when contemplating the patriotism and sufferings of these "embattled farmers" campaigning for national freedom. It is also to be said, as will be related elsewhere, that there were some persons of social importance and high character who did not approve of discarding the protection of the English government and undertaking the responsibilities of complete independence. Every community had its share of these people, usually of the wealthy, aristocratic class, who honestly entertained sentiments of loyalty to the king, but it was in its ultimate analysis a political revolution and unanimity could not be expected in such a rupture of traditional sentiments and ties. Early in April 1775 York was preparing for the inevitable conflict, which she refused to approve four months previously. The stupidly conceived acts of the British Ministers to coerce the colonists, together with the tactlessness of their officials here, slowly but surely invited the disaster. At Lexington Common and at Concord Bridge on April 19, the rustic militia received the baptism of blood in this sacred service. The die had been cast, at last, and the townsmen of York realized that the time for speech-making was over. Henceforth men of action took the front of the stage.

The clash of arms at Lexington
Awoke the martial fires
That slumbered in the sturdy hearts
Of our New England sires.

In twenty-four hours after the Middlesex farmers "fired the shot heard round the world" the town of York was in martial array.

A post-rider had arrived at nine o'clock in the evening of the day following the battle. No more prompt and effective response to the requirements of the crisis can be credited to any other town so far removed from that historic scene of action. The far-off echoes of yeoman musketry carried by hurrying post-riders became the

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bugle call "to arms," and on the second morning after that battle the Green in front of the Meeting House was alive with men eager to enlist and rush to the front.

The names of these brave and patriotic men who answered this first call to the colors are here preserved as taken from the Muster Roll of their company, to their everlasting honor in the annals of this town.

Pay Roll of a Company Raised by the Town of York and under the Command of Capt. Johnson Moulton Esq., April 21, 1775, as Minute Men of the Province of Massachusetts Bay.

Captain

JOHNSON MOULTON

Samuel Derby, First Lieutenant

James Donnell, Second Lieutenant

Sergeants

John Trevett

Joshua Trafton

Joseph Parsons, Drummer

Josiah Parsons

Edward Low

Benjamin Leigh, Fifer

Privates

Amos Main

William Grow, Jr

Josiah Moore

Ebenezer Moulton

Eliakim Hilton

Thomas Talpey

Storer Sewall

Elisha Horn

David Preble

Joseph Stanley

Theodore Sayward

Abraham Sawyer

Amaziah Goodwin

Daniel Raynes

Joshua Grant

Joshua McLucas

Roger Plaisted

Shubael Nason

Joseph Harris

Joseph Simpson

James Dempsey

Norton Phillips

David Grant

Daniel Lunt

Joshua Bridges

Spencer Perkins

Thomas Haynes

Richard Dean

Henry Sayward

Jotham Harris

Benjamin Cole

Jotham Donnell

John Young Jr

Arthur Bridges

Daniel Grant

John Nowell Jr

Elisha Boyce

Robert Bradeen

Benjamin Rogers

Ebenezer MacIntire Jr

Joseph Garey

Samuel Welch

Arthur Bragdon

Jonathan Welch

John Kingsbury Jr

David Davis

Samuel Garey

Thomas Welch

Reuben Freeman

Abram Moore

Jotham Harris

Cesar, (*Negro*)

(*Mass. Arch. vol. xiii, 10*)

YORK IN THE REVOLUTION

CAPT. JOHNSON MOULTON

This leader of York's first contingent in the Revolutionary War was a veteran in the military service of the Province, and his exploits in the French and Indian wars have been already detailed. He was the son of Ebenezer and Elizabeth (Harmon) Moulton, and he brought with him the experience and magnetism of the trained soldier. Although his friends and admirers urged him for command of the new regiment then organizing in the county, it was given to James Scammon of Saco, and on May 29, 1775 Capt. Johnson Moulton was commissioned as its Lieutenant Colonel. He served with that regiment at Cambridge that year, and in 1776 he served in the same capacity in the seventh Continental Regiment under Col. William Prescott of Bunker Hill fame. He served through the Siege of Boston and later, joining Gen. John Nixon's Brigade in Gen. Nathaniel Greene's Division, he took part in the Long Island campaign. He died June 13, 1793.

On April 22, 1916 the Old York Chapter, D. A. R., was granted authority to place a tablet "to mark the spot from which the sixty-three Minute Men of York, the first to enlist from Maine, set forth to the War of the Revolution." This tablet, mounted on a boulder, now stands in front of the old First Meeting House.

Truly this was a very busy day for the Shire Town of York and we can readily believe Judge Sayward's comment in his diary under date of April 21: "a Remarkable day the whole town in arms Listed and sent of 60 good men to assistance of the Country Round Boston with money drawn out of the County Treasurer £200 to the Care of their Capt. Johnson Moulton." Captain Moulton marched them fifteen miles well across the Piscataqua ferry. It is safe to say they were a lot of footsore patriots when they bivouacked that night. While this was going on the townspeople were in meeting assembled to provide legal authority for all this extraordinary activity against their sovereign. Provisions for the past and future situations were voted in these terms:

Voted: that the several Constables, as have any of the public Moneys of this Province in their Hands, or have any to Gather, & have hitherto neglected to pay the same; That they forthwith Collect and pay the same to Henry Gardner Esqr agreeable to the proposal of the

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Provincial Congress; and that this Town will Indemnify them for so doing.

Voted: that if the Constables are Deficient in their Collections or any part thereof, such Deficiency shall be hired & sent up by the Selectmen as soon as possible, to the said Gardner.

Voted: that Messrs John Swett, Edw'd Grow, Sam'l Harris, Joseph Grant & Jeremiah Weare be a Committee to Correspond with the several Towns in this Province.

Voted: that there be a Military Night Watch at the Harbour's Mouth, Constantly kept up: of four men each night: two on each side, and the Colo. of the Regiment of Militia be desired to regulate the same, and to include those of the Alarm List.

Voted: that the Selectmen at the Towns expence, procure a Sufficient quantity of Indian Corn, as they shall judge necessary for the Town Stock, & to be dealt out according to their discretion.

Voted: that the Committee of Inspection, with Jotham Moulton Esqr, Samuel Junkins & Matthew Richie, be a Committee to Waite on Jonathan Sayward Esqr for a View of such Letter or Letters, as he has received from the late Gov'r Hutchinson or others & make such Remarks upon the same as they think necessary & make report to this Meeting on the adjournment.

The committee charged with the embarrassing duty of putting Judge Sayward "on the carpet" promptly interviewed him, and as a result, as the town records state "he came into the Meeting & made a Speech: whereupon the Town Voted it was Satisfactory"; and his explanations of his correspondence with the king's officials were accepted.

After the return of this company from their emergency march, a realignment of the men available for military service was immediately necessary. In view of his experiences in the past Capt. Johnson Moulton was too valuable to be hidden as the captain of a company and he was strongly supported as a candidate for the colonelcy of the regiment about to be organized in York County. Meanwhile the town proceeded to meet the developing situation by forming a new company out of its first volunteer organization in May following, *viz.*:

Captain

SAMUEL DERBY

James Donnell, Lieutenant
Joshua Trafton, Ensign

Joshua Grant John Kingsbury Benjamin Lee, Sergeants

YORK IN THE REVOLUTION

Corporals

John Tinney	John McCaslin
Jotham Webber	Jotham Donnell
Joseph Parsons, Drummer	William Conway, Fifer

Privates

Austin, James	Lunt, Daniel
Beale, John	MacLucas, Joshua
Matthias	Main, Amos
Bean, Daniel	Moore, Abraham
Baker, Samuel	Josiah
Stephen	Morris, Richard
Booker, Nehemiah	Nason, Shubael
Bridges, Arthur	Nowell, Paul
Edmond	Peter
Joshua	Parsons, Josiah
Davis, David	Perkins, Spencer
John	Preble, David
Dean, Richard	Edward
Dempsey, James	Jedidiah
Donnell, Obadiah	Ramsdell, Nathaniel
Farnham, Jonathan	Sellers, James
Fitzgerald, James	Sergeant, William
Freeman, Reuben	Simpson, William
Grant, Daniel	Stanley, Joseph
Jasper	Sutton, John
Hill, Cornelius	Trafton, Eliphalet
Hilton, Eliakim	Webber, Daniel
Holt, Jeremiah	Welsh, Samuel
Horn, Thomas	Young, John
Lovejoy, Theodore	“Seasor, a Negro”

MAJOR SAMUEL DERBY

This gallant officer was born in Concord, Mass., in 1737, the son of Ebenezer and Eunice Derby of that town, and about 1767 he came to York, where he held the office of Culler of Hoops and Staves continuously until the opening of the Revolutionary War. He offered his services early and was commissioned Captain in the regiment of Col. James Scammon. They marched to Cambridge soon after the Battle of Lexington, 1775, serving until the end of that year in General Heath's Brigade. He commanded a company in Col. William Prescott's 7th Continental Regiment in 1776, and in Col. John Bailey's 2d Massachusetts Regiment in 1777. He was promoted to Major in 1778 and did service in the regiments of Colonels Brooks and Jackson.

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In connection with the record of the patriotic Derby, and as a tribute to his judgment in practical matters, it may be mentioned here that there is a letter extant, written by General Washington to General Heath, then at West Point, desiring him to get the opinion of Major Derby as to flat-bottomed boats most convenient for transportation on carriages. The letter was addressed: "Major Darby under whose care the boats were at Passaic." At that time the Major's name was written and pronounced "Darby," as it is in England today.

The Major, while in the military service, took with him as a body servant his negro "Prince," whose widow Dinah in her later years received a pension from the government. Her memory survived for many years in the name of Dinah's Hill, given to the locality where she lived. On his return to York in 1784, he resumed, like Cincinnatus, his job as Culler of Staves and Hoops, which he retained for a dozen years, and as became him as an original member of the Order of the Cincinnati. In 1800 he was on a committee of the town to celebrate Independence Day, and in 1801 was chosen to represent York in the General Court at Boston. The last public office which the Major filled was Collector of Customs for this port, succeeding Joseph Tucker. He died in office in 1807 and his son Reuben, formerly a merchant in Belfast, was appointed administrator of his estate and filled the office of Collector until his own demise a few years later. His last surviving descendant was Miss Mary Ann Soper Derby, who died at Alfred, Maine about forty years since aged ninety-one years.

In 1767, just before he came to York, Samuel Derby married Mary Soper of Concord. Their children were Reuben, Consider Soper, a daughter Mary and a son Samuel; the last two died in early youth. His residence and estate near Clark's Lane, later owned by Mr. Andrew Leach (1864), was purchased in 1770 of Jonathan Sayward. The previous owner was Nathaniel Preble, who bought it of Abraham Nowell, probably the original owner of the house.

CAPT. JAMES DONNELL

This officer was early associated with Major Derby as his First Lieutenant, when Derby's company was attached

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to Col. Scammon's regiment. Donnell later joined the company of Capt. Tobias Fernald January 1, 1776, with the same rank in the regiment of Col. Edmund Phinney, and on November 13, 1776 he was promoted to Captain. On January 1, 1777 he enlisted as a Captain in Col. Samuel Brewer's 12th Massachusetts Regiment, in which he continued for four years, resigning in 1781. He was at the Siege of Boston and later at Fort Ticonderoga. His company was in the fleet at Lake George in June 1777, and was in the retreat from Ticonderoga, finally arriving at Saratoga August 1, 1777, where he participated in the battle of Stillwater and the decisive battle of Saratoga, witnessing Burgoyne's surrender. His company then joined Washington's Army near Philadelphia, spending that winter at Valley Forge. On June 28, 1778 they fought the battle of Monmouth and later crossed the Hudson at King's Ferry. In August he marched his company to Danbury, Connecticut, to do guard duty there over the military stores. His later services were at West Point and at Peekskill, where he resigned as stated. This record covers the whole period of activity of the Northern Army during the war, and his company was at the front in every emergency. He was the son of James and Mary (Sayward) Donnell, born January 2, 1735-6, and married his cousin Hannah, daughter of Samuel and Elizabeth (Preble) Donnell, in 1768, by whom he had four children. He died July 31, 1784.

SEA COAST DEFENCE

Among the first enlistments for the military establishment in the defensive measures of the colony was the sea-coast defence troops, forming in all the New England colonies. The company recruited here in this town was under the command of Edward Grow, and the roster was as follows:

Edward Grow, Captain
Thomas Bragdon, First Lieutenant
Josiah Chadbourne, Second Lieutenant

Sergeants
Nehemiah Bean
Lewis Bean
Ebenezer Grant
James Gray

Corporals
William Babb
John Bennett
Joseph Beal
Samuel Furbish
Samuel Trevett, Fifer

Thomas Bickford, Drummer

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Privates

John Walker, Jr.
Benjamin Libbey
Maturin Baker
John Holmes
Robert Brown, Jr.
Josiah Spencer
Paul Ford
William Moulton
John Grover
William Grow, Jr.
Peletiah Simpson
Ebenezer Cole
Enoch Hutchins, Jr.
David Cane
John Carlile, Jr.
Charles (?) Perkins
Peletiah Perkins
Richard King

Samuel Donnell, Jr.
Benjamin Trafton
Andrew Rankin
Daniel Moulton
Daniel Hill
Josiah Card
Benjamin Simpson
William Smith
Peter Wittam
Ebenezer Welch
Abraham Bean
Elisha Matthews
Jeremiah Weare, Jr.
Josiah Beal
John Banks
William Emerson
Nathaniel Perkins
Abraham Boston

(*Mass. Arch. xxxvi, 77*)

Not all the soldiers from this town served under officers who raised companies in York. Early in the war Jeremiah Grover enlisted as Fifer and Daniel Preble as Private in the company of Capt. Thomas Fernald of Kittery in 1775.

On May 24, Daniel Bragdon was again chosen as Representative to the Provincial Congress to be held in Watertown on the thirty-first (1775), and "so on to the expiration of six months." David Sewall, Esq. and Edward Emerson were added to the Committee of Correspondence; and the next year, to conform to the general plan, the town revised the name to Committee of Safety, Inspection and Correspondence, and chose David Sewall, Esq. and Messrs Richard Trevett, Samuel Harris, Dr. John Swett, Edward Emerson, Jeremiah Weare and Joseph Grant as its members.

On May 16, 1776, the Selectmen were authorized and empowered to sell one of the cannon belonging to the town, for the use and purposes declared in the Militia Act of the Provincial Congress.

Joseph Simpson, Esq. was elected at this time as Representative to the General Court to be holden at Watertown, May 29 following. Town meetings were now coming fast on the heels of preceding ones. Three weeks later, on June 5, the "freeholders," as they called themselves, unanimously voiced the following fateful decision

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for the information of Mr. Simpson at the Watertown Congress, which deserves emphasis in larger type as a memorial of their splendid courage.

VOTED THAT THE REPRESENTATIVE OF THIS TOWN, NOW AT THE GENERAL COURT BE ADVISED: THAT IF THE HON'BLE CONGRESS SHOULD FOR THE SAFETY OF THE COLONIES DECLARE THEM INDEPENDENT OF THE KINGDOM OF GREAT BRITAIN THEY THE SD INHABITANTS WILL SOLEMNLY ENGAGE WITH THEIR LIVES AND FORTUNES TO SUPPORT THEM IN THE MEASURE. VOTED THAT THE TOWN CLERK TRANSMIT A COPY OF THE PROCEEDINGS OF THIS MEETING TO THE REPRESENTATIVE OF THIS TOWN NOW AT THE GENERAL COURT AS SOON AS MAY BE.

Fine as this was in sentiment and purpose, greatly helping to crystallize opinion, it was not a "declaration of independence," only an offer to support one when declared. That it invited such an end was enough. On June 17, the famous Battle of Bunker's Hill was staged after the Provincials had thrown up breastworks on Breed's Hill and challenged the king's troops to come over and take this hastily erected menace to the safety of Boston. The challenge was accepted and the resulting battle profoundly affected the political and military authorities of England. Three times the British Grenadiers charged up the slopes to meet the devastating musketry of the untrained farmers and fell back in dismay. Every canon of English military history had been shattered. For the first time the provincial militia had withstood a charge of professional soldiers, and shocked at the fearful toll of death the stolid minds of the British War Office slowly learned that they had a real foe to conquer or to salute as victors. Bunker Hill put the fear of God in the hearts of the Ministry and caution in the plans of their General here.

The actual Declaration of Independence was made by competent authority a month after York had spoken. The Continental Congress, on a day now known the world over, July 4, 1776, sent forth the clarion challenge to the powerful Kingdom of England to fight or withdraw

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its flag from the North American continent.¹ The war was now on. Additional men from this town found opportunity to serve their country this year in the company of Capt. Samuel Leighton of Kittery. Josiah Bragdon was his First Lieutenant; Joseph Wolsley was Corporal and Edward Raynes, Fifer. The following were Privates: Aaron Booker, Jedediah Blaisdell, Edward Came, Daniel Clark, Peter Grant, James Holt, Francis Lewis, Joshua Moore, Jonathan Sayward, William Smith, and Daniel Weare (*Me. Genealogical Recorder, v, 170*). Lieutenant Bragdon later succeeded to the command of this company and had Abraham Preble, Nathaniel Folsom, John Sayward and James Hill of this town with him (*Ibid. vi, 431*).

The picturesque and bold attempt of Generals Montgomery and Arnold, in the late fall of 1775, to invade Lower Canada, and their heroic attempt to capture Quebec in midwinter, to secure the adhesion of the inhabitants to the American cause, was brought before the town at a meeting held August 5, 1776, when the following action was voted in support of the campaign to detach that Province from English control:

At a legal Town Meeting holden in York August 5, 1776.

John Bradbury Esqr chosen Moderator.

Voted, that the non Commission'd Officers and soldiers who shall voluntarily Inlist themselves in the Service of the Expedition to Canada, agreeable to the present requisition, shall be paid out of the Town Stock, Twelve Dollars each; provided they proceed in that Expedition.

And to such as Inlist to Serve only this Colony, on the present requisition 8/ p month each, over and above their Provincial Allowance of Wages. And that a sum sufficient for the purposes aforesaid be rais'd on the Polls & Estates of the Inhabitants of this Town, and be paid out by the Select Men accordingly.

Dan'l Moulton Town Cler.

After this the town settled itself down to see the long struggle through to a finish, and the records of its meetings show that the freeholders were attending to its normal "business as usual," while its soldiers were in the field of battle, fighting for independence. As the theatre of war never reached the territorial limits of this town there are

¹The town records contain this immortal document copied verbatim as required by the Continental Congress. It was read "as soon as Divine Service ended in the afternoon of the first Lord's Day" after the printed copy arrived in town, which was on Sunday, July 17, in both parishes.

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no scenes of military glory to be depicted in the course of this narrative of events, but men from this town were tasting its sufferings in the terrible experiences of the winter of 1777 and 1778 at Valley Forge. Capt. Samuel Derby was on duty there with his company attached to the regiment of Col. John Bailey, and the following soldiers from York were under his command and shared with him the privations of that campaign:

Eliakim Hilton, Ensign; Daniel Webber, Sergeant; John Young and Stephen Young, Corporals; with these Privates: James McDonald, Edward Moore, Joseph Parsons, Spencer Perkins, John Perkins, Daniel Preble, Abraham Preble, Henry Sayward, Paul Webber and Nathaniel Young. William Preble of this company was killed in an engagement. (*Mass. Archives x, 81.*)

The town appointed a committee to assist in the enforcement of the new provincial law to regulate prices of staple commodities and essential services, enacted to prevent monopoly and oppression. This matter claimed the attention of the town for a year or more. On March 20, 1778, Colonel Grow, Joseph Grant and Nicholas Sewall were chosen as the Committee of Correspondence, Safety and Inspection, and "the same gentlemen to be a committee to supply the Families of Soldiers of this Town in the Continental Service."

On May 11 following, a bounty of sixty pounds was voted to the sixteen soldiers who should enlist for nine months service to reinforce the Continental Army "and actually serve therein." The same amount was offered to four more "to be raised in the two companies of the Second Parish for eight months to make up their deficiency." In September an additional requisition for twelve hundred troops was made by the Provincial Congress, of which eight were charged as this town's share and the voters approved it in the usual way. Shoes, stockings, shirts and fighting equipment for the troops were ordered purchased of the Board of War at Boston.

In 1779 John Swett, Esq., John Stone and Nicholas Sewall were chosen the Committee of Correspondence, Safety and Inspection to provide for soldiers' families. A bounty raised to one hundred twenty pounds was offered "to each Continental Soldier who should enlist in the service and serve for nine months."

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The unfortunate Bagaduce (Castine) Expedition was one of the year's principal military events and being near home surroundings had its direct effect on this town. Lincoln County had become a rendezvous of the Tories of Massachusetts who had gone there to be near British sympathizers residing in the region around the mouth of the Penobscot. It was becoming a focus of infection and conspiracy against the colonies. It was easily and quickly of access to the king's armed vessels using Halifax as their base. The British Army and Navy sent from there had captured Castine and entrenched themselves in the summer of that year and something had to be done to protect that flank. It was determined by the Board of War to send a counter expedition thither by sea and land. Gen. Solomon Lovell of Weymouth was placed at the head of the Army with Adj. Gen. Peleg Wadsworth second in command. Lieut. Col. Paul Revere was senior officer in charge of the Artillery Corps. The naval demonstration was entrusted to Commodore Richard Saltonstall of Connecticut who had nineteen armed vessels of various rigs mounting over three hundred guns. Several hundred men of the York County militia were detailed under General Frost. In the meantime the British troops, profiting by the usual delays of such a formidable force in reaching Bagaduce, had strengthened their defences. General Lovell and Commodore Saltonstall aided this condition by disagreements over the methods of joint attack and each one undertook the task in his own way. When begun it was effective enough and General McLane, the British commander, was prepared to surrender had the demand been made. As it was, the attack successfully inaugurated, ended in an unexpected development resulting in a complete debacle. Sir George Collier, R. N., ten days from Sandy Hook with seven vessels mounting two hundred four guns, suddenly appeared at the scene of attack. Heavy broadsides from his trained gunners threw our fleet into confusion and precipitated a disorderly retreat. With no plan for an orderly retreat the unofficial orders were "*Sauve qui peut.*" Collier landing large detachments from his fifteen hundred men, equal to the entire strength of the American militia, completed the rout of the attacking forces under Lovell. Fleeing brigs and sloops were beached, burned or blown up to prevent their falling into

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the enemy's possession. "A prodigious wreck of property" wrote the first historian of Maine, "a dire eclipse of reputations and universal chagrin were the fruits of this expedition, in the promotion of which there had been such an exalted display of public spirit both by the Government and individuals." (*Williamson ii*, 476.) Court martial followed, Saltonstall was principally blamed for his obstinacy in failing to support Lovell in a combined attack, and he was declared to be "incompetent ever after to hold a commission in the service of the State." Lovell and Wadsworth were acquitted.

At least a part of one company of recruits for the Penobscot Expedition was obtained in this town and included the following names:

	Samuel Young, Lieutenant	
Joshua Moulton, Sergeant		Jonathan Moulton, Corporal
John Junkins, Jr., Drummer		Alexander Carlisle, Fifer
	Privates .	
Richard Banks		James Grant
Peletiah Banks		Daniel Green
Timothy Donnell		Theodore Weare
	Benaiah Young	

(*Mass. Arch. xxxvii*, 88)

In Major Littlefield's Detachment of Yorkshire Troops was John Banks of York. (*Ibid.* 87.)

Meanwhile York troops were giving a better account of themselves in other fields of action. They had been meeting the enemy at Ticonderoga, Monmouth and Saratoga with success. Another company under command of Capt. James Donnell of York was in active service at this time, and with him were the following rank and file of his townsmen: Henry Sewall, Lieutenant; John Gibson, Sergeant Major; Jonathan Donnell and Zachariah Getchell, Sergeants; Benjamin Trafton, Corporal; and Matthias Beal, Drummer. Six of his privates were also from this town: Daniel Bragdon, William Couch, Joshua McLucas, Daniel Preble, Daniel Sargent and James Williamson.

The Province, heretofore faced with an increasing war debt, was now heavily burdened with these appalling military losses of men and material. The enemy was on our coast, firmly entrenched, and to these discouragements was added the depression of the public credit.

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Paper money emitted to finance the military operations of the Province sank in value to forty paper dollars to one of silver, but the issue had to be met. An Eastern Military Department was organized to save Maine from further invasion. The surviving York County Troops, raised for the original expedition, were made the nucleus of a freshly organized Eastern Army under command of Gen. Peleg Wadsworth, and a detachment of eight hundred men was allocated to it for eight months duty. New quotas were ordered for each town in the Province and under such disheartening conditions the townsmen of York met on April 10, 1780 to grapple with their share of the problem. The response was both courageous and satisfying as will be seen by the following record of its decisions:

At a legal Town Meeting holden in York April 10th 1780.

John Swett Esqr Chosen Moderator.

Voted; this Town will do their utmost in assisting the Militia Officers in raising the Towns quota of Soldiers for the Eastern Department.

Voted: and granted to those of this Town as will Inlist, or who shall be drafted and perform the Service prescribed by the resolves of the General Court of the 25th of March last: (In Lieu of their Bounty and Wages there set, which shall be Assigned over to the Town), shall have forty shillings p month in Lawful Silver Money, or in Country Produce at the prices they were generally sold for in the year 1774, or before the Emission of Paper Money: or so much Paper Money as shall be equivalent thereto; and shall be paid by the Captains who Inlist or draft them respectively; and draw the Money out of the Town Treasury for that purpose and where there are no Militia Officers to a Company the Select Men shall pay them out of the Town Stock.

The pessimists, already encouraged by these unfortunate events, were further confirmed on May 19, 1780, by a natural phenomenon which caused general speculation as to its portent. Throughout New England it was a "Dark Day," in which a lighted candle was required at noon for reading and the night was thrice dark and awesome. Sayward records that he was "obliged to light candles to dine by." The superstitious saw in it the frownings of Providence, but it was probably due to forest fires in Maine or New Hampshire combined with a peculiar atmospheric condition. It was symptomatic of the disconcerting events of this dark year of the Revolution.

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Arnold added to the depression of spirits by his treason, but the bull-dog tenacity of the colonists, despite these reverses, was not yet weakened. Already they had been fighting four long years, but York continued to supply man power. Additional soldiers can be credited to its quota under other officers. In the company of Capt. Daniel Wheelwright of Wells, Josiah Bragdon and Josiah Parsons served as his Lieutenants; Richard Adams as Sergeant; and Jotham Baker as Corporal. The following from York also were privates in this company: Stephen Bridges, John Beal, Peter Grant (who died January 25, 1777), Shubael Nason, Oliver Plumbery, Abraham Preble, John Sutton, Archibald Rutledge, Abraham Sawyer and Ebenezer Young.

In the company of Capt. Nicholas Blaisdell his Sergeant was John Beedle from this town, together with these privates: John Carlile, William Conaway, John Davidson. Under other commands Solomon Bloome, Timothy Donnell and Daniel ——¹ are to be added to the town's roll of honor. Capt. Thomas Bragdon of York was serving in Col. Josiah Prime's regiment in 1780 at Falmouth Neck.

The enthusiasm of the earlier days had now settled down to a spirit of determination to carry the war through to a victorious conclusion. Volunteering had been encouraged by increased bounties and the draft began to be employed as a means of filling up the depleted and constantly depleting ranks. On June 19, this year, the town met again to arrange for the supply of seven more men to serve for six months in the Continental Army, and Capt. Esaias Preble, Samuel Young, Moses Sewall, Joseph Bragdon, Ebenezer Simpson, Major Abel Moulton and Lieut. Simon Grover were constituted a committee to attend to this requisition. Five days later they reported that they had obtained these men:

John Barns
Tobias McIntire
Samuel Paul, Jr.
Abraham Facundus
John Tenney
Josiah Bale
Jeremiah Lord

¹ Illegible.

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On July 10 two more were added to this list: Joel Jellison and Daniel Garey. Eight more were called for by the provincial authorities this same month, but the committee could not find more than four by the end of July at the bounty of five hundred pounds each. When not engaged in finding volunteers for the army they were wrestling with a kindred problem of supplying subsistence for the troops. In October 1780 this town was charged with supplying fifteen thousand pounds of beef requisitioned by the provincial authorities, and nine hundred pounds "of the last Emission" was required to purchase this meat for the use of the Continental Army.

The year 1781 began with the usual demand for additional enlistment for service in the Continental Army. Major Abel Moulton, Capt. Esaias Preble, Capt. John Stone, Capt. Ebenezer Simpson and Capt. Joseph Bragdon were appointed a committee "at the Town's expence to procure 29 Soldiers for the Continental service (being this Town's Proportion) and agree with them upon the most reasonable Terms they can." The bounty offered for this particular enlistment was "One Hundred Dollers of the last Emission." Capt. John Stone, William Grow and George Randall became the Committee of Correspondence, Safety and Inspection. This proved to be the last year of the conflict, but its end was not known to them. The theater of operations had been transferred to the southern colonies, far removed from most of the earlier battles of the Revolution. Except for the armed vessels of the English Navy appearing now and then off the coast to make sporadic forays for supplies of fresh meat and vegetables, Maine was out of touch with the actual movements of the army. But in June of this year the General Court enacted a reminder to the several towns of the Province that delinquency in meeting requisitions for men and material would be met with fines for such failures. Notwithstanding the large bounties offered, York was unable to fill her entire quota of the three months men, then called for. She had exhausted her current resources.

The last record of the town's activities in furnishing men and supplies was on November 20, 1781 when it was making arrangements to furnish "fatt cattle" for the soldiers. This was a month after the deciding battle of

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the war, as on October 27 Gen. Lord Cornwallis surrendered the British Army at Yorktown, Va. to the combined forces of the American Army under Washington and the French Navy under Admiral Count De Grasse. The long and gruelling task was finished and America was a free and independent nation won in the arbitrament of arms. Congress went in solemn procession to church to return thanks to Almighty God for crowning the allied arms with victory, and issued a proclamation appointing December 13 as a day of national thanksgiving and prayer. Premature announcements of this result had reached here early in October but the news of the actual surrender arrived by express post on the twenty-sixth (Friday) and without the aid of any diary or official record we may assume that the day and night were spent with hilarity and unrestrained joy. It can be said that the people were glad to resume their normal lives after six years of struggling with the consciousness that they had fought a good fight and kept the faith. And it may be added that the British Government was equally glad to be rid of a conflict which reflected no credit on themselves in their long attempt to subjugate their own flesh and blood by force of arms. The House of Commons resolved on March 4, 1782 that they "would consider as enemies to his Majesty and the country all who should advise, or attempt the farther prosecution of offensive war on the Continent of North America." Commissioners were soon after appointed to negotiate terms of peace, and on November 30, 1782 they agreed upon the Provisional Article by which Great Britain acknowledged the independence of the United States. In this war it is stated that Great Britain lost of her own subjects and mercenaries one hundred thousand and added to her national debt one hundred twenty million pounds sterling, besides losing foolishly a colonial empire that would have become her greatest possession. The United Colonies established their right to freedom and independence at an immense sacrifice of blood and treasure; losing more than fifty thousand men and starting the new nation with a debt of forty-five million dollars. On September 3 the definitive Treaty of Peace was signed at Paris. It may be interesting to quote what Judge Sayward had in his diary about the reception of the news in York as a fitting close to this chapter:

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A Day of Publick Rejoicing on accompt of peace carried to excess in breaking the whels and Gun carriages all to pieces supposing we should never want them any more.

Until peace was actually settled the protective organization of citizens, instituted at the outset of the war, was kept in operation. In 1782 Capt. Richard Trevitt, Capt. John Stone and Capt. George Randall were chosen as the Committee of Correspondence, Safety and Inspection. In 1783 Edward Emerson, Samuel Milbury and Capt. Richard Trevitt became their successors, but 1784 was the last year in which this committee was continued, and Richard Trevitt, William Grow and George Randall were its last members. As an unpleasant aftermath of the struggle Massachusetts undertook to enforce the law of June 30, 1781, assessing fines on the towns who had been delinquent, in part, in filling their quotas of the call for volunteers in the Three Months class, and York among other localities in the Province was called upon to pay the fine of twenty pounds per man lacking in her share of the required number. Under date of January 24, 1783, the Selectmen made the following explanation of their failure to the General Court:

Humbly Shew The Subscribers Selectmen of the Town of York—That agreeable to the Resolve of June 30, 1781 great Pains was taken by the Town to comply therewith But the failure of the Paper Currency, and the great exertions of the Town made to procure their Quota of the Continental Army for three Years renders them unable to Comply with the Requisition — The Memorialists would observe that they have procured and now have in the Army their quota that has been assigned, that they have done from Time to Time every thing for the support of the Warr, that they could in procuring Clothing, Beef &c.

That by the loss of all their Vessells by the Enemy at an early period of the War — they are much reduced in their circumstances That the Soil they Inhabit is poor and Barren — and they really apprehend such a time of Scarcity before the Month of April next as they never Saw before, probably one half the Inhabitants without Bread — that under this Situation they humbly hope the General Court will not assess the Fine of £20 a man on the said Town for not raising the Three Months men in the said Resolution mentioned, for that in your memorialists opinion all the money in the Town will not be adequate to discharge one Quarter part of the Continental Taxes already ordered for 1782

JOSEPH SIMPSON Selectmen of
JOHN KINGSBURY the town
NICHOLAS SEWALL of York
(2 *Maine Hist. Soc.* xx, 136)

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Nothing further was heard of this and nothing appears in the town records supporting this "demand."

YORK IN THE NAVAL SERVICE

While the struggle for independence was, in the final analysis, a war on land yet from the beginning an ever-increasing flotilla of armed vessels improvised for the occasion became the nucleus of the Revolutionary Navy. Fighting on the sea began in the first year of the war in this Province, and until the end of it at Yorktown, in 1781, the seasoned mariners of New England lent their powerful aid to the victory that came to our arms. American warships and privateers were tearing the maritime trade of England in pieces. A race of seamen as bold and as hardy as her own, flying the flag of the revolting colonies, swarmed along the highways of English sea-borne commerce. Even in the English Channel these sea-wasps were seizing her merchantmen and crippling her trade. Her naval prestige was stung to the quick by Commodore John Paul Jones who captured the *Serapis* of the Royal Navy in a hand to hand fight as he circled Great Britain with his cruisers.

York men were with Jones in a number of his famous naval engagements overseas, and at least four of our townsmen shared with him the honors of his forays into the home waters of the enemy. The English ships of war which were on duty on our coast at the beginning of the Revolution had succeeded in destroying all the vessels belonging to this town which could be turned into privateers, and for that reason little of this class of warfare can be credited to the town. The men who sought service in this phase of the war turned to the Navy and did their patriotic share afloat. The records of four privateers of the Revolution have survived:

Argo, A ship of 18 guns, Richard Trevett, commander, in 1782. She was wrecked "near old York Harbour" (*Boston Gazette of December 2, 1782*)

Black Prince, a Brigantine of 6 guns and carrying 16 men. George Rendall of York commander.

Putnam, a Sloop of 4 guns and 10 swivels and carrying 45 men. Among her owners were Thomas Donnell; David Sewall as Bondsman. John Harmon was commander.

Sally, a Schooner carrying 15 men, in 1781. George Rendall was commander.

(*Allen, Massachusetts Privateers, 84, 245, 273*)

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In 1776 the privateer *Dalton* had four men from this town among her crew: John Downes, Timothy Harris, James Sellars and Tobias Sellars who were captured by the enemy and taken to Dartmoor Prison in England. The Naval service, however, was more attractive to the seafaring men of this town and a considerable number of them were to be found in the new vessels authorized by Congress under the command of the famous Commodore John Paul Jones. Among them was William Stacey who kept a tavern on the Lindsay Road. He served in the ship *Ranger* under Jones, and was in receipt of a pension for his services until his death in 1840 at the age of eighty-two years. Esaias Preble also served under Jones and was in his immortal battle between the *Bon Homme Richard* and the English frigate *Serapis* in August 1778, which resulted in the capture of the latter ship and the sinking of his own vessel.

In August 1777 the Continental frigate *Raleigh* went to sea with the following men from this town among her crew:

Abbott, Aaron	MacIntyre, Primus
Adams, John	Parsons, Thomas
Booker, Jotham	Rankin, Andrew
Bridden, Joseph	Sellars, Tobias
Clements, Joseph	Tinney, David

In addition to the above the following named residents were in receipt of pensions for services in the Naval establishment:

Obadiah Donnell as Seaman of the U. S. S. *Ranger* under Capt. John Paul Jones. He was living in 1820 aged 69 years.

John Junkins as Seaman on the U. S. S. *Ranger* under the command of Capt. Thomas Simpson. He was living in 1820 aged 62 years.

In the armed ship *America*, commanded by William Coffin, in 1780, the following sailors from York were in service that year:

Jonathan Moulton	John Finam
Benjamin Jacobs	Zachariah Brown
James Harris	John Davis
Joseph Swett	Samuel French
Zebediah Banks	John Obey
Jeremiah Banks	Woodman Moore
	(<i>Mass. Arch.</i> xl, 58)

CHAPTER XXXVI

YORK UNDER REPUBLICAN GOVERNMENT

York was now living in peace. Instead of concentrating her energies in supplying men and munitions she was confronted with the inevitable necessity of "paying the piper." The corporate burden was shared by the townsmen personally, for all had suffered individual losses through increased taxes, depreciation of currency and the actual losses in material and the cessation of productivity through the withdrawal of able-bodied men from the farms, fisheries and factories. Everybody was in debt and everybody had claims on town, state or neighbor. Next in order was the setting up of independent housekeeping.

Massachusetts under the Crown was administered by the terms of the Royal Charter, but when divorced from that instrument by entering the War for Independence, it was necessary to provide for itself a state constitution by which the people in the towns should be governed in their relations to each other and to the state at large. A committee of twelve was appointed in June 1777 to draft the basic law for the new state. This was reported in January 1778 and submitted to the people for their acceptance at the March town meeting following. York acted on it May 11, and the decision was "unanimously a Disapprobation thereof; and none for it." One hundred forty-seven of the inhabitants were recorded in this decision.

A second attempt to form a constitution came before the town on May 17, 1779, with the following result: "the Vote being put to Seventy Voters present; Whether they chuse at this Time to have a new Constitution or form of Government made; and after Mature consideration and serious Debate it Unanimously passed in the Negative," and Col. Edw. Grow was chosen to carry this opinion as representative to the General Court. A Convention of towns was called to meet at Cambridge September 6, 1779, and after prolonged consideration in committee and protracted debates in the Convention, a form of government was completed and accepted by the delegates, of whom David Sewall, Esq., was the representative of this town,

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and was sent out for adoption by the various towns. It was considered in York May 22, 1780 and referred to a committee consisting of Daniel Moulton, John Swett, Esq., and Joseph Sewall. The committee reported on May 27 "when but 30 of the Freeholders and the other Inhabitants of said Town, qualified Voters met, who Unanimously Voted to accept the sd committee's Report" as follows:

That the Governor & Council, more especially the Govern. shall be of the Protestant Religion: That Military Officers shall be appointed by the Govern. with the advices & consent of the Council: That the Power Suspending the Habeus Corpus be confined to Six Months: That the Revisal and Amendment (if need be) of the Constitution instead of 15 years shall be done in Ten: But if these Alterations can't be agreed upon, rather than the form of Government shod fail: We advise to approve of the Whole: And we are content it shall take place as soon as the Honble. Convention in their Wisdom shall think fit or recommend. We approve of Hon. Judge Sewall our present Delegate still to continue as such: And that he endeavour the Amendmts. above.

The Convention remained in session until one hundred and eighty-six towns and plantations had met and acted, and the returns show that every article was adopted by the requisite majority as it stood in the printed form submitted to their revision, and by proclamation it was decreed to come into force on October 25 following. The amendment suggested by our town committee evidently failed of approval, but the town showed its desire for its adoption as a whole rather than to lose the labors of these many months. York lived under it satisfactorily for forty years.

With this new relationship came new responsibilities and problems. Among the latter was the feeling similar to that which underlay the spirit of discontent with rulers living at a distance from the colonies. This was still a long nursed but mostly forgotten sentiment which rebelled against the subserviency of this Province to a distant landlord. Independence of foreign control having been achieved, the idea of recovering the lost independence of this Province began early to manifest itself. The first public suggestion made on the subject appeared in versified form in an acrostic printed in 1785 in the *Falmouth Gazette*. In the usual manner of the period, letters on the subject subscribed by pseudonyms began to be printed by this journal, and in one of them a writer stated that separa-

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tion "was contemplated before the war." Restoration of the "ancient privileges" of Maine was urged as a local patriotic appeal, but the principal arguments were the inconveniences of distance in transacting legal and government business, the infrequency of conveyances, and the extra burden of expense on the people of Maine as a consequence. But one Court a year was held in York and Cumberland Counties and none in Lincoln. Being less affected by the argument of distance York took little interest in this matter. The far eastern settlements were its most active agitators. A conference was called in 1786 at Falmouth to consider the merits of the question. York declined to send a delegate. The meeting reached no practical conclusion. The opposition was largely based on the unknown expense involved in setting up a separate State government, and the financial condition of most towns after the Revolution. Petitions to the General Court in 1788, 1789 and 1791 for an act of separation from Massachusetts were rejected, but in 1792 Massachusetts passed a resolve for a referendum on the question by the towns in Maine. At a town meeting held in May 1792 the vote of York was one for separation and 140 against. It is to be regretted that the identity of this lonesome "Aye" voter cannot be ascertained. Six towns in York county mustered only 12 votes in favor and 627 against separation. Cumberland and Lincoln Counties were strongly for the severance of political bonds from Massachusetts. The total vote in the District of Maine, for such was the designation of the old Province after Independence, was 2,074 in favor of separation and 2,525 against. Agitation continued and again in 1797 the General Court passed a resolve calling upon the voters of Maine to meet and give in their votes whether separation was desired by them. In a town meeting held May 10 following three votes were cast for separation and 79 votes against the measure. It cannot be said that the Separatists were making converts in this town. Maine as a whole voted against the proposal, and for ten years the subject was allowed to rest. In 1807 it was once more put to test, but at an unfortunate time, when a new controversy with Great Britain was occupying the stage of political interest, and the Separatists lost by a still greater margin. York voted against it.

At the conclusion of peace after the War of 1812-15,

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the General Court allowed a new referendum, having in the meantime removed many of the objections raised against Massachusetts control, such as extension of Court facilities and the return of legal records to local depositories. In this test the Separatists won their first victory 10,393 in favor and 6,501 opposed. York voted against the proposal. William Moody, the York representative, opposed the bill to take a referendum vote. It was now incumbent on Massachusetts to meet this sentiment by an enabling act, which she did by requiring a proportionate vote of five to four in favor of actual severance, with power to adopt a State constitution. This vote was 22,466 out of 37,858 legal registered voters, of whom 11,927 voted in the affirmative, which was about five hundred short of the required number. In this test York voted 126 in favor and 38 against separation. For the last time in 1819, as it proved, another expression of opinion was allowed by Massachusetts, by which, if a majority of fifteen hundred should be recorded in favor of separation the District of Maine was authorized to adopt a State constitution. During all this fruitless agitation nine other new States, unborn when Maine was once an independent Province, had been admitted into the Union and we were still a District of Massachusetts. At last the people had tired of hailing from the "District" of Maine when asked their residence, and were still suffering from this inferiority complex. The proposition had by this time come to be complicated by national politics. The Federalists began to oppose the division and the Democrats were classed in favor, though this did not generally hold true. Massachusetts was then Federalist on National affairs and her influence with that party was used against separation. As the period for testing public sentiment on this question approached, a vigorous and brilliant discussion of the subject took place in which the arguments on both sides were presented from every point of view. On May 3 the town sent a petition to the General Court expressing the conviction of its citizens "that the time for separation had now arrived, and that a further continuance of our present political connexion would only be productive of increasing jealousy and discontent." The political papers admitted communications from each party. A sample of doggerel verse on the controversy is here reprinted:

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“Separation must go” said a wag to his fellow,
As quaffing they sat and made themselves mellow,
“Go where?” said a third as he rested from smoking.
“Are you truly in earnest?” he poutingly muttered.
“As in any opinion that ever I uttered.”
“Why, then,” said the other, “like you I’m a prophet,
Separation must go, I assure you, to Tophet.”

The result of the vote was impressive: 17,091 voted Yea, and only 7,132 were against the questions submitted. York voted 151 Yea and 136 Nay. Following this decisive action pursuant to the Act of the General Court authorizing this test, a convention met at Portland October 11, 1819, and as a result of its deliberation our first State constitution was formed. Jeremiah Bradbury, Elihu Bragdon and Capt. David Wilcox were chosen delegates to draft this instrument, and on December 6, 1819 York accepted it by a vote of 91 votes with no opposition recorded. The town also cast a unanimous vote of 229 ballots for William King for Governor. William Moody was chosen Senator and Elihu Bragdon and Alexander McIntire representatives to the first Legislature.

The State was admitted an independent member of the Union by Congress on March 4, 1820 and became an independent State the sixteenth of the same month. The first election of State officers under the new constitution took place April 3, 1820 and the first Legislature convened at Portland on Wednesday, May 31, of the same year. Cotton Chase was the first town Representative to the State Legislature.

Thus after one hundred sixty-eight years York came from under the yoke of bondage to a distant master. Henceforth every native son could hold up his head and answer for his hailing place: “the State of Maine, by G. . .” with emphasis on State. It is even now a characteristic reply of Maine men abroad unconsciously given as an expression inherited from their fathers in so designating their origin. No other people from other sections of the country prefix the words “State of” when giving the place of their nativity to a stranger. It is the hallmark of Maine men.

The recurring anniversaries of our national holiday were celebrated enthusiastically as a part of our Republican traditions from the beginning of our independence.

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To these festivities, the local militia companies lent a martial spirit. The usual processions, always a part of the day's programme, had as their objective the village parade ground near the old church green. A local or imported "spell-binder" was secured to address the throng, dressed in their Sunday fineries, and the greatness and glory of the country were pictured by him in resounding periods. The band played patriotic music, and fireworks thrilled the younger generation with their sparkle and noise. Not infrequently in the morning, preceding the "Grand Celebration," the youth of the town staged a burlesque procession of "Antiques and Horribles" dressed in tatterdemalion costumes, which added to the hilarity of the day. Prominent citizens kept open house, and the festivities of the "Glorious Fourth" ended in toasts in accordance with the ancient spirit of the day.

On occasions of this character it was customary to give the place of honor in public processions and official receptions to the survivors of the Revolution. These gray and grizzled veterans of our first national war were always held in admiration as they marched, with tottering steps, supported by canes, before cheering crowds; much the same as the remnants of the Grand Army of the Republic shows its thinning ranks to this generation. A few of these remaining relics of the struggle for Independence graced the platform at the dedication of Bunker Hill Monument in 1841, when Everett in his speech, at an arranged sign, turned to address them, as they arose, in response. He was then to say: "Sit down, heroes of the past, it is for me to stand in your presence." A confusion among these aged and probably deaf veterans, uncertain whether to stand or sit, resulted in a ludicrous situation of alternate rising and sitting during his peroration.

Forty years after the close of the Revolution there were thirty-two survivors of the struggle for independence, residents of this town, receiving pensions from the government on account of services in the Provincial and Continental Armies, *viz.*:

John Baker, aged seventy-six in 1820; served as Private in the company of Capt. Samuel Derby.

Joseph Berry, aged fifty-four in 1820; served as Private in the company of Captain Hastings. He enlisted from York.

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James Bracey, aged seventy-seven in 1820 and living in 1835. He served as Private in Captain Lunts' company.

Arthur Bragdon, aged sixty-five in 1820; served as Private in the company of Capt. Jonathan Nowell.

Daniel Bragdon, aged eighty-five in 1820. He served in the company of Captain Turner. Resided later in Kennebunk.

Ezekiel Bragdon, aged seventy-two in 1820; served as Private in the company of Capt. Jabez Lane.

John Bragdon, aged sixty-six in 1820; served as Private in the company of Capt. Samuel Derby. Removed to Wells.

Daniel Bridges, aged fifty-eight in 1820; served as Private in the company of Capt. Nicholas Gilman. Was living in Wolfborough, N. H., 1835.

Timothy Burdeen, aged fifty-seven in 1820; served as Private in the company of Capt. Oliver Pierce.

David Came, aged sixty-two in 1820; served as Private in the company of Capt. Samuel Derby.

John Carlisle, aged sixty-four in 1820; served as Private in Capt. Edward Grow's company.

Jotham Donnell, aged seventy in 1820; served as Sergeant in the company of Capt. James Donnell.

Jonathan Farnham, aged sixty-five in 1820; served as Private in the company of Capt. Samuel Derby.

David Fitzgerald, aged sixty in 1820. He served as Private in the company of Capt. Samuel Derby. Locally known as "King David."

John Freeman, aged eighty-four in 1820; served as Private in the Massachusetts Line.

William Frost, aged seventy-three in 1820; served as Private in the company of Capt. Samuel Leighton.

Joshua Grant, aged seventy-five in 1820; served as Sergeant in the company of Capt. Samuel Derby.

James Hart, aged seventy-three in 1820; served as Lieutenant and Adjutant in the company of Captain Barnes.

Enoch Hutchins, aged sixty-two in 1820; served as Private in the company of Capt. Samuel Derby.

John Kingsbury, aged sixty-seven in 1820; served as Private in the company of Capt. Jonathan Nowell.

Daniel Lunt, aged seventy in 1820; served as Private in the company of Capt. Samuel Derby.

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Norton Phillips, aged sixty-nine in 1820; served as Private in the company of Capt. Samuel Derby.

Charles Sargent, aged sixty-five in 1820; served as Private in the company of Capt. Silas Wild, 1775-1780.

Daniel Sargent, aged sixty in 1820; served as Private in the company of Capt. Tobias Fernald.

Eliakim Seavey, aged fifty-seven in 1820; served as Private in the company of Capt. Whipple; living in 1835.

Abraham Shaw, aged fifty-seven in 1820; served as Private in the company of Captain Smith; living in 1835.

John Spencer, aged fifty-eight in 1820; served as Private in the company of Captain Burbank.

Pelatih Stevens, aged sixty-three in 1820; served as Private in the company of Capt. Jonathan Nowell.

Joseph Thompson, aged fifty-four in 1820; served as Private in the company of Captain Maynard; living in 1835.

Jeremiah Weare, Jr., aged sixty-three in 1820; served as Private in the company of Captain Grow.

Paul Welch, aged fifty-nine in 1820; served as Private in Captain Storey's company; living 1835.

Bartholomew Witham, aged sixty-three in 1820; served as Private in the company of Capt. George Smith.

Perhaps the most notable tribute ever paid to a son of York, who fought in the Revolution, was accorded to William Hutchins, born October 6, 1764 to Charles and Mary (Perkins) Hutchins of Scituate Row. He was the last surviving soldier of the Revolution, dying May 2, 1866, aged one hundred one years, six months and twenty-six days, at his home in the town of Penobscot, whither his parents had removed in his boyhood. This town was then called Plantation No. 3 and was in sight of Bagaduce, now Castine, and he witnessed all the stirring events of the famous siege of that place in the Summer of 1779, when but fifteen years of age. On this farm, where his father lived to the great age of ninety-one years, William Hutchins resided for the remainder of his life, except for the time he was in the military service. He was a master mariner, engaged in coastwise trading, lumbering and farming.

In 1865, when over a century old, he was invited by the city government of Bangor to be their guest at the celebration of the Fourth of July that year, and accepted. A



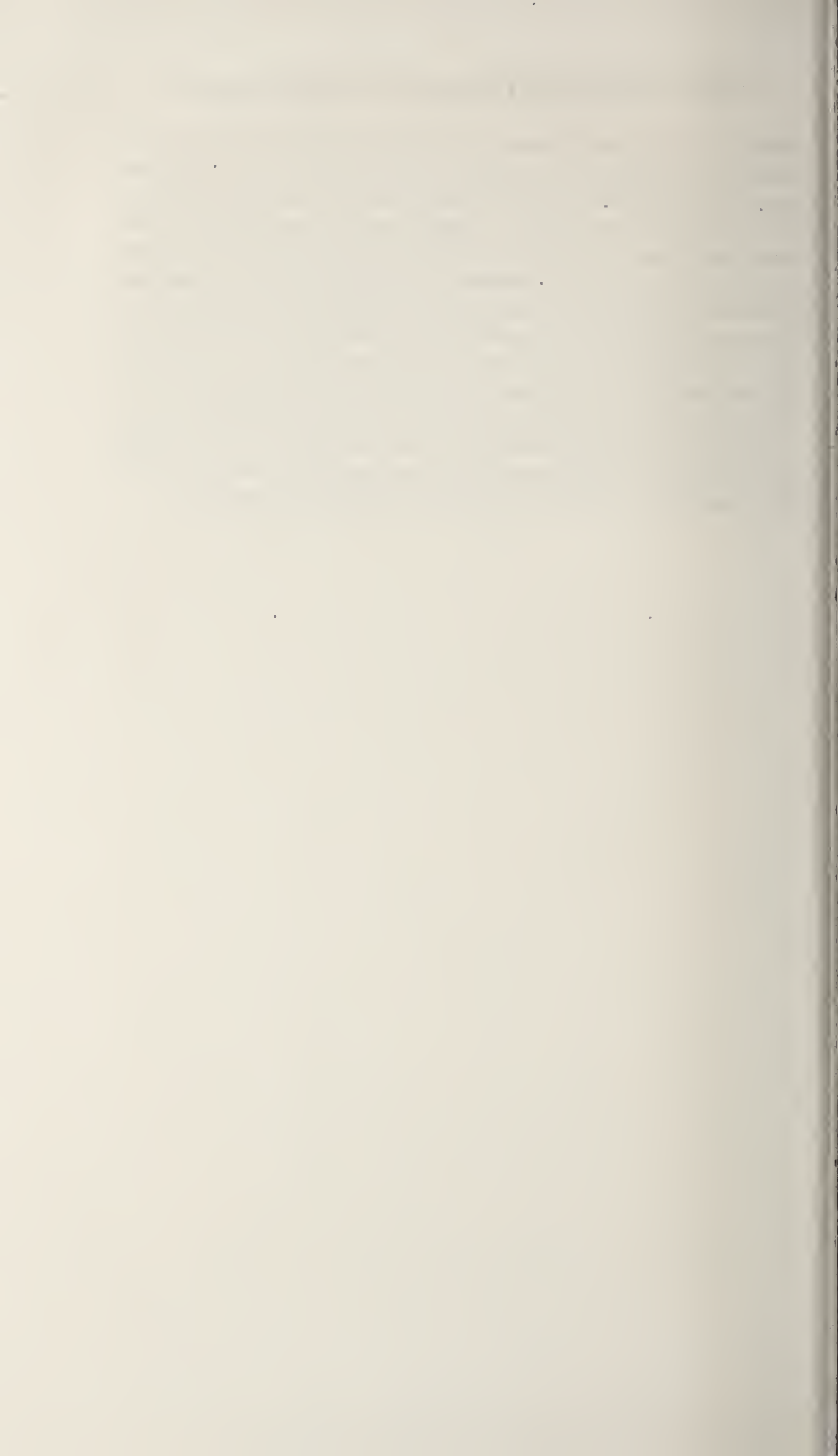
Wm Hutchings

WILLIAM HUTCHINS
Born October 6, 1764 at York
The last surviving soldier of the Revolution
Died May 2, 1866 at Penobscot
(Aged 101 years, 6 months, 26 days)



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revenue cutter was detached by the United States Government to convey him and as he started on his trip the guns of Fort Knox boomed their salute to the aged soldier. The ovation given him in Bangor was almost royal in its manifestations. Crowds surrounded his carriage as he was escorted through the streets of the city and grateful plaudits greeted him everywhere during the celebration. He returned from this scene of excitement and survived for ten months, having tasted the rewards of an appreciative people as the sands of his life were almost run out. "So it appears," said Moody in his "Handbook History," "that York furnished nearly the first as also the last of the noble band of Revolutionary Army soldiers who assisted this Republic to burst the bonds of British tyranny."



APPENDIX



CHARTER OF AGAMENTICUS

1641

I SIR FERD: GORGES Knight, Lord of the Province of Maine within the Territories of NEW ENGLAND in AMERICA, send Greeting/ Whereas the Planters and INHABITANTS of Acomenticus in NEW ENGLAND have settled themselves together in one Body in manner of a Towne in expectacon of a Graunt to be made unto them from mee the said Sir Ferdinando Gorges to be thereby incorporated and created into one body politique and corporate for the better regulating and government of all the people that nowe are and hereafter shalbe resident within the limitts and precincts of Acomenticus afore said: and for the better settlement and ordering of the affaifs and business of the planters and Inhabitants there from time to time happening within the said Towne of Acomenticus, and have beene humble Suiters unto me the said Sir Ferdinando Gorges to graunt unto them a Charter of Incorporacon on that behalfe/ Nowe knowe yee therefore that I the said Sir Ferdinando Gorges for the better incouragement of all the present Planters and Inhabitants of Acomenticus and of all such other person and persons as shall att any time hereafter be minded to settle and inhabit within the Limitts of the saide Towne to proceed in soe pious and lawdable an Intention and to the end that they may have and exercise civile Government amongst themselves as becometh his Majesties leige people exempted and freed from any power and Comand of other the Governors of the Residu of the said Province of Maine other than in calling them as assistants with force and armes to joyne in levying of power to suppress such Enemyes as shall invade the said Province and trench by force of Armes uppon the liberties and priviledges belonging to me or the Lord of the said Province for the time being, or shalbe rebellious against the course of Justice there / Now therefore I, the said Sir Ferdinando Gorges have erected, made, ordayned and established, And by the Tenour of theis presents doe for me, my heirs and assignes, create, make, ordaine and establishe the Planters and Inhabitants of Acomenticus aforesaid into one bodie politique and corporate, in fact deed and name from henceforth forever, hereafter to continue by the name of the Maior, Aldermen and Recorder of the Towne of Acomenticus, within the Province of Maine, and by that name to have perpetuall Succession forever, and be persons able and capable in Lawe to have, take and purchase any lands, tenements and hereditaments, goods and chattells whatsoever, to them and their successors: and to dispose, bargaine, sell, alien and demise the same at their free will and pleasure, and by that name to plead and be impleaded in any Court or Courts of Justice whatsoever, within the limitts of the said Province And that the said Body politique and corporate and their Successors forever hereafter shall have one Towne Hall for the dispatch of their affaires and business belonging to the said corporacon: and that they shall have power by their presents there to assemble themselves together and to keepe Courts

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from three Weekes to three Weekes, or oftener if need shall require for the hearing and determining of Civil Causes betweene partie and partie, by plaint and plea, or Bill and Answers: Upon which the Maior and Aldermen for the time being, or any three or more of them, whereof the Maior for the Time being to be one, shall proceed to triall of any civile Cause or Causes upon all such allegacons and proffes as shall be produced without calling together of any other persons or Jurors, which in Civile Causes is a custome needles and prejudiciall to such proceedings, but that the said causes shalbe determined and sentence ordered by the present Judges of each Court for the time being, by most voices of such Judges of the Court as have had the hearings of the cause or causes or matters in variance debated before them : And for the better effecting thereof there shalbe created, erected and ordained within the said Body politique and corporate one Maior and eight Aldermen and one Recorder / and that the Maior for the time being shall, from time to time be elected and chosen out of the said nyne persons in manner and form hereafter expressed, (that is to say), the said eoght Aldermen shall upon the first Tuesday in Easter weeke nominate three of the said number of nyne persons unto the INHABUTANTS of Acomenticus, who by the voices of the Burgesses and the rest of the nyne persons, or the major part of them, shall elect one of the said three persons to be the succeeding Maior for the year following, who shalbe sworne to execute that office by the precedent Maior upon the first Tuesday in the Whitson weeke att which time the precedent Maior shall resign his place / And for the better performance and execucon of the said office of Maior and administracon of Justice, with in the Limitts of the said corporacon, the precedent Maior shalbe one Justice of the peace more than for the year insueing : And that it shall be lawfull for them to have a Common Seale for their use and to alter and change the same all their pleasure : And alsoe to have one Comon Goale for imprisoning of Delinquents or Debtors : And alsoe that it shalbe lawfull for the said Maior and Aldermen to ordaine and appoint one or more officer or officers to execute precepts, attachments or execucons or to arrest the bodie or bodies of any person or persons after action entered upon Record in their Courte Booke / And alsoe to have a Towne Clarke and to appoint reasonable fees to all such officers and ministers, and to con-ceave oathes fitting for such officers, and to administer such oathes unto them before the Maior for the time being / And I the said Sir Ferdinando Gorges doe by the Tenour of theis presents ordaine and appoint that the Maior and Aldermen of Acomenticus or major part of them shall from time to time keepe Session of the Peace in the said Towne hall for the Dispatch of Criminall Causes and shall proceed in the same by Indictment and tryall / of such causes by a Verdict of Jurors, Provided that noe proceedings in Causes Criminall be contrary to the lawes of England, nor for offences committed out of the limitts and bounds of the said Corporacon nor for any criminall cause which concernes the life or member of any person for any fault committed within the limitts of the said Corporacon which shall extend East, West, North and South three miles every way distant from the Church, Chappell or place ordayned or intended for a Church, Chappell or Oratory belonging to the Plantacon of Acomenticus / And that

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they shall have two severall Bookes wherein all proceedings both in Criminall and Civill causes shall bee recorded and registred, that they may give an accompt of such proceedings from time to time as occasion shall require. And that they shall have power to erect markets within the limitts of the said Corporacon/ And that the Maior for the time being shalbe Clarke of the Markett, and shall have power to execute that office by a deputy, takeing such reasonable tolle and fees as may be fittinge in like Cases, not burdeninge his Majesties leige people thereby/ And that it shalbe lawful for the Maior for the time being to muster men and Levy Armes for the necessary defence of the Corporacon against hostile Invasions, and to ordaine and make Capitaines and such other Officers as are necessary in like Cases/ And for the Maior and Aldermen to erect such Fortifications as shalbe thought fit and ezpedient for the defence of the said Corporacon and to furnish the same with Armes and Artillery/ And to erect such Ports or Keyes for ladeing and unlading of Shippes and other Vessells as shalbe found necessary/ And if it shall happen that any member of the said body politique doe dye or depart and live out of the limitts of the said Corporacon or shalbe removed from that Place of Employment for any reasonable cause, That then another shalbe chosen in his stead from time to time as occasion shall require by the residue or the maior part of them att their discretion, who shall have like power to expel any member for just and reasonable causes, and choose any other of the Inhabitants in his steed/ And I the said Sir Ferdinando Gorges doe nominate my welbeloved Cosyn Thomas Gorges of the Province of Maine aforesaid, gentleman, to be the first and next maior of Acomenticus aforesaid/ And Edward Godfrey gentleman, Roger Garde, George Puddington, Bartholomew Barnett, Edward Johnson, Arthur Bragington, Henry Simson and John Rogers to be the first eight aldermen of the said Corporacon, who shall have perpetuall Succession whereof the said Edward Godfrey shalbe Justice of the peace for the first yeare, which is to be accompted from Whitsontide next after the comeing over of this present graunt into the Province of Maine before specified, whereby the members of the said Corporacon shall have notice of this Commission/ And that the said Roger Gard shalbe the first Recorder there and he shall alsoe execute the Office of Towne Clarke of the said Corporacon by himselfe or his sufficient Deputie, and shall have and take such reasonable Fees for Recording of Causes as shalbe by the said maior and aldermen or the major part of them thought fitt and convenient to sett downe in their Court Booke for the more certainty thereof/ And that the Maior of the said Corporacon for the time being shall from time to time be Coroner of the said Corporacon and shall exercise and execute the said office by himselfe or his sufficient Deputie/ And that it shall be lawfull for the said Body Politique and Corporate to keepe Court Leete once every yeare within ten dayes either before or after Michaelmas whereunto all persons above the age of twelve yeares may be warned to appeare/ And alsoe to have the benefitt of waives and straves and Felons goods happening from time to time within the limitts and precincts of the same Corporacon, and shall have severall oathes administered to him, one for the executeing the Office of Maior and the other of Coroner by the said Towne Clarke, which shalbe con-

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ceaved by the members of the said Corporacon, or the major part of them and recorded and registred for perpetuall memory in their Towne Booke/ And the said Edward Godfrey shall Likewise have an oath administered to him by the said Towne Clarke for the due execution of Justice within the limitts of the said Corporacon for the yeare ensuing, which shall be conceived and framed as aforesaid/ And that they the said Maior and Aldermen and their perpetuall successors shall have power by the Tenour of their presents to make such by lawes, orders and ordinances as are accustomed to be made in Townes Corporate in England, that they may be such as are from time to time wholesome and necessary for the regulating of the affaires of the said Towne and of the Inhabitants and people which shall be resident within the limitts of the said Corporacon, and shall likewise have power to alter and change the same as need shall require, and make newe by Lawes, orders and ordinances in the steed thereof/ And shall have like power hereby to put the said by Lawes, orders and ordinances in execucon for the benefitt of the Inhabitants and the peaceable ordering of the busines of the Corporacon soe as noe by Lawe, order or ordinance be made which may be repugnant or contrary to the by Lawes, orders and ordinances used in other corporacons of England, in any wise, but as neare as may be agreeable and consonant unto the Lawes, orders and ordinances used in England/ And shall likewise have power to make as many free Burgesses of the said towne as they shall thinke fitt, and to disfranchise any of them for just and reasonable Cause/ And I doe likewise ordaine and appoint that the said Body politique and Corpoarte shall att their Court Leete administer unto the Inhabitants this oath following, (viz) You shall true Leigeman be and true faith and troath beare unto our Sovereigne Lord the King, his heires and Successors, and unto the Lord of the Province of Maine, his heires and assignes in every respect as it becometh, So help you God/ And lastly I the said Sir Ferdinando Gorges for me myne heires and assignes have ordayned, graunted and confirmed and by their presents doe ordaine, graunt and confirme unto the said Corporacon, Body politique and Corporate and their perpetuall Successors for ever that they shalbe exempted and freed from all Jurusdiccon, authoritie and government of any other officer or officers whatsoever: that shall pretend to have power for the administration of Justice within the province of Maine aforesaid, for any matter, cause, fact or contract happening within the limitts of the said Corporacon, Prohibiting all such officers and Ministers of Justice as shalbe appointed within the said Province from intermedling in the Administracon of Justice within the Limitts of the said Corporacon without the especiall Licence and consent of the members of the said Bodie politique, or the major part of them and their successors for ever hereafter/ And firmly injoyneing and Comaunding that all and every other officer and Minister of Justice within the province doe permitt and suffer the said Body politique and their perpetuall successors quietly and peaceably to enjoy all the liberties and priviledges thereof according to the true intent and meaning of this present Charter of Incorporacon, which is to be expounded and taken uppon all doubts and construccions of the sence of any Clause in the same in most favourable and beneficiall manner and forme for the Inhabitants

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and members of the said Bodie politique and their successors forever hereafter/

In witness whereof I the said Sir Ferdinando Gorges have hereunto sett my Hand and Seale at armes dated the Tenth day of Aprill in the seaventeenth yeare of the Raigne of ouer Sovereigne Lord Charles by the Grace of God King of England, Scotland, France and Ireland, Defender of the Faith &c 1641, and in the second yeare of my Principallity in Newe England/

A handwritten signature in cursive script that reads "Ferdinando Gorges". The signature is written in dark ink and is positioned above a horizontal line that serves as a separator.

Sealed and delivered in the presence of Th

THOMAS MORTON*
ROBERT GORGES
RICHARD SMITHSON

The foregoing is a true Copy of the Original in my possession as clerk for the Town of York in the late province of Maine/

Dan. Moulton

(A Seal appendant)

* This is the famous Thomas Morton of Merry Mount who came to live in this town in 1645 and died about two years later.

CHARTER OF GORGEANA, 1642



INITIAL FROM CHARTER

SIR FERDINANDOE GORGES, Knighte, Lorde of the Province of Mayne, within the Territories of Newe-England in America, send greetinge: Whereas our Sovereigne Lord the Kings Majestie that nowe is by his Highness letters Patente under the greate seale of England bearinge date at Westminster the third daye of Aprill in the fifteenth yeare of his Majesties Raigne of England &c: hath created mee the said Sir Ferdinando Gorges absolute Lord of the said Province of Mayne, and thereby hath given unto mee & my heires absolute power and authoritie over

the said province & of all the lands within the precincts and bounds of the same and over all the Inhabitants and people that from time to time shall bee resident and abidinge within the lymitts and precincts of the said Province for the welfare and good government of all his Majesties lovinge Subjects that shall have recourse unto the same.

And whereas his said Majestie by the same letters Patents hath further given and granted unto mee, my heirs and assignes full power leave licence and authoritie to erect raise and build from tyme to tyme in the Province Territories and Coasts aforesaid and every or any of them, such and soe many Forts, Fortresses, Platformes, Castles, Cities, Townes and Villages and all Fortifications whatsoever, and the same and every of them to fortifie and furnishe with men, ordinance, powder shott armour and all other weapons ammunition and habilliments of Warre, both for defence and offence whatsoever as to mee my heires and assignes or any of them, shall seeme meete and convenient And likewise to commit from tyme to tyme the government Custodie and defence thereof unto such person and persons as to mee my heires and assignes shall seeme meete And to the severall Citties Burroughes and Townes to grante letters or Charters of Incorporacons with all liberties and thinges belonginge to the same And in the said several Citties Burroughes & Townes to constitute such a soe many Marketts, Marts and faiers, And to grante such meere tolles Customes Dueties and priviledges to or with the same as by mee my heires and assignes shall be thoughte fitt, as in and by the said letters Patents amongst Diverse and sundrie other priviledges, liberties, freedomes and jurisdicons therein Contained more playnlie and at large it doth and may appeare/

Nowe knowe yee that I the said Sir Ferdinandoe Gorges, havinge alreadye (through God's assistance) setled the said Province and Inhabitants ther of in a hopefull way of governmente, And beinge desirous by all good waies and meanes to further and advance the same have thoughte fitt and resolved on to create a Cittie or Towne within the said Province and to incorporate, the same and to appoynte thereunto such Officers and Courtes of Justice and such liberties priviledgs and Jurisdicons as are hereafter in theis presents particulerlie set forth and declared/ And doe therefore for mrr my heires and assignes

APPENDIX

graunte and establishe the Circuite of the said Incorporacon within the Province aforesaid shall extend from the beginnige of the entrance in of the River Commonlie called and knowne by the name of Agamenticus & soe up the said River seaven Englishe myles, and all along the Easte & North East side of the Sea-shore three Englishe Myles, in bredth from the entrance of said River and up into the mayne-Land seaven myles buttinge with the seaven myles from the sea sideup the said River the bredth of three myles opposite thereunto/ And that the said Cittie or Towne shalbe erected and builte in such place of the said Lymitts as shalbe thoughte most convenient by the assent of the deputie of the said Province, the Steward generall thereof, and the Maior and Justices of the seid Cittie or Towne for the tyme beinge/ And to the end that the said Cittie or Towne and bounds or Lymitts of the Incorporacon before sett forth and described may remain and for ever hereafter be more perticulerlie knowne and distinguished, My Will is that the same from henceforth bee nominated termed and called by the name of Gorgeana/ And by that name of Gorgeana the said Circuite Precinctes Lymitt and place aforesaid I doe by theis presents I doe for mee my heires and assignes name call erect found and establishe, and by that name to have continewance for ever/ And for the beter governinge of the said Cittie or Towne and Lymitts before menconed I doe Constitute, assigne lymitt and appointe that from henceforth for ever hereafter there shall bee one bodie politique and Corporate which shall have perpetuall succession and shall consist of a Maior twelve Aldermen and four and twentie to bee of the Comon Council there/ And of the rest of the Commonaltie of the said Corporacon/ And that the Maior shallbe yearlie chosen by the Comon Councill and free Burgesses of the said Corporacon or the greater parte of them upon every five and twentieth day of March for ever. And that the Deputie Governor of the said Province shall appointe assigne and nominate the first Maior for the yeare to come, who shall enter into his Office upon the five and twentieth day of March nexte ensueing the Date hereof/ And that the said Deputie Governour shall likewise for this yeare appointe the Persons that shalbee the Aldermen, and that the major parte of the Freeholders shall electe and nominate such as shall bee of the Comon Councill there from tyme to tyme for ever/ And I doe appointe that twoe of the said Aldermen shallbe Justices within the said Corporacon whoe shall be chosen for this yeare alsoe by my said Deputie Governor/ And that the said Maior Justices Aldermen Comon Councill and Inhabitants of the Lymitts and precincts aforesaid and their Successors shalbee in and by theis presents incorporated to have a perpetuall Succession for ever, in deede, facte and name/ And shalbee and become Bodie Corporate and politique/ And further I doe by theis presents for mee and my heires Graunte unto the said Maior & comonaltie and their Successors that they and their Successors shall bee and shall continew persons able and capable in Lawe from tyme to tyme as one bodie, and shall have full power and Authoritie, and lawfull Capacitie and abilitie to purchase take hold receave enjoy and to have to them and their Successors for ever, any Mannore lands Tenements Rents Royalties priviledges, Immunities Reversion annuities hereditaments, goods chattles whatsoever within the said Province of Mayne of and from mee my heires and

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assignes, and the same or any parte thereof to aleen or sell away/ And to doe execute ordayne and performe all other matters and thinges whatsoever belonginge or apperteyninge to a Corporacon/ And I doe further constitute ordayne and appointe that there shall be for ever hereafter within the said Corporacon a Recorder and a Towne Clerke, which shalbe from tyme to tyme elected and chosen by the Major Aldermen Comon Councell and Comonaltie of the said Corporacon or the greater parte of them, whereof the Maior for the tyme beinge to be Chief in the Eleccion and to have a double voice/ And I doe further by theis present ordeyne and create within the said Cittie or Towne and Corporacon a Courte leete or Lawe day to bee held for the good governement and weale publike of the said Corporacon, and for the punisheinge of all Offenders the same to be kepte by the Recorder for the tyme beinge, and the fines payments and Amerciaments from tyme to tyme to bee to the use of the Maior of the said Towne for the tyme beinge for ever/ And I doe also by theis presents create and establishe within the said Corporacon a Courte of Justice foe the hearinge and determyninge of all accons and differences betweene Parte and Parte within the said Corporacon (noe accon of debte exceedinge tenne pounds, and the power of the said Courte not extending to the takinge away of life or member nor to any title of land) the same Courte to be held upon Munday in every weeke for ever and the proceedinges to bee accordinge or as neere as may bee to the Courte of his Majesties Courte of Chancery at Westminster, wherein the Maior for the tyme beinge to sett as Judge with the Recorder and Aldermen or soe many of the said Aldermen as shallbe there, and the Towne Clarke to bee the Clarke and Mynister of the said Courte/ And in all Judgments and decrees, it shall be lawfull for the partie againste whome any decree or judgement shall passe to make an Appeale to mee or my deputie soeass the same bee done within foure daies after such Judgement or decree made and not after nor otherwise/ And I doe further create and appointe twoe or fower seargeants to attend on the said Maior whoe shalbe called for ever Seargeants of the white rod and shall serve and returne all Proces and Precepts yse sueinge out of the said Courte from tyme to tyme, and shalbee elected and chosen by the Maior and Aldermen of the said Cittie or Towne, or the greater parte of them whe of the Maior to have a double voice And upon any Misdemeanor of such seargeant or Seargeants the Maior for the tyme beinge and the Aldermen or the greater parte them shall have power to putt them out and remove them, from the said service and Employment/ And I doe further graunte by theis presents for mee my heires unto the said Maior and Commonaltie and their Successors that they and their successors shall hav and enjoy for ever a Comon seale to bee engraven according to their own Discreacon whereby the said Incorporacon may or shall seale any manner of Instrument touching the same Corporacon and such Mannors Lands Tenements rents Reversons Annueities hereditaments goods chattles affayers and any other thinges belonginge unto or any wise apperteyninge to the same or any of them/ And I doe further for mee and my heires for the Consideracons aforesaid and for divers other good causes and Consideracons mee moveing by theis presents absolutelye graunte and confirm unto the said Maior and Comonaltie

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of Gorgeana aforesaid and their Successors for ever All such and so much of the aforesaid lands lymitts places and precincts hereby before perticulerli bounded out and expressed, as are not formerlie graunted and thereupon seised on and possessed by any other person or persons (and are called by the name of Gorgeana aforesaid) Togeather alsoe with all the havens ports Creekes Rivers Waters Fishinges and all and singular other Profitts Comodities Jurisdiccons Privilidges Franchisses and preheminences within or belonginge to the said precincts and lymitts called Gorgean aforesaid or to any of them To Have Hold Possess and Enjoye the aforesaid Lymitts precincts called Gorgeana and all and singular the said graunted premises with all and singular their appurtenances to the said Maior and Comonaltie and their Successors and assignes for evermore/ To bee holden of the Kinges Majestie his heires and Successors as of his Mannor of Easte Greenwich in the Countie of Kent in free and Comon Soccage and not in Capite nor by Knights service as the said Province of Mayne is nowe held/ Yeldinge and Paieinge therefore yearlie to mee the said Sir Ferdinando Gorges my heires and assignes one Quarter of Wheate at Michaelmas Yearelie and every yeare for ever/ And in regard that due allegiance to his Majestie his heires and successors may ever bee rendred (as in said Province) soe in and within the said Incorporacon, I doe by theis presents order ordeyne and appointe that before any Maior nowe or hereafter to bee named of the said Towne shall execute his Office he shall first take the Oath of Allegiance towards his Majestie which shallbe administred by the Governor or Chancellor of the said Province/ And likewise that the said Justices and Comon Councill and the Recorder Towne Clarke and Sergeants and all other Officers there shall take the like Oathe to bee administred by the Maior for the tyme beinge/ And alsoe that the Governor or Chancellor of the said Province shall administer such formall oath to the Maior as hee and the greater parte of the Councill of the said Province and the greater parte of the Incorporacon shall devise and thincke meete for his due administeringe of Justice within the said Incorporacon and for his well orderinge of the same to the best good of the said Incorporacon/ And that the said Justices shall take an oath to the like purpose to bee administred by the Maior/ And that the Recorder Town Clarke and others shall take such oathes as are proper to the due Execucon of their places and to such other intents as to the Maior and Justices shall seeme fitt for the best good of the Incorporacon/ And these same Oathes shalbee administres alsoe by the said Maior in the sight of the said Justices or any of them/ And I doe further for mee and my heires by theis presents give and graunte unto the said Mayor and Comonaltie full power leave licence and authoritie from tymeeto tyme to make Wharfes and Keies for landinge and unladinge goods and merchandizes/ And to erecte rayse and build in and within the Lymitts and precincts of the said Incorporacon such and soe many Forts, Fortresses, platformes and other fortificacons whatsoever and the same and every of them to fortifie with men and all manner of amunicon for the safetie of the said Incorporacon and for the better safetie and ayde yf need bee of the whole said Province as to the said Maior and Comonaltie or the greater parte of them with the privitie and approbacon of the Governor and Councill of the said

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Province and freeholders of the same or the great parte of them shall seeme meete/ And in further consideracon of the tender regard I have and beare to the further good and advancement of the happinesse and weale publique of the said Cittie or Towne and Incorporacon and of the said Province and that tradinge and comerce may bee the more readilie advanst I doe by theis presents create ordeyne appointe and establishe a Market to bee kepte upon Wensday in every weeke for ever within the said Towne/ And that there shallbe twoe Fayers held and kepte there every yeare for ever hereafter (Viz) upon the Feaste daies of St. James and St. Paul/ And that all the benefit of the Toll and other Customes incident and belonginge to Faiers and Marketts shall forever redownd to the Use and Advantage of the said Maior for the tyme beinge/ And I doe further by theis presents for mee and my heires licence and authorize the said Maior and Aldermen Councill and Comonaltie for the tyme beinge and the greater parte of them to make all such good and wholesome lawes for the better orderinge and governinge of the said Corporacon as to them shall seeme meete, the same not beinge repugnant but agreeable as neere as may bee to the lawes of this Kingdom of England: nor repugnant or contrarie to the lawe of the said Province, nowe or hereafter to bee established there/

And I doe further by theis presents for mee and my heires give and graunte unto the said Maior and Comonaltie and Incorporacon such and soe many priviledges liberties and freedoms (as far as in me lieth) as the Cittie of Bristol holdeth by their Charter of Incorporacon/

And I doe further for mee and my heires Covenant with the said Maior and Comonaltie and their Successors by theis presents that yf they or their Successors shall at any tyme make any doubt of the validitie in lawe of this present Charter or bee desireous to have the same renewed with amendment of such ymperfeccons as shall appeare fitt and necessarie to bee reformed that then upon the suite and entretie of the said Maior and Comonaltie and their Successors for the tyme beinge I and my Heires shall forthwith passe a newe Graunte and Charter to the said Maior and Comonaltie with such further and better premises as by the Councill on the behalfe of mee and my heires and of the said Maior and Comonaltie and their Successors shall be reasonable devised or advised/ And further that all doubttes or questions that may arise touchinge this present Charter or thinges herein contened shall be construed to be and enure, and is hereby declared to bee and enure to the most benefitt and advantage of the said Incorporacon and of every member thereof/

And lastly I doe for mee and my heires and commaund my Deputie Governor and all my Councill and Freeholders of the said Province to take notice of this present Charter and to be aydinge and assistinge to the said Maior and Comonaltie their Successors and assignes in all thinges touchinge tha same/

In Witness whereof I the said Sir Ferdinando Gorges have hereunto sett my hand and seale the first day of March in the seaventeenth yeare of the Raigne of our Sovereigne Lord Charles by the grace of God of England Scotland France and Ireland Kinge Defe(nder) of the Faith &c/ (1641)

(A seal appendant)

INDENTURE OF TRUSTEESHIP

1684

This Indenture made the Twenty sixth day of July anno Domini one thousand six hundred and eighty four, and in the Thirty Six year of the Reign of our Sovereign Lord Charles the second by the Grace of God of England Scotland France and Ireland King defender of the Faith &c. between Thomas Danforth Esqr. President of his Majesty's Province of Mayne, in New England on the one party and Major John Davis, Mr. Edward Rishworth, Capt. Job Alcock and Lieut. Abraham Prebble Trustees on the behalf, and for the sole use and benefit of the Inhabitants of the Town of York, within the above named Province of Mayne on the other party Witnesseth, That Whereas the above named Thomas Danforth by the Governour & Company of the Massachusetts Colony in New England, the now Lord Proprietors of the above named Province of Mayne, at a General Assembly held at Boston on the Eleventh day of May, 1681, is fully authorized and impowered to make legal confirmation unto the Inhabitants of the abovesaid Province of Mayne of all their Lands, or Proprieties to them Justly appertaining or belonging, within the limits or bounds of said Province NOW KNOW ALL men by these Presents, that the said Thomas Danforth pursuant to the Trust in him reposed and power to him given as abovesaid, by and on the behalf of the Governour and Company of the Massachusetts Colony aforesaid hath given granted and Confirmed, And by these presents, Doth fully clearly and absolutely give grant, and Confirm unto the above named Major John Davis, Mr. Edward Rishworth, Capt. Job Alcock & Lieut. Abraham Prebble Trustees as is above expressed, All that Tract or parcel of Land within the Township of York in said Province, according to the Bounds and Limits of said Township to them formerly granted by Sr. Ferdinando Gorges Knight, or by any of his Agents, or by the General Assembly of the Massachusetts, with all priveledges and appurtenances to the same appertaining or in any wise belonging (All Royaltys reserved to his Majesty by the Charter granted to Sir Ferdinando Gorges Knight (his Heirs and assigns, together) Also those by the said Charter given to said Sir Ferdinando Gorges Knight, his Heirs and assigns, together with the Rivers Streams, and coves contained within the limits or bounds of said Township always to be excepted and reserved. TO HAVE AND TO HOLD all the above said Tract of Land by these presents granted and confirmed be the same more or less with all the priveledges & appurtenances to the same appertaining, or in any wise belonging, excepting as is above excepted and reserved to them the said Major John Davis, Mr. Edward Rishworth, Capt. Job Alcock and Lieut. Abraham Prebble Trustees, as abovesaid forever. To the only proper use and behoof of the Inhabitants of the said Town that now are, and to those that shall there Survive and succeed from time to time and forevermore hereafter. And the above named Thomas Danforth for and on

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the behalf of the Governour and Company of the Massachusetts Colony and for their Successors, and assigns doth further covenant promise and grant to and with the above named John Davis, Edward Rishworth, Job Alcock and Abraham Prebble their Heirs and Assigns Trustees above expressed, That they the said John Davis Edward Rushworth Job Alcock & Abraham Prebble shall and may at all times and from time to time forever hereafter, peaceably and quietly have hold occupy possess and enjoy all the above given and granted premises without the let denial or contradiction of the Governour and Company of the Massachusetts Colony, or of any other person or persons whatsoever claiming and having any lawfull Right Title or Interest therein, or in any part or parcel thereof by from or under them the said Governour and Company, or by any of their assigns. They the above named Inhabitants of the said Town of York for the time being and in like manner that shall there be from time to time forever hereafter YIELDING and paying in consideration thereof to the Governour and Company of the Massachusetts Colony, or to the President of said Province of Mayne, by them authorized & impowered for the time being, or to other their Agents and lawfull Assignee or Assignes the Quit Rents to the said Governour and Company due and belonging according to the proposal made and mutually agreed upon at the General Assembly held in the abovesaid Province at York June 1681 vizt. that they the abovesaid Inhabitants of the said Town of York for the time being and in like manner that shall there be from time to time forever hereafter, as an Acknowledgment of Sir Ferdinando Gorges and his Assigns Right to Soil & Government do pay Twelve pence for every Family whose's single Country Rate is not above Two shillings, and for all that exceed the sum of Two Shillings in a single Rate to pay three shillings pr. Family Annually in money to the Treasurer of the said Province for the use of the Chief Proprietor thereof; And in case of omission or neglect on the part and behalf of the Inhabitants to make full paiement Annually in manner as is above expressed and hath been mutually concented and agreed unto; It shall then be lawfull for the said President of the said Province for the time being or for other the Agent or Agents Assignee or Assignees of the Governour and Company of the Massachusetts Colony to levy and make distress upon the Estates of any of the inhabitants for the time being within the lymits & Bounds of the said Township as well for said Quit Rent as also for all Costs and Charges accruing and arising upon the same and the Estates so levied or distreined to bear drive or carry away with so much as it shall Cost to convey the same to the Treasurer of the Province for the time being, or to such place as he shall appoint. IN WITNESS whereof the partys above mentioned to this Present Indenture have Interchangeably put their Hands and Seals the day and year first above Written.

Signed Sealed and delivered

in presence of

THOMAS DANFORTH, *President*

(Seal)

JOHN HAYWARD, Notra Publick
ELIEZER MOODY.

RAPPORTE DE M. DE CHAMPIGNY, 1692

A QUEBEC LE 5 OCTBRE 1692

Vers le fin du mois de Janvier 1692 Cent cinquante Abenaquis se mirent en marche pour se rendre a un lieu a qu'ils en vouloient nomme Iarc, non estant plus esloigne que d'environ deux lieux, ils decouvrirent proche le lieu de leur cabanage les pistes de deux Anglois, que trois de nos gens suivirent assez lontems. Mais elles estoient du jour d'auparavant ils estoient cabanes au pie'd'une montagne d'ou ils decouvrirent le pays ennemis fort commodement. Comme la faim les pressoit ils conclurent qu'il falloit donner des le landemain, mais comme il negea beaucoup plusieurs conclurent a attendre le beau tems. Les chefs de guerre que l'on ecoute toujours preferablement meme aux Capitaines de nation furent d'avis de donner malgre la neige. Ils avancirent donc vers Iarc. En estant a environ a un quart de lieue ils visent un jeune homme Anglois qui faisoit des trapes. Ils leprirent et ensuite deux autres un peu plus loin. Ces anglois n'avoient que leurs haches. L'on arrete la Marche pour interroger les trois esclaves a deux desquils on cassa la teste. Lorsquon eust scu d'eux ceque lon souhaitoit on lia le troisieme.

Les cent cinquante guerriers se separerent en deux bandes l'une donna d'abord sur un forte et l'autre sur des maisons Angloises. C'etoit sur le midy du landemain de la feste de la purification. Ils se rendirent Maistres du fort et dix Maisons sans beaucoup de resistance y agant jette la terreur il y eust un de nos gens de tues en cette premiere attaque et ce qui sust vinque dans toute cette action. Poulors nos gens se partagerent en petites bandes, de deux et de trois et desolerent une coste d'environ une lieue et demy en moins de deux ou trois heures. Il y avoit trois forts et un tres grand nombre de Maisons Angloises, tout cela fut brule. On enterra le mort Abenaquis dans une cave d'une maison Angloise, avant que d'y mettre le feu. Un Abenaqui qui estoit un des chefs de guerre et qui a reporte tout cecy a dit qu'il avoit en plus de cent Anglois tues qu'il avoit este lui meme en suite les compter avec des poix.¹ Ils emmenerant quatre vingts prisonniers, L'on ne sauroit estimer le carnage qui fut fait de chevaux, de boeufs, de moutons, de cochons tues ou brules. Nos gens donnerent la vie a une douzaine de petits enfans et a trois vieilles Angloises qu'ils renvoyirent au fort prochain, l'une de ces vieilles portoit une lettre d'un Anglois considerable qui se trouve parmy les esclaves et a qui nos Abenaquis la firent ecrire. Ils sommoient L'Angloise de leur rendre son fort, ou de sortir pour se venir battre contr'eux, que s'il aymoient mieux les pour suivre, quiles l'Alloient attendre deux jours tout proche de la, pur luy en donner le tems, mais que s'il venoit (avant que de se battre). Ils casserioient la teste a tout ce qu'ils emmenoient d'esclaves Angloise, qu'ils luy renvoyient quelques petits enfans et quelques vieilles dont

¹ The phrase "les compter avec des poix" is a reference to the Indian system of enumeration, using peas to count large numbers. Translated it reads: "they counted them with peas." This explanation was courteously furnished by M. Pierre-georges Roy, Archiviste de la Province de Quebec, to whom acknowledgment is here made for solving this verbal puzzle in old French.

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ils avoient eu compassion, que luy Anglois n'en auroit pas agy de mesme mais qu'il jugeat de la quila auroient pour luy le dernier mesprise. Deux jours apres nos gens furent pour suivis par trois cent Anglois qu'ils decouvrirent sans en estre decouverts, quelques uns estoient d'avis de se battre, mais le butin et les esclaves leur en fist perdu la pensee; ainsy ils continuerant leur route; les chefs de guerre selon leur coutume ne partant du lieu du cabanage que cinq ou six heures apres que le gros en estoit parti. J'ai oublie de dire qu'un Ministre fut du nombre des morts Anglois, comme il se sauvoit a cheval on le jetta par terre d'un coup de fusil. L'on avoit donne la vie et la liberte a la femme du Ministre aussi bien qu'aux vieilles, mais etant retournee deux fois pour demander son fils qui estoit parmy les esclaves on luy dit qui puis qu'elle le vouloit elle en augmenteroit le nombre. Elle ne fut pas plutott arrive aux villages Abenaquis qu'elle mourut de chagrin.

(Summary)

Un parti de 24 Abenaquis de sillery estant alle controles Angloises en tuerent 20 reprirent 10 esclaves; sortant en suite joint aux Abenaquis de l'Acadie et faisant tout ensemble cent cinquante guerriers ils ruinerant une cote d'une lieue et demie et plus, turent plus de cent Anglois et on prirent quatre vingts prisonniers.

A Quebec le Cinq octobre 1692.

CHAMPIGNY

(From the Archives of the "Ministère des Colonies," Paris, France)

LIST OF PROPRIETORS OF THE COMMONS

1732

(With their several shares)

Adams, Hezekiah	6	Bowden, Abraham	6
Nathan	4	Boynton, Caleb	4
Philip	8	Bracey, Joseph	2
Samuel	8	William	8
Samuel, Jr.	2	Bradbury, John	4
Thomas, Jr.	6	Wymond, Jr.	8
Allen, Barsham	4	Bradgon, Arthur	8
Elisha	2	Daniel	2
Elisha (heirs)	4	Jeremiah	3
James	7	Joseph	8
Austin, Joseph	8	Joseph, Jr.	2
Averill, Job	5	Samuel	8
Samuel	5	Samuel, Jr.	5
Ayers, Ephraim	2	Thomas	8
Baker, John	4	Braun, Richard	1
Joseph	2	Bridges, John.	2
Samuel	2	Josiah	6
Thomas	6	Josiah, Jr.	2
Bale, Edward.	8	Brookin, Henry	4
Edward, Jr.	2	Bulman, Alexander	8
Josiah	2	Burrill, Abraham	2
Mainwaring	4	Nathaniel	2
Nicholas	4	Came, Joseph	8
Samuel	2	Samuel	8
William	5	Cane, John	1
William, Jr.	4	Nicholas	6
Bane, Ebenezer	2	Card, John	4
John	6	Thomas	8
Jonathan	7	Thomas, Jr.	2
Joseph	8	William (heirs)	4
Lewis	6	Carlile, John	6
Banks, Aaron.	6	Carr, James	4
Job	6	Clarke, Samuel	5
Joseph	8	Coburn, Ebenezer	6
Moses	8	Cole, Joseph	6
Samuel	5	Cook, Thomas	1
Beedle, Henry	1	Curtis, Job	8
Bennett, David*	8	John	4
Black, Edmund	2	Davis, John	1
Josiah	6	John, Jr.	1
Samuel	6	Dill, Daniel	3
Blackledge, Jabez	4	Donnell, James	5
Blaisdell, Ebenezer	5	John	8
Booker, John	5	Nathaniel	8

*Provided he settles in town.

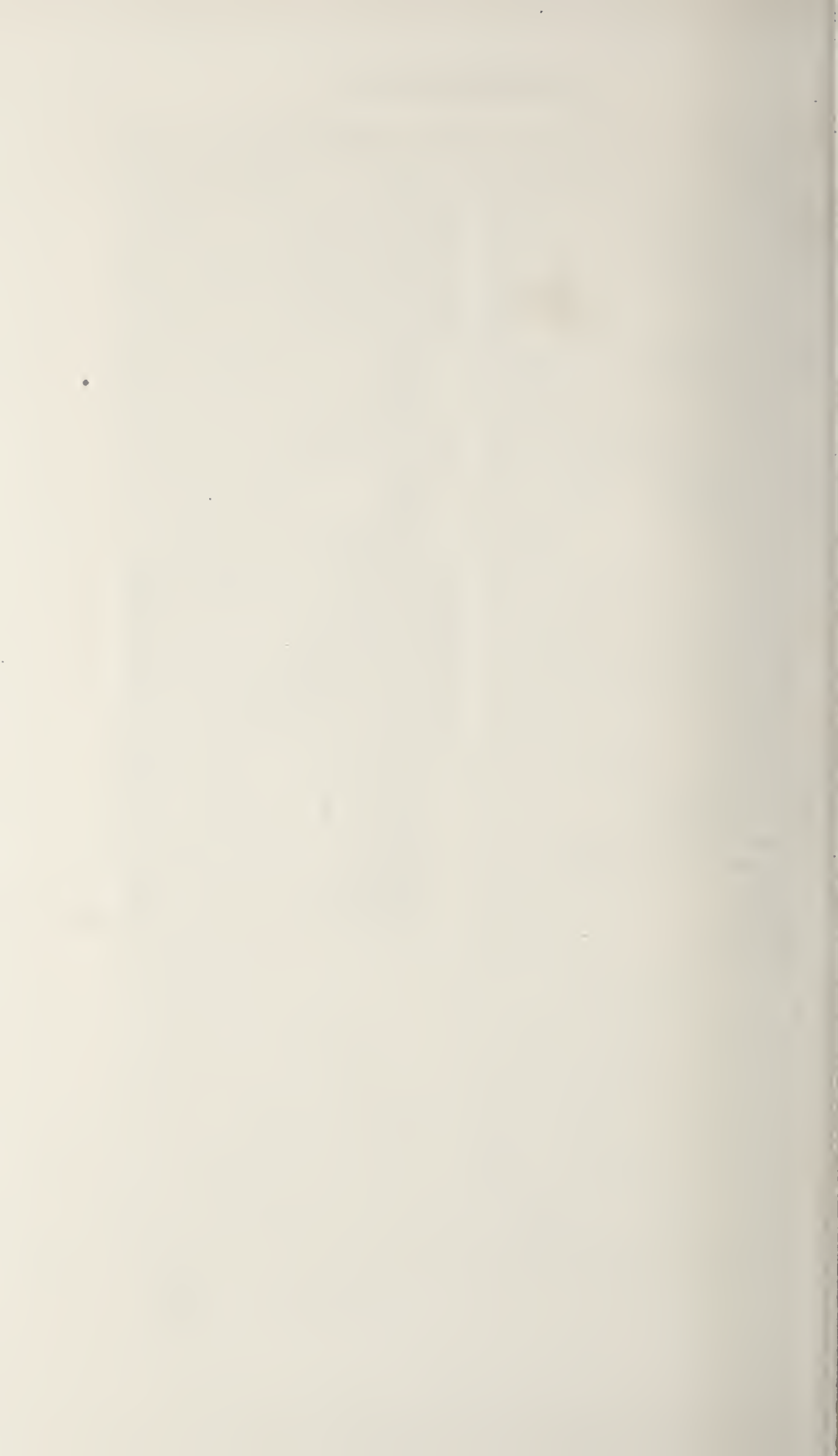
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Donnell, Nathaniel, Jr.	8	Linscott, Josiah	4
Samuel	5	Lord, Jonadab	8
Dunning, William	5	McIntire, Alexander	6
Farnham, Daniel	5	Daniel	5
Ralph	6	John	8
Fowall, John	1	John, Jr.	3
Freeman, Nathaniel	4	Malcolm	8
Freethy, James	2	McLucas, John	2
Joseph	8	Main, Josiah	7
Goodwin, Abiel	6	Milberry, John	4
Goudy, Amos	2	Joseph	4
Grant, James	8	Richard	8
James, Jr.	5	Samuel	6
Peter	2	Moggridge, William	1
Gray, George	1	Moody, Joseph	8
Robert	6	Rev. Samuel	8
Grover, Andrew	6	Moore, John	6
John	4	Samuel	4
Matthew	6	William	6
Grow, William	4	Wyat	4
Harmon, Benjamin	4	Moulton, Abel	6
John	8	Ebenezer	2
Johnson	8	Jeremiah	8
Johnson, Jr.	4	Jeremiah, Jr.	4
Harris, William	1	Jeremiah, son of Major	8
Haynes, Aquila	5	Joseph	8
Henney, Joseph	2	Noah*	2
Higgins, John	2	Murch, Walter	3
Hill, James	2	Nowell, Ebenezer	2
Holman, Hugh	1	John	5
Holt, Joseph	6	Peter	8
Joseph, Jr.	2	Peter, Jr.	5
Ingraham, Moses*	2	Oliver, James	1
Samuel	2	John	2
Jaques, Richard	2	Robert	2
Johnson, Benjamin	3	Parish, First	8
Benjamin, Jr.	4	Second	8
Samuel	6	Parsons, Elihu (heirs)	8
Junkins, Alexander	8	Payne, Thomas	4
Alexander, Jr.	3	Pepperrell, William	8
Daniel	8	William, Jr.	8
Joseph	5	Philbrook, Jonathan	2
Kilgore, Joseph	1	Pierœ, William	2
Kingsbury, John (children of)	4	Pike, Philip*	2
Joseph	4	Plaisted Joseph	8
Leman, Nathaniel	2	Pottle, Christopher	3
Letton, John	2	Preble, Caleb	8
Lewis, Nathaniel	2	Edward	8
Linscott, Ichabod	2	Jedediah	6
John	6	John	7
Joseph	5	Joseph (heirs)	8

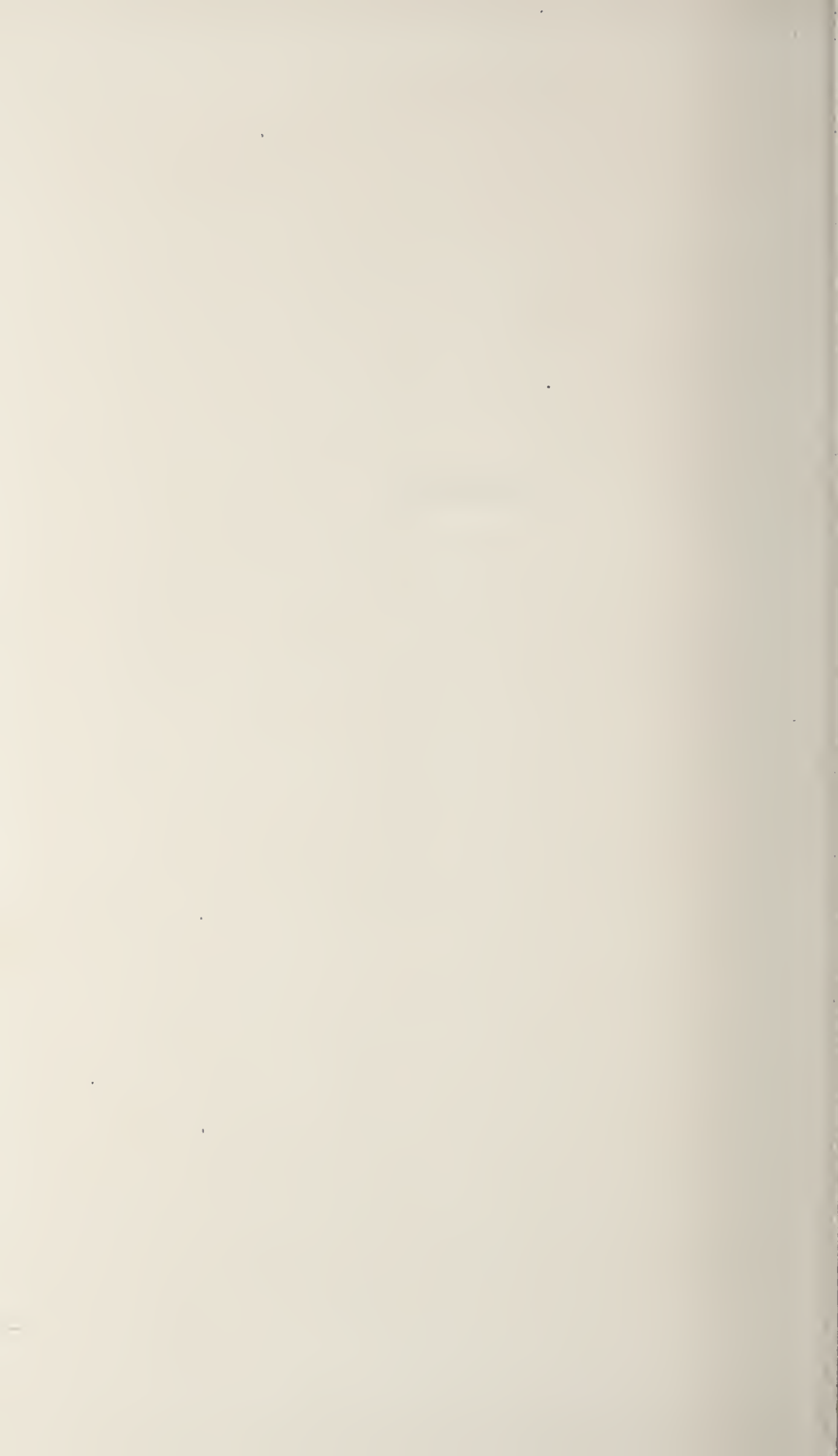
*Provided he settles in town.

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Rankin, Constant	8	Trafton, Charles	8
Raynes, Francis	8	Zaccheus	8
Nathan	6	Wardwell, Eliakim	6
Nathan, Jr.	6	Weare, Elias	6
Rodick, George	1	John	2
Sargent, Diamond	4	Joseph	8
Sayward, John	8	Joseph, Jr.	5
John, sons	4	Joseph, 3d	2
Joseph	8	Peter	6
School (Grammar)	8	Webber, Benjamin	5
Sedgley, John	4	John	6
Sellars, William	3	Joseph	4
Sewall, Nicholas	5	Samuel	6
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Shaw, Samuel	4	Waitstill	4
William	7	Welch, Philip	6
Simpson, Daniel	8	Wells, John	1
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Henry	6	Whitney, Nathaniel	6
Henry, Jr.	6	Witham, Andrew	2
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