

RECORDS

OF THE

COUNCIL FOR NEW ENGLAND.

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THE "Council for New England," of which we here publish the only portions of its records now extant, was incorporated in the eighteenth year of James the First, on the 3d of November, 1620, under the name of "The Council established at Plymouth, in the County of Devon, for the planting, ruling, ordering, and governing of New England in America." The corporation consisted of forty patentees, most of whom were persons of distinction. Thirteen were peers, some of these of the highest rank. The patentees were empowered to hold territory in America, extending from the fortieth to the forty-eighth degree of north latitude, and westward from the Atlantic to the Pacific Ocean, and were authorized to settle and govern the same. The patent creating this important Company may be seen in Hazard's "Historical Collections," i. 103-118, and in Trumbull's "History of Connecticut," i. 546-567. It may not be deemed uninteresting to state here, for future reference, that

this instrument — that is to say, the copy preserved by the grantor — is in “Her Majesty’s Public-Record Office,” in Fetter Lane, London; that it is engrossed on strips of parchment, of about one foot in width and about two feet in length, the ends overlapping, and firmly attached together by strings. A number of patents, having otherwise no connection with each other, are thus attached together, and wound into one large roll, from eight to ten inches in diameter. The first, on the roll now described, is the **Great Patent of New England**. Each strip of which it is composed is endorsed on the back where it joins its fellow, — at the left hand, “Patten de Anno R. R. [Regni Regis] Jacobi Angliæ decimo Octavo;” at the right hand, “De Anno XVIII.” The document, as here preserved, bears no attestation, and is simply an engrossed copy of the words of the grant, and was probably the only form in which the evidence was preserved of such a patent having been issued. Of course, the parchment issued to the grantees would be duly authenticated. The volume of Index which refers to this patent is in the room where the catalogues of rolls are kept, and is labelled, “Paten: | 16-19 | Jac. | 33 | Search | Room.” And the reference in Latin will be found, of course, under the eighteenth year of James, 3d November. The roll itself is numbered “2231.”*

* An engrossed copy of the Massachusetts Charter, of 4th March, 1780, confirming the grant of the Council for New England issued the year before, is preserved in the same manner, — that is, on a parchment roll with other

This “Great Patent of New England,” as it is usually styled, was substantially a re-incorporation of the “Adventurers of the Northern Colony of Virginia,” placing them on a footing with their rivals, the Southern Colony, whose franchise had been twice enlarged since the original charter of 1606. The petition of the Northern Colony for an enlargement of their privileges, dated the 3d of March, 1619 (1620 N.S.), and the warrant to his Majesty’s Solicitor-General to prepare such a patent, dated the 23d of July, 1620, may be seen in Brodhead’s “Documents relative to the Colonial History of the State of New York,” iii. 2-4. The warrant is also in Gorges’s “Briefe Narration,” p. 21.

This Great Patent has been called (though not with entire accuracy) the civil basis of the future patents and plantations that divide New England. A history of the grants issued by the Council would require a distinct essay.

It will ever be a subject of regret, that the records of “The Council for New England,” with the exception of the two fragments now for the first time published in their full extent, are no longer extant. Much of the history of that great organization is, in consequence, lost to us. These two portions are in “Her Majesty’s Public-Record Office,” among the papers labelled

patents, — and bears no attestation. The reference to it may be seen in a volume labelled “Paten: | 3-4 | Car.” It will be found under the fourth year of Charles’s reign, on the left-hand page; the marginal names against the description of the document being, “Aldersey | Adams | New | England.”

“Colonial.” The first portion, in vol. ii., No. 6, consists of forty pages, 1-40; extending from the last of May, 1622, to June 21, 1623. The second portion, in vol. vi., No. 29, consists of thirty-nine pages, 1-39; extending from Nov. 4, 1631, to Nov. 1, 1638. The act of surrender to his Majesty of the Great Charter was passed June 7, 1635, though the Company appears not to have been formally dissolved until later; for there is a record of two meetings as late as 1638.

Neither of these fragments is believed to be a portion of the *original* records; but both are transcripts subsequently made, and probably for judicial investigation. W. Noel Sainsbury, Esq., the accomplished editor of the “Calendar of State Papers, Colonial Series,” agreed with the writer in referring the first portion to the period of Charles the Second.* The second portion, which is not copied in one hand, was doubtless made by the clerks of Sir Joseph Williamson, who held the office of Under-Secretary of State, and subsequently that of Secretary of State, in the reign of Charles the Second; and he has made the following endorsement upon it: “Copy taken

* The *original* records of the Council would probably date back to near the time of its incorporation, in order to embrace all its transactions. The first portion of that, of which we here furnish a copy, begins the last of May, 1622, and at page 1. It would seem that there must have been much to record up to that time. We know that a number of grants were made by the Council previous to this date. The grant to Mason and Gorges, of the 10th of August, 1622, commonly but erroneously (the error probably originated with Belknap) called the “Laconia Grant,” is not referred to in the records as now preserved. Was it originally omitted to be entered, or is the transcript from which we copy not continuous for the period which it covers?

upon a Journal of this Comissⁿ in Mr. Povey’s hand. dec. 1674. J. W.”

The first portion of these records was consulted by the Rev. Joseph B. Felt, in the year 1845; and he quotes it in his “Ecclesiastical History,” i. 68, under the title of “Council Records of London.” Dr. Palfrey consulted it in 1856, while it yet remained in the “State-Paper Office.” He describes it as then “bound in the beginning of the first volume of the series entitled ‘Board of Trade.’ Its title, ‘A Journal of the Council of Trade, from the last of May, 1622, to the 21st of June, 1623,’ which is in a much more modern handwriting, and was prefixed, as I think there can be no doubt, by some person who did not understand the character of the document, has concealed it from the knowledge of inquirers in later times.” — *History of New England*, i. 193. Dr. Palfrey made free use of both parts of these records, extracts from which may be seen in his work referred to, at pages 207-210 and 398-401.

“A Declaration of the Council of New England for the Resignation of the Great Charter, and the Reasons moving them thereto,” made the 25th of April, 1635; “The Humble Petition of Edward Lord Gorges,” the President, of the 1st of May; and the “Act of Surrender,” June 7, — were printed by Hazard in the first volume of his “Collections,” the first and last from manuscript copies. Early transcripts

of these two documents are in the Library of the Massachusetts Historical Society.

The Council of the Antiquarian Society felt that there were some reasons why the publication of these records should be reserved for the more formal volume of its Collections, affording thereby an opportunity for a complete annotation of the text; but as this would be a postponing of the publication, in fact, to an indefinite period, it was decided that it would be better to print the paper at once, in connection with the proceedings of the meeting at which it was announced, with such an explanatory preface as should indicate the general character of the document.

The copy from which we print was made under the direction of W. Noel Sainsbury, Esq., of "Her Majesty's Public-Record Office."

C. D.,

For the Publishing Committee.

MAY 21, 1867.

PUBLIC RECORD OFFICE. }
Colonial Papers, Vol. II., No. 6. }

Saturday the last of May 1622. Whitehall.

Present.

The LORD DUKE OF LENOX. S^r ROBERT MANSELL.
The EARLE OF ARUNDELL. S^r FERDINANDO GORGES.
The LORD GORGES. Capt. SAMUELL ARGALL.
D^r BARNABE GOCHE.

First it is ordered that concerning the Complaint made of M^r Weston, petition shall bee made to his Ma^{tie} for y^e forfeiture of his shipp and goods to y^e presid^t and Councells use.

Compt^t
agt
M^r Weston.

It is thought fitt that there shall bee an order procured from y^r Lords of his Ma^{ties} Councell for sending for such as have in contempt of authority gone for New England this last yeare, As also to procure a further warning to bee given to them from further attempting, by Proclamation, and M^r Attorney to bee moved therein.

Goeing
agt
authority
to
New
England

The patents allready granted, to bee confirmed, and order is given for patents to bee drawne for the Earle of Warwicke and his Associates, The Lord Gorges, S^r Robert Mansell, S^r Ferd. Gorges.

For whome
Patents
are to be
drawne

As concerning y^e Accompt, there are appointed to auditt them, The Lord Gorges, S^r Robert Mansell, Capt. Argall, Doctor Gouche, or any two of them.

Audit^r
to take y^e
Treas
acco^{ts}

For y^e renewing y^e Patent, conferrance to be had with M^r Attorney concerning the tenure, also wth M^r Sollicitor.

Touching the
renewing of
the Patent.

As touching y^e Governor, S^r Ferdinando Gorges is elected, the particulars are reserved till another meeting.

S^r Ferd. Gorges
elected
Govern^r

For the admittance of Merchants to bee Pattentees, it is agreed, that such of the Westerne parts as are capable of the fishing trade shall bee admitted. The businesse of put-

Admittance
of
Merchants.

Committees to consider and Certifie touching the £100,000 offered by Merchts.

ting in £100,000, it is thought fitt that it were knowne what security is demanded. Also that it is rather thought convenient to these Marchants to secure y^e full sattisfacōn and paym^{ts} at delivery of y^e fish. Also to appoint y^e Lord Gorges, S^r Robert Mansell, S^r Ferd. Gorges, Dr. Gouches and Capt. Samuel Argall, as Committees to take this to their consideraōn and to certify their opinions.

To admitt young youths not taynted and to binde them appenticés.

Likewise it is thought convenient, to admitt yōung youths from Parishes, that have not been taynted with any villanyes or misdemen^{rs}, to bee sent to New England, and there to bee placed out and bound Apprentices to such as shall have occasion and meanes to imploy them.

The Adventurers to bee paid in or to bee omitted in the new Patent.

It is ordered that y^e Adventurers, shall forthwith pay in their whole Adventures, otherwise to bee omitted in y^e renewing of y^e pattent.

Committees for election of a new Clerke

The Committees aforesaid, to take y^e continuance or discontinuance of y^e Clerke into their consideraōns and therein to doe as they shall think fitt.

Dr Goche elected Trear. Printing of the booke referr'd

It is ordered that D^r Goche shall bee Treasurer.

The allowance of y^e printing of y^e Booke is referr'd to the Earle of Arundell.

Advancmt. of the Adventurers allowed

The Resolution of undertakeing for partnership in y^e shipp, further then their Adventure of £100 a peece, is referr'd till private conferrance, And Allowance granted to such as will willingly undertake in this kind.

Fryday y^e 5th of July 1622.

The LORD GORGES.

S^r SAMUELL ARGALL.

S^r FERDINANDO GORGES.

D^r BARNABE GOCHE, Trear.

A petn to his Ma^{ty} agt Mr Weston ordered.

First, it is ordered that David Thompson doe attend y^e Lords with a petition to his Ma^{ty} for forfaits committed by Thomas Weston.

To sollicit for proclamacons & for punishing the contemnors of authority

As also to sollicite y^e Lords for procureing from his Ma^{ty} a proclamation concerning y^e fishermen of y^e Westerne parts. Likewise to procure some course for punishing their contempt of authority. And that M^r Attorney bee moved herein.

It is Agreed that y^e Councell meet the Morrow being y^e 6th of this Instant at S^r Ferd: Gorges Lodgings for conferring about y^e forme of a patent betweene 7 and 8 a clocke in y^e Morneing.

The businesse of Admittance of some of the Westerne Merchts offered to S^r Ferd. Gorges, S^r Richard Edgecombe, S^r Barnabe Goche and M^r Drake, and other patentee take into their consideraōn y^e election of six and who shall bee.

The proposition of y^e Businesse of £100,000 is respited in regard of y^e Difficulty of findeing security.

Conserving y^e proposition to bee made unto the City for takeing away of poore Children for New-England, It is thought fitt, that there should bee Letters gotten from y^e Lords for the furtherance hereof to y^e City, and that those Children be of 14 yeares of age apeece or upwards.

It is ordered that a Letter bee drawne and sent to y^e particular patentees for y^e sending in forthwth of their moneys, or else they to bee left out of y^e New pattent and others admitted, And an order to bee procured from y^e Lords to y^e Trear to that effect.

It is agreed upon that M^r Gookyn shall bee admitted in y^e new Grants upon payment of his Adventure.

For y^e Clerke it is ordered that if Henry Fotherby will take £20 p^r Anñ hee shall bee admitted.

It is ordered and allowed that M^r Secretary Calvert shall bee admitted on [e] of y^e Councell for New England in y^e new pattent.

Friday y^e xiith of July 1622.

S^r FERD. GORGES.

D^r GOCHE, Trear

S^r HENRY SPILMAN.

Proposition made to William Cross and Abraham Jennings Merchants, whether they bee content to enter into y^e Great Pattent.

Touching the Admittance of Merchts, referr'd & to bee allowed.

A Letter to the City for poore Children.

Touching the paym^t of the Adventurers.

Touching Mr Gookyn's Admittance.

Touching the Clerkes Election.

Secretary Calvert Admitted.

Mr Cross & Mr Jennings offered to be patentees.

They desired their answers might be respited till some other time.

W^m Boulds
elected
Clerke.

The Admittance and Confirmation of William Boles to be Clerke to y^e Councill is refer'd to y^e meeting of y^e Lords.

S^r Hen.
Spelman
to conceive
the Grand
Pattent.

It is desired that S^r Henry Spelman will be pleased to take some paynes in conceaving the Grand Pattent and afterwards sollicite the Attorney.

To consider who shall sollicite y^e Lords of his M^{tes} Councill for y^e Western fishing businesse, And for y^e Proclamaçõn.

The Trear and Clerke to be sworn.

The oath of y^e Clerke to be conceived by y^e Trear.

A place
of
Meetings.

To consider of a place for our Meetings, and staying for y^e Clerke, & for a Chest for our Bookes.

Where y^e
Corporacon
shall be
settled.

Proposition to be made, where y^e Corporaçon shall be settled.

A peremptory day to be perfixed for y^e payment in of each man's adventure.

Letters
to y^e
Judges
&
Justices.

A proposition touching Letters to be sent to y^e Judges and Justices etc.

Wednesday y^e 24th of July 1622.

The EARLE OF ARUNDELL. S^r FERD. GORGES.
M^r SECRETARY CALVERT. S^r SAM^l ARGALL.

Lord Duke's
devison.

It is order'd and agreed that the Lord Duke of Lenox have for his devident and part of the mayne Land of New-England in America, from y^e Middle of Sawahquatoek towards Sagadahoc, and his bounds that way to reach mid-way betweene Sawahquatoek and Sagadahoc upon y^e Coast. And to reach 30 Miles backward into y^e Mayne. And 3 Leages into y^e Sea.

Mr. Secretary
Calvert's
devid^t.

M^r Secretary Calvert to begin his Devident from y^e Middle of Sagadahoc, and to goe close to y^e Lord Duke his bounds.

And to have further into his devident the Island called by y^e name of Setquin.

The Earle of Arundle to have for his devident, from y^e middle of Sagadahoc, and to goe North east soe much on his side, as M^r Secretary goes on y^e other side upon y^e Coast. And to reach Miles * backward into y^e Mayne, and 3 Leagues into y^e Sea. And to have further into his Devident y^e island called Menehigan.

The Earle
of
Arundle's
devid^t.

It is propounded that y^e Tenure in y^e Grand pattent is thought meet to be held of y^e Crowne of England by y^e

Tenure
of the
Grand
Pattent.

That private Planters shall hold of the Chamber of State to be established there, and shall have power to create their owne Tenures to such as shall hold under them.

Tenure
of
private
Planters.

The Country to be called Nova Albion.

Nova Albion.

That there may be power given in the Grand Pattent to create Titles of Honour and precedency, soe as y^e differ in nominaçon from the titles used heere in England.

M^r Ratcliffe is sent for by a Messinger of the Chamber to attend the Earle of Arundell, to morrow by two of y^e Clock, touching timber stay'd by his Appointment in y^e woods at Whiteby.

Touching
the staying
of the
Timber

It is thought meet that the two great Islands lying in y^e River of Sagadahoc be reserved for the publike plantaçon.

Two Islands
reserved for
publike
plantacon
A place for
the publike
Citty.

Further that a place be reserved betweene the branches of the two Rivers, for a publike Citty.

M^r Thompson is appointed to attend the Lords for a Warrant to M^r Attorney Generall for drawing y^e new Pattent, and S^r Henry Spelman is desired to attend M^r Attorney thereabouts.

Touching
y^e
renewing
of the
Pattent.

The Lord Dukes and y^e Earle of Arundells devidents, sett downe by S^r Ferd. Gorges upon view of y^e Mapps.

The Lord Duke of Lenox is to have for a part of his Devident of y^e Lands in New England, from the midst of the River called Sawahquatoek 15 English Miles in a straight Lyne upon the Sea Coast, to y^e Eastward of y^e River. And 30 English miles backward by all the breadth afores^d.

The Lord
Duke's
Devident.

* Sic. Probably "30" miles. See ante, p. 62.—Eds.

upp into the Mayne Land, North or North and by west, as
y^e Coast and River of Sawahquatoock lyeth, accounting 1760
yards to every Mile, with all y^e fishings, Bayes, Havens,
Harbours, and Islands lyeing or being within 9 miles directly
into y^e Sea (Excepting such Islands, as are already granted
etc. All lyeing betweene the degrees of 43 and 44 etc.

The Earle of Arundell to have for a part of his dividend
from y^e Southermost poynt of Peshippscott East 12 Miles in
a straight Lyne as the Coast lyeth on y^e Sea shoare. And
30 Miles by all that breadth upp into the Mayne Land doe
North, accompting 1760 yards to every Mile, with all y^e
fishings, Havens, Islands etċ. lyeing and being within 9
Miles directly into the Sea etċ. Together with y^e Island of
Menehiggan etċ All lyeing betweene the Degrees of 4 & 4.^o

Att Windsor.

Tuesday y^e 6th of August 1622.

The L^d DUKE OF LENOX. The EARLE OF PEMBROKE
The EARLE OF ARUNDELL. The EARLE OF WARWICKE.

Forasmuch as it hath been ordered by y^e Lords of his
Ma^{ties} Privy Councill, that y^e pattent for New-England
shall bee renewed, as well for y^e Amendm^t of some things
therein contained, as for y^e Necessary supply of what is
found defective, for y^e better Establishm^t of those Affaires.
The President and Councill have therefore thought fit
hereby to declare, that those who have formerly been allowed
and admitted for Pattentees, and have their names inserted
in our last Grant, and have not as yett payd in their Advent-
ure of one hundred and tenn pounds, according to a former
Order in that beehalfe made, shall forthwith pay in the same,
or bee for ever excludet from having interest in the benefitts

* Sic.

or priviledges thereby granted, And those who are desireouse
to bee pattentees with us, in our said new Grant, and by
vertue thereof to pertake y^e benefitts that are like to ensue,
they must resolve forthwith to pay the sume of one hundred
and tenn pounds, into the hands of Doctor Barnabe Goche
our Treār, or in his absence to S^r Samuel Argall Kn^t or
such other person or persons, as under the hand and seal
of y^e said Treār, or y^e s^d S^r Samuel Argall Kn^t, shall bee
assigned to receive y^e same, which sume of £110 is to bee
presently employed for y^e finishing of a shipp and pinace,
now in preparaċōn for y^e advancement of y^e Affaires of New
England aforesaid, together with such other Necessary
charges as herein are requisit, according to our Resolution
in that behalfe established. By y^e payment of w^{ch} said sume
of £110, they soe comeing in are to bee made pattentees
together with us and others that have already paid in our
moneys, or y^e best part thereof, provided that they soe to
come in, bee persons of Hon^r or Gentlemen of blood (Ex-
cept only six Merchants to bee admitted by us for y^e service
and speciall Employ^{ts} of the said Councill in y^e Course of
trade and Commerce who also shall enjoy such Liberties and
imunities as are thereunto belonging.) And it is further
ordered that those who have been already nominated in
trust and confidence of their forwardnesse and affection to
joyue in the publike charge, and shall refuse or omitt soe
to doe, That they signifie their said refusall under their owne
hands for y^e better discharge of those who are appointed to
sollicitt y^e same, or otherwise if they shall omitt soe to doe
to expect such other Course to bee taken for y^e Recovery
thereof, as shall bee agreeable to justice, according to y^e tenor
of his Ma^{ties} Royall grant in that behalfe made to us. Lastly
it is agreed upon and ordered, that if there bee any who are
Content to make their Adventure £160 or more, as they
shall think fitt, That then they shall have a proportionable
share in the said Shipp and pinace, and of the profitts
arising by the Employ^{ts} thereof, otherwise to accept only

The Earle
of
Arundell's
Devid^t

For y^e
Advancm^t
of y^e
Adventurers
A large order.

the benefitts of the Lands and priviledges and Munities of a pattentee. Dated at Windsor y^e 6th of August 1622.

LENOX. PEMBROOK
ARRUNDEL & SURRY. RO: WARWICKE.

Tuesday y^e xxviith of Octo^r. 1622.

D^r BARNABE GOCHE Trear. S^r SAMUEL ARGALL.

S^r ROBERT MANSELL &

S^r FERD: GORGES Capt. THOMAS LOVE.

Assisted by M^r JOHN SELDEN and M^r ROBERT JOHNSON with whom consultacon was had concerning the heads of y^e new Grand pattent.

The Calkers were called, and agreed with, to pay them as M^r Burrell doth pay in his yeare, for the dayly wages and y^e time of workeing. And to have eight dayes pay out, and eight home, and their wives to have 5^s a wecke as peell of their husbands wages.

Rowland White & his boy to spin ocum.

Thomas Fisbell.

Thomas Fenton.

John Bond y^e elder. went not.

John Bond Jun^r They to have Hayre.

William Smith went not.

William Key.

Monday 28^o Octo^r. 1622.

D^r BARNABE GOCHE Trear. } Atty^e Trears
S^r FERDINANDO GORGES Knt. } Chamber.
S^r SAM^{ll} ARGALL Knt. }

It was proposed, what course should bee fittest to bee taken with these shippes that intend to goe in a fishing voyage for New-England this yeare.

1. It was thought fitt to demand from them five fishes out of every hundred. This to bee taken only of y^e English Nation.

2. Noe Stranger to bee allowed or suffered to fish there, That is to make dry fish. There reason, because that making of dry fish hath only been peculiar to Englishmen. And the Hollanders and Frenchmen only corre fish. If they should bee suffered to make dry fish, they would overlay it, and over throw the whole Trayd. Soe the debarring of Strangers, the mantaining of y^e Trade only to our owne people, Keeps still the Knowledge of the makeing of dry fish for England's Commonwealth.

3. It was proposed that each 30 Tunns shall carry a man to New England, who shall bee Employed by the fishermen there. When y^e shippes is ready to come away for the Markett they shall leave this man, together with his share of fish that shall bee due to him at y^e Markett, together with soe much victualls as they would allow them towards the carry- ing of him back againe, or 40^s worth, etc.

4. Proposicōn to be made to y^e fishermen, what Calves, Goates, Piggs, Poultry, Conyes etc. they will carry with them for y^e publike.

5. Att y^e Leaving of a man, see what salt, Bread, Hookes, Lynes and Leads, they will leave with them.

6. To have a man of 10 or 2 of 17 at their goeing away; the Councill are either to send them men, or y^e Owners or Masters are to provide them apparrell, and upon their just account to receive satisfaccōn. And at their parting thence, then they are either to bee delivered to private men or to y^e publike.

1. To consider how these men shall bee provided here at home.

2. And how they shall bee received here.

The Maintenance and profitts of these men is left to a meeting of y^e General Councill, to bee taken or left either by the publike or private.

By y^e privat if y^e publike either refuse or neglect.

Calkers
agreed
with

The
Calkers
names

A course
propounded
touching the
fishing
voyage.

And
resolucons
thereupon.

Saturday y^e 2^d of Nov: 1622.

D^r BARNABE GOCHE Trear } S^r SAM^l ARGALL
S^r FERDINANDO GORGES. } Capt. THO. LOVE.

Order for
Capt. West's
Commission.

It is ordered that a Commission bee engrossed for Capt. Francis West and afterwards sealed.

Proposed to prevent y^e abuses in Trade.

Proposed that none shall goe without Instruções.

Propositions touching y^e new pattent.

Propositions
& Resolucons
touching the
New pattent.

The giving power to make Lawes to a Corporaçon they must bee of force, Answerable to the Lawes of England.

Lawes to be Confirm'd, soe they bee not contrary to Equity.

Not to make a Corporaçon, but to take the Land to us and our Heires.

Concerning y^e ffishing & y^e Sea. The Sea takes from the Land, rather than y^e Land from y^e Sea; if y^e Sea be Common to all *Si Rex Dño* in regard of interest, in regard of propriety?

In y^e new pattent y^e propriety of y^e Sea soe far is nominated; bee advised it bee nott against common Equity, or against the Subjects Right; take y^e Sea *De bene Esse*, and dispute it after; Docter Goche his Instance of Capt. Turner. Also y^e King [of France?] cannot fish without the King of Englands leave, though the place bee nearer to ffrance than to England.

Who shall dispute y^e right of y^e Sea? if y^e ffrench King or y^e Spaniard, then y^e Like may bee done with them in their owne Dominions; if our Subject[s] dispute it, then the King and State will maintaine it.

To restrayne trade to this Island (that consists on Trading) is hard.

Upon every Execuçon joyne all your pattents and plead all.

If y^e King grant a Monopoly, any man in point of Law may resist it.

In y^e new pattent, you must use these words *Damus et Confirmamus. Quere*; if y^e Parliam^t confirme your new pattent whether you may stand upon y^e Strength of y^e first.

Forfeitures to bee Left out in the new pattent, for noe forfeiture to bee taken without a Legall tryall.

A Law made in New England in point of forfeiture stands there.

If y^e King conquer a Land, y^e Land is either Infidell or Christian; if Infidell noe Law till the King give it; if Christian y^e Lawes thereof stand untill y^e King alter them.

The Covenant with y^e King, that he shall not suffer any to goe to New England without y^e Councells consent. This to be left out.

The freedome of Customes is not soe larg as that of Virginia.

A large warrant to bee gotten, and to bee well advised therein.

The petiçon must be Larg and well advised.

The tenure of y^e Mann^r of Greenwich must first bee Released, before you can have a new Tenure.

You must have in your new pattent power to create tenures.

Also a grant of all Escheats of forfeitures for treason and fellony.

Power to give Hon^r by createing new orders and Titles.

Friday y^e 8th of Nov: 1622.

M^r TREAR. S^r SAMUELL ARGALL.
S^r FER^d GORGES.

It is agreed on, that there shall bee a Commissõn granted to Cap^t Francis West to goe to New England, Cap^t of the Shippe called y^e plantaçon, and Admirall for that Coast dureing

Capt. West
elected
Admirall.

this Voyage. And this Clause to be inserted in his Co^{ch}. that hee hath power to take any to Associate him there for the dispatch of his Employ^{ts}, according as hee shall think meete. And that a pattent bee granted to Capt. Thomas Squibb, to bee ayding and Assisting to the Admirall.

S^r Fer^d Gorges is desired to draw upp Capt. West's Instructions.

The Clerke is appointed to Search in the Admirallty Office, what course M^r Delbridge of Barnstaple taketh against any touching abuses done in New England.

It is agreed that a Commission bee granted unto Arthur Champernoun Esq^r for the setting out of a Shippe called the Chudley of the burthen of Tunns to ffish in New England this yeare.

M^r Thomson is ordered to pay unto Leo: Peddock £10 towards his paynes for his last Employments to New England.

To propound to y^e Lords at their next meeting that a positive day bee sett downe for the rest of the pattentees to pay in their Adventures.

And that a certaine place and day bee appointed for y^e Councells meeting.

Monday y^e 11th of Nov^r

The LO: GORGES S^r SAMUELL ARGALL.
M^r TREA^r D^r MATTHEW SUTCLIFFE.
S^r FERD. GORGES.

It is propounded that y^e Orders of y^e Lords of y^e privy Councell bee putt in print, together with y^e orders for Settling of the trade and Commerce in New England, And a Comānd to all Masters of Shippes and their Company to bee sent, and fixed by y^e Admirall upon the mayne Mast of every Shipp to bee obedient hereunto.

Cap^t Squibbs Commission is Respited untill S^r Robert Mansell bee spoken unto for payment, or secureing of his Adventure, And M^r Thomson is appointed to attend S^r Rob^t Mansell therein.

Capt. Squibb
to bee
Assisting

To see
Delbridges
Courses
in the
Admiralty

A Commission
to
M^r Champ-
nuns
shipp for
shipping

Ordered
that
M^r Peddock
have £10.

The Lords
Order
to bee
pmitted.

Capt. Squibbs
Commission
respited.

Wednesday 13th of Nov^r 1622.

The L^d GORGES. S^r SAM^l ARGALL.
M^r TREA^r. D^r MATTHEW SUTCLIFFE.
S^r FER^d GORGES.

It is ordered that M^r Trear. pay unto Christopher Wellborne £15: 6^s 8^d upon a Bill of Exchange accepted returned from M^r Dickson.

S^r Robert Mansell's Note for payment in of this Adventure of £110. is accepted *prout patet*, — I am contented to pay this sume this time two yeares certaine, or within Six Monthes after such time as I shall Receive Letters of Advertisem^t from Cap^t. Squibb, after his discovery and Survey of Mount Mansell, or else within 6 Monthes after his returne thence; And hereunto I subscribe this 19th of Nov^r 1622.

Testat p
FRA: SHELDEN.
THO: SQUIBB.
R^o: MANSELL.

Whereas order was given to y^e Clerke to search y^e Admiralty office touching Deldbridg his proceeding against Barnstable men, *prout patet* — 8^o 9^{brs} Delbridg hath taken a Warrant ag^t Xpⁱe Browning, James Cooke, Jo: Lausey, Jo: Lucks & John Hodge, Da^t. Delbridge gave order to have his Warrant ag^t 5 more viz. Marke Cooke, Antho: Nycolls, John Wetheridge, Adam Hordan and John Penrose, but these last 5 names were razed out.

Friday y^e 15th of Nov^r

The LORD GORGES. S^r SAMUELL ARGALL.
M^r TREA^r. S^r ALLEN APSLEY.
S^r FERD. GORGES. D^r MATTHEW SUTCLIFFE.

Directions to bee Conceaved and sent to y^e Governor, for y^e Mannageing of y^e Trade with the Natives in New England.

A Bill of
Exchange for
£15. 6. 8d. to
Wellborne
from Dixon.

S^r Robert
Mansell's
note for
£110. accepted.

Delbridges
Course &
in the
Admiralty

Mr. Trear to pay out £15. for iron. It is ordered that Mr. Trear Issue out £15 for one Tunn of Iron to bee sent to Whiteby by Wiggener and that Mr. Thomson and y^e Clerke see the Tunn of Iron weighed.

£58. 8s to be pd to Wiggener w^{ch} hee refused. It is further ordered that Mr. Trear. pay unto W^{ill}. Wiggener £58. 8^s uppon Bill of Exchange from Mr. Dickson. Wiggener refused to receive the full of this Bill.

£50. to be return'd by Sr Richard Cholmley. Whereupon it was ordered that Mr. Trear. returne unto Mr. Dickson £50 by Bill of Exchange from Sr Richard Cholmely.

Capt. Love to discharge Sr Samuell Argall of £40. Mr. Thomson is appointed to Sollicit Capt. Love to pay in y^e £40. for w^{ch} Sr Sam^l Argall standeth engaged w^{ch} shall bee allowed unto Capt. Love as a part of his Adventure, w^{ch} if Cap^t Love refuse order is to bee taken for clearing Sr Samuell Argall.

Saturday 16th of Nov. 1622.

The L ^d DUKE OF LENOX	Mr. TREAR.
The EARLE OF ARUNDELL	S ^r EDWARD SEYMOR
The LORD GORGES	S ^r FERD. GORGES.

Whereas y^e Confirmacōn of William Boles to bee Clerke unto the Counsell was (by order of y^e 12th of July Last) referr'd to y^e next meeting of y^e Lords. It is now ordered and Allowed that the said William Boles shall bee clerke unto the Counsell for New England, and shall have for his Sallary £20 p^r Ann. during his Employ^{nt}.

It is ordered that Mr. Thomson Sollicit the Adventurers for payment in of their moneys.

Touching y^e Roomes upon y^e Burse. Touching a place for ordinary meetings; their Lorps. think fitt that y^e Earle of Salsebury bee dealt withall for some Roomes upon y^e New Exchange.

A Letter to y^e Ld Mayor for 100 children. Touching a Letter to bee send from their Lorps to the Lord Mayor of London, the Clerke is appointed to attend y^e Clerke of y^e Counsell to bee advised for y^e Superscripōn and direction thereof.

Propounded whether y^e Children shall bee Received by

the publike, or private undertakers. If for y^e publike then to bee advised how to give Security for y^e Cittys Sattisfaction.

It is thought fitt to Contract with y^e Merch^{ts} to carry for every 30 Tunns or under one man, if the Shipp bee 50 Tunns or upwards, under 60, which is 2 parts of 3, then to carry two men, and soe proportionably; and to leave those men in New England, victualled for two Moneths. And also to leave for every man two Shares of ffish, the one Share for y^e Mans owne use, and y^e other Share for his provision afterwards, together with sufficient provision of Hookes, Lines and Leads, and such like Necessarys for fishing Crafts.

If they refuse to carry men, then to demand £10 for every 30 Tunns or under, and soe rateably as abovesaid.

Moreover to contract with y^e ffishermen, not to Trade or barter with the Natives in New England, nor to furnish them with any Victualls, provision, nor any Ar^m.or, wepons, powder, Shott, or such like furniture for warr.

Touching y^e day for ordinary meetings, it is ordered that Tuesdayes in y^e afternoone bee henceforth observed for Court dayes.

Mr. Thompsons pattend was this day signed by the above-said Counsell.

Monday y^e 18th of Nov^r 1622.

Mr. FERD. GORGES
S ^r SAM ^l ARGALL
D ^s MATTHEW SUTCLIFFE.

It is ordered that Mr. Trear issue out £50. to bee paid to Sr Richard Cholmely Kn^t and to Receive a Bill of Exchange directed to his Steward or Servant at Whiteby for payment of the like Summe to Mr. Dickson.

Order to contract with the Merchts

Tuesday the Court Day

Mr. Thompson's Patent signed

Twice entred vide 15 Nov^r 1622

Tuesday y^e. 19th of Nov^r. 1622.

M^r TREAR S^r SAM^l ARGALL.
S^r FERD. GORGES D^r MATTHEW SUTCLIFFE

A Letter to
M^r Weston
for y^e
Savage.

It is ordered that a Letter bee written from the Counsell to M^r Weston, to deliver to Leonard Peddock, a boy Native of New England called papa Whinett belonging to Abbadakes Sachem of Messachusetts, which boy M^r Peddock is to carry over with him.

It is ordered that the Commission granted to M^r Champnoun for the Shipp called the Chudley of the burthen of — Tunns to goe a ffishing to New England for this yeare bee sealed.

And that Cap^t. Squibb have a Comis^son for the John and ffancis of London. to goe a ffishing as M^r Champnoun hath.

Friday 22th of Nov^r. 1622.

M^r TREAR. S^r FERD. GORGES.
S^r EDWARD SEYMOR. S^r SAM^l ARGALL.

S^r Robert
Massell's
Note
accepted.

S^r Robert Mansell's note for payment in of his Adventure of £110 is accepted put patet.

I am contented to pay this sume this time two yeare certaine, or within 6 Moneths after such time, as I shall receive Letters of Advertisem^t from Cap^t. Squibb, after his discovery and survey of Mount Mansell, or else within 6 Moneths after his returne thence. And hereunto I subscribe this 19th of Nov^r. 1622.

Testa^t.

RO: MANSELL.

FRAN: SHELDEN.

THOM: SQUIBB.

Capt. Squibbs'
Commission
sealed.

Whereupon it was ordered that Cap^t Squibb's Commission for ayding & assisting of y^e Admirall and for discovery and takeing possession of Mount Mansell for S^r Robert Mansell's use bee forthwith sealed.

Signed put.

Wednesday y^e. 27th of Nov^r. 1622.

M^r TREAR. S^r SAMUEL ARGALL
S^r FERD. GORGES. assisted by
CAPT. CHUDLEY.

It is ordered that Bills of Adventure shall be made by S^r Ferd. Gorges Kn^t, late Trear to the Councell for New England, for partner shipp of the new shipp now in Building at Whiteby in the County of Yorke, for and to the use of the said Adventurers, which Bills being signed by S^r Ferd. Gorges, shall bee sealed by Doctor Barn : Goche now Trear to y^e sd Councells, Viz:

An Order
by whom
bills of
Adventure
shall be
given.

	£
To y ^e Duke of Lenox for y ^e same of	160.
The Earle of Arundell for y ^e same of	160.
The Lord Sheffield	
The Lord Gorges for y ^e same of	150.
S ^r Ferd: Gorges for y ^e same of	160.
S ^r Samuel Argall for	180.
D ^r Barn : Goche Trear for	150.
D ^r Matthew Sutcliffe for	100.
and from M ^r Trear for	050.
Capt Robert Gorges for	160.

And that Bills of receipt shall be given unto £
y^e Lord Sheffield for 110.
M^r Abraham Jenings March^t 110.
for their partnership in y^e Maine Land of New
England, & not in y^e new Shipp.

Bills to M^r Trear, S^r Samuel Argall and Cap^t. Gorges are this day sealed.

Capt. Love promiseth to pay in y^e £40 in discharge of S^r Sam^l Argall put in y^e 15th of 9^{ber}

Capt. Love
promised to
discharge S^r
Sam: Argall.

Saturday, ultimo Novembris 1622.

M^r TREAR

S^r FERD: GORGES.

S^r SAMUEL ARGALL.

M^r Jennings
Receipt
sealed.

A Bill of Receipt of £110 is sealed to M^r Abraham Jennings with Covenant for his devident in y^e maine Land of New England.

A distiller
& a taylor
offer their
service.

William Pomfrett, Stiller, } offerd themselves
George Dugdeale, Taylor, } to goe for
New England.

Capt Wests Commission is this day sealed.

Tuesday y^e 3^d of December.

M^r TREAR.

S^r FERD. GORGES.

S^r SAMUEL ARGALL.

Whom to
admitt of
to joyne
in
Adventure.

Whither
to accept
of any
Money.

Estimate
of
provisions,
sayles,
Cables.
Anchors.
The seale
to be carryed
into the
Country
by the
Trear.

to seale
Comissions
there.

The
Comissions
ordered
to be
printed

It is propounded whether every pattentee shall admitt whom hee please to joyne with him in the setting forth of Shippes to fish and Trade in New England.

And whether they shall accept of money from any that shall bee willing to adventure.

Estimacions of the provision of the Shipp. Sayles, a single suite at 14^d p pd will amount to £130.

Cables and Rigging at £400.

Anchors at £111.

It is ordered that M^r Trear carry y^e seale wth him into y^e Country, and contract with y^e Merchts as by Commission given him appeareth, And to give Comissions to y^e Merchants to goe on fishing voyages.

The forme of the Commission for ffishing is Agreed on, and by reason of M^r Trears sudden departure it is ordered that the Clerke procure the Commission to bee printed at his owne charge, and that hee shall have allowance of 10^s for every Commission granted forth by the Trear or Councell for ffishing Voyages.

M^r Thompson propoundeth to have order from y^e Councell for transportacōn of 10 psons with the provisions for New-England. M^r Thompsons
desire to
transport
10 persons.

And the persons soe transported to pay the Councell the usuall rate for their transportacōn after the expiracōn of 2 yeares.

S^r Ferd. Gorges is desired to drawe the forme of a letter to bee sent into the Country with the proclamacons, to this purpose, that it is not the Councells meaning to stay or hinder any from goeing to New England, in fishing voyages, soe as they will conforme themselves to such orders as are concluded and agreed on by the Councell, and committed to D^r Barn: Goche Trear, to whom they may repayre at Exon in Devon, for their Commissions in that beehalfe.

Letters
to bee
sent wth
the
proclamacons.

What power the Councell have to make Lawes by vertue of the present pattent.

Quere.

The tenure in a pticular pattent Viz: To hold of y^e Chamber of State p gladiū Comitatus, that is by finding of 4 able men conveniently arayed for the warr to attend upon the Governor for any service after dayes warning.

The tenure
in a
pticular
pattent.
4 men to bee
provided by
every patentee
after 30 dayes
warning.

Tuesday y^e 17th of Dec^r 1622.

Att y^e Tower

S^r FERD. GORGES.

Capt. LOVE.

S^r ALLEN APSLEY.

assisted by

S^r SAM^l ARGALL.

Capt. CHUDLEY.

Forasmuch as in y^e Trears absence diverse sumes of money are necessary to bee disbursed for dispatch of the Affaires for New England, It is therefore ordered that S^r Ferd: Gorges or any other of the Councell shall disburse any moneys for the publike affaires (in the absence of y^e Trear) it shall bee repaid againe out of the first money that shall bee paid in by any of the Adventurers provided that the account bee allowed by y^e Councell.

Allowance
for
repaymt
disbursed.

An order
for a
letter
ag^t
Capt. Jones.

Whereas y^e Councill are informed by Leo Peddock that Capt Jones who was employed by y^e Company of Virginia to fish upon y^e Coasts of New England, hath this last yeare robbed the Natives there of their ffurres, and offered to carry some of them away prisoners, but being grounded upon y^e Sands, neere Capecodd, y^e Savages escaped and made great exclamaçõn against the present planters of New England, for punishment whereof, S^r Fer^d Gorges is desired to Signifie this abuse by letter from y^e Councill to y^e Earle of South^{ton}.

The Clarke is appointed to understand from Master Collingwood, what title to give upon y^e Superscription of y^e Letter to y^e Earle of South^{ton}.

The
subscription
of y^e
Letter

To the R^t Hon^{ble} Henry Earle of Southampton Trear to y^e Company for Virginia.

Wednesday y^e 15th of January 1622.

Att y^e Earle of Holdernes Lodging.

The EARLE OF HOLDERN.
S^r FER^d GORGES.

S^r SAM^{ll} ARGALL
Capt. THOMAS LOVE
assisted by

S^r JO: BURCHIER.

M^r NARME

Touching
the Roomes
upon
the Burse.

For that y^e Lords are desirous that y^e Earle of Salisbury should bee dealt withall for some roomes over y^e New Bursce. for their place of Meeting, S^r John Bourcher is desired to see y^e Roomes, and to treat with y^e Earles officers in that behalfe.

Touching
the two
Pinaces.

Forasmuch as y^e Kings Ma^{tie} hath assigned the two pinaces which were built for y^e Service of Argiers Voyage, to bee delivered to y^e Councill for the Affaires of New England, for the secureing of y^e ffishermen upon those Coasts for this yeare. And whereas y^e Lord Admirall hath referr'd this businesse to M^r Cooke a Com^r for
Itt is thereof appointed that Cap^t Love conferr with M^r Cooke touching y^e delivery of these pinnaces.

The Letter to bee obtained from his Ma^{tie} to the Lieu^{ts} of every Shire for the Setting forth of their poorer sort of people to New England, being now publickly read, is allowed of, and it is thought fitt the same bee prosecuted.

A Letter from
his Ma^{tie} to the
Lieu^{ts} of every
Shire.

It is propounded that y^e Councill elect S^r Sam^{ll} Argall to bee Admirall of New England.

An Admirall
to bee elected.

Tuesday y^e 21st of Jan: 1622.

M^r TREAR. & S^r SAMLL. ARGALL.
S^r FER^d GORGES.

It is ordered that M^r Trear Issue out to M^r Dickson £5 to buy Scrues.

How to
settle a
strength,
their number
& charge.

Forasmuch as it was now propounded that a Strength must bee settled in New England, consideraçõn thereof was had :

1. What Number is Necessary
2. In what Number they shall bee settled
3. How to bee able to furnish these Men
4. What their Charge will bee

200 men

These ought to bee of 3 Sorts of Men

£
4000.

1. Gentlemen to beare Armes and to attend upon the Governor.

What
sort of men.

2. Handycrafts men of all Sorts

3. Husbandmen for tilling and Manuring of the Lands.

These to bee employed by y^e publike and acc^{ts} to bee taken of them every weeke.

To propound to M^r Narme to bee a pattentee.

Touching
M^r Narme
to bee
pattentee

It is propounded that the pattentees amongst themselves lend in £100 a peece or more, and the new Shipp to bee bound for their security.

Emanuell Altam goeth Capt. in y^e New pynpace built for M^r Peirces plantation.

Emanuel Altam
Capt. of M^r
Pierces
new Pynace

Saturday y^e 25th of Jan^r 1622.

Whitehall

The L^p DUKE OF LENOX The L^p GORGES.
The L^p MARQUESS HAMILTON. M^r TREAR
The EARLE OF ARUNDLE. S^r FERD. GORGES.
The EARLE OF HOLDERNES.

The Pattentees to pay in their Adventures or forfeite their rights

It is ordered and concluded that according to a former order made at Windsor, beareing date y^e 6th of August last past, That as many of the pattentees for the affaires of New England that had not paid in their Adventures, or would not give under their hands and Seales to pay in y^e same at a certaine time to y^e hands of D^r Barnabe Goche Trear, his Deputy or Assignes, for the said Affaires, that then upon their refusall after demand made by the said Trear or Deputies, the pattentees to forfeit all such right or interest as might accrue unto them by reason of his Ma^{ties} grant.

Others to be admitted in their stead.

Further it is ordered that such as are willing to make good the Adventures of those which shall refuse, shall be received in their places. And upon the renewing of the patent, to be nominated pattentees in their steads, the rest to be omitted and excluded as afores^d.

Mr. Trear to grant his Warr^t to sollicite the Pattentees.

Further it is ordered that M^r Trear. grant out a Warrant for the Solliciting of the said pattentees formerly Nominated for their said Resolutions, and present payments of their said Adventures according to y^e said order. And upon payment of y^e said moneys the Trear is Authorized to give a Bill of Adventure for y^e same.

The Earle of Holdernes elected Vice Presdt

It is also by Mutuall concent concluded that the Earle of Holdernes be confirmed Vice President of y^e said Councell, for soe long and dureing such time, as by y^e Councell shall be thought fitt.

Deputies to be elected by the pattentees and to be sworne.

And for that many of y^e Lords and others of the pattentees may happen to be absent at the ordinary times of meeting of y^e Councell, by reason of their other Employments elsewhere.

It is therefore Likewise ordered and agreed upon, that it shall be Lawfull for any of y^e said Councell in their steads to institute and appoint their Deputies, by an Instrument under their hands and Seales, to attend the Service in that behalfe, who shall be sworne faithfully to performe their duties in these Employm^{ts}. And being soe sworne shall dureing their Employm^t in all things represent the pattentees, under whom they are deputed, during y^e said pattentees absence. And whatsoever shall be by y^e Major part there present, soe includ^d to be good and effectuall to all Intents and purposes.

It is further ordered and agreed (upon y^e Motion of the Lord Duke of Lenox) that Andrew Dickson, M^r Workeman of the new Shippes at Whitby, shall be settled Master of y^e said Shipp for the Employm^{ts} next intended.

Mr. Dickson elected M^r of y^e new Shipp.

It is also ordered that consideraçon be had of some fitt persons to be elected to attend the said Councell and Service upon all occasions, viz^t An Admiral, a Vice Trear, A secretary of Councell, a Sollicitor of y^e publike busnesse, A Beadle for summoning the Councell to their Meetings.

Officers to be elected.

Tuesday y^e 28th of Jan^r 1622.

The LORD GORGES. S^r HENRY SPILMAN.
M^r TREAR. S^r SAM^l ARGALL.
S^r FER^d GORGES..

Touching y^e Warrant from M^r Trear. to procure in money — M^r Trear hath conceived a Warrant, and directed it to the Clerke, *prout patet*.

Mr. Trears Warr^t directed to the Clerke.

Touching y^e drawing of the New Patent, S^r Henry Spilman is desired to treat with M^r Attorney thereabout & to understand whither hee will be pleased to accept of a Booke ready drawne, to contayne the branches of y^e new patent.

S^r Hen. Spelman is desired to treat with M^r Attorney touching the New Patents.

For the choyce of officers, it is deferr'd to y^e next meeting of the Lords.

Choice of Officers deferred.

Com^s for
Mennahigan
sealed.

The Com^s for seizing of y^e Island of Mannahigan is this day sealed and signed by y^e Lord Duke of Lenox, the Lord Marquess Halmilton, the Earle of Arundle, the Earle of Holdernes, the Lord Gorges, S^r Robert Mansell, S^r Fer^d Gorges, Docter Matt: Sutcliffe and M^r Treâr.

Lord Gorges
Bill of
Adventure
sealed.

The Lord Gorges Bill of Adventure is this day sealed and signed by S^r Fer^d Gorges.

Friday next is appointed for perusal of y^e Booke of Accounts and of S^r Fer^d Gorges acc^t of moneys layd out by him in the Treâr's absence.

Nich. Spear-
man
entertained
Boatswaine.

Nicholas Spearman is entertayned by the Counsell to bee Boatswaine in y^e new Shipp at Whiteby, and hath his man allowed to attend him, to serve in y^e said Shipp, and by M^r Dickson's Agreem^t with him, hee is allowed *14 p^r weeke and dyett for himselfe and his man; they are to enter into pay upon Thursday seavenight next.

Pully
makers
agreed with.

M^r Dickson hath agreed with Richard Parcks and Edward Launce, of Lymehouse, for pumpes & Pulleys for the new Shipp, viz^t Pumpes at 12^d the foot and pulleys at 10^d p^r foot, as by a Covenant under their hands Remaining with M^r Treâr appeareth.

Mr Jennings
to overlooke
the Carpenters.

M^r Jenings is desired to overlooke the Carpenters, for the Pumps, Blocks and Pulleys.

£6 paid to the
pully makers
for
ernest money.

M^r Treâr. is desired to issue out £6 to Parck and Launce for earnest money to sett them on worke.

It is ordered that y^e two Bills of Adventure for Docter Sutcliffe bee sealed, viz^t for £100 paid to S^r Fer^d Gorges and £50 paid to M^r D^r Goche.

Mr Jennings
particulars
for the new
pinace
deferr'd.

The consideraçon of M^r Abra: Jenings Bill of particulars for furnishing forth Cap^t. West Admirall of New England, with provisions to build a pynnace there, is deferr'd till Fry-day next.

Fryday the Last of Jan. 1622.

M^r TREAR. S^r SAMLL. ARGALL.
SIR HEN: SPILMAN. D^r MATTHEW SUTCLIFFE.
S^r FER^d GORGES.

It is ordered that M^r Treâr pay unto Robert Oliver's wife £3., 8^s upon M^r Dicksons Bill of Exchange

£3. 8s pd
to Robt
Oliver's Wife.

A Bill of Adventure to S^r Fer^d Gorges is this day sealed *dat eodem die*.

S^r Ferd.
Gorges
Bill of Ad-
venture sealed.

It is propounded that the Proclamaçon bee sent to New England.

Proclamacons
to be sent into
New England.

Sir Henry Spilman is desired to draw up the heads of the new pattent, and to attend M^r Attorney thereabouts.

Tuesday y^e 4th of Feb. 1622.

M^r TREAR. S^r JOHN BOURCHIER.
S^r FER^d GORGES. S^r SAM^l ARGALL.

This day M^r John Rossier Agent for M^r Palmer and others Marchants of Barnstaple in the County of Devon, Informed the Councell that there were three shippes of the port of Barnstaple, the first named the Rebecca, of the Burthen of 80 Tunns, whereof Richard Wilkey is Master, the second named the John, of the Burthen of 65 Tunns, whereof Adam Horden is Master, the 3^d called the Henry of the burthen of 80 Tunns, whereof is Master, which said Shippes were gone in a fishing Voyage for New England, before y^e Kings Ma^{ties} Proclamaçon came into the Country for their Restraint, yett in obedience to the said proclamaçon the said Rossier offered £40 for composition for the said 3 Shippes Lyccnces to fish and cutting downe and imploying of the Timber for Stages upon that Coast, which sume of £40 in consideraçon that the said Shippes were gone before the Proclamaçon came into the Country, and in respect of their

The
Composition
with
Barstable
men.

willingnesse and forwardnesse to Subject themselves unto the orders of the said Councell is accepted. And it is further agreed that if any of the said Shippes miss-carry or Arive not in New England through the Hazard of the Sea or Surprize of pyrates, then y^e Councell to repay unto the Owners (upon Demand) such Summe as is now paid for such Shippes as shall Miss-carry as aforesaid, due prooffe thereof being first made unto the said Councell in that behalfe.

Mr Row's
desire to
a patenttee.

Mr Richard Row Mer^{cht} desireth to bee admitted as a patenttee upon payment in of his Adventure, whereupon it is ordered that Mr Trear conferr with Mr Row thereabouts, and to consider y^e Conditions upon w^{ch} Mr Row is to bee admitted.

The Lord
Dukes & y^e
E. of Arundles
Bills of Adven-
ture sealed.

Bills of Adventure for the Summe of £160 a peece are this day sealed for y^e Lord Duke and the Earle of Arundle.

Dated *eodem die*.

Sr Jo. Bour-
chiers Answer
for the Roomes
upon y^e
Burse.

Whereas Sr John Bourchier was desired to conferr wth the Earle of Salisbury his officers for the Roomes upon the new Bursse, hee certifieth that hee hath had Conferrance with the said officers, and that they demand £200 for a fine and £120 p^r Ann. for 21 yeares, and that hee beleiveth y^e Earle of Salisbury will come in as an Adventurer, and will abate his Adventure out of the fine.

Tuesday 18th Feby. 1622.

The EARLE OF HOLDERNES.

S^r JOHN BURCHIER.

VICE PRES^{nt}

S^r HEN: SPILMAN.

The EARLE OF WARWICK.

S^r SAM^l: ARGALL.

S^r FER^o GORGES.

Cap^t THO: LOVE.

The Seale
for y^e
publike named
the State
County.

Touching y^e Settling of the Leace of y^e plantacon for y^e publike, It is thought fitt that it bee settled in the most Convenient place upon the River of Sagadahoc, wherunto shall bee added a verge containing a County, w^{ch} shall bee called by the name of the State County, which County shall consist of 40 Miles Square from y^e Center; and as for y^e

name of y^e Citty, the Councell will bee humble petitioners unto the King's Majesty to give the same. And it is further ordered that the County and Citty shall bee equally divided amongst the pattentees who shall cast Lotts for their severall shares. And in the meane time there shall not any new Grants pass other then such as are already granted.

S^r Hen: Spelman propoundeth that if the Statute made the _____ yeare of Queene Eliz: for y^e binding forth of poore Childre: Apprentices bee made use of, by this Councell, in every County, it will bee very Easefull to the Country, and beneficiall to this plantacon.

Statute of
an Apprentice
propounded.

The Letter being read, propounded to bee sent from the Kings Ma^{tie} to the Lieu^{ts} of every County for y^e provideing and furnishing forth of poore people to bee Received by this Councell and sent for New England, It is rather thought fitt that one Letter bee procured by this Counsell from the Kings Majestie to y^e Lords. And that thereupon the Lords send particular Letters to y^e Lieu^{ts}. But the prosecucon hereof is respited untill convenient time serve for ability to accept of these persons.

The Letter
from the K.
to y^e Lieut.
respited.

Whereas y^e Lord Vice Pres^{nt} was desired to procure a warr^t from y^e Lord Admirall for delivery of the two Pynaces to this Councell formerly Assigned by the K^s Ma^{tie}

Touching
the 2
pinnaces.

His Lor^p saith, that he hath treated with y^e Lord Admirall herein, but hath Received noe direct Answer, whereupon y^e Councell prayed that y^e Lord Vice Pres^{nt} would bee pleased to presente this Suite. And that y^e Earle of Warwick would joyne with the Lord Vice president therein, w^{ch} they both are pleased to undertake. Whereas a petⁿ was Exhibited to this Councell in the behalfe of Mr Pierce and his Associates, for a Certificat unto y^e Mayor of Norw^{ch} to redeliver certaine Barrells of Meale, which they had provided to Transport to New England for reliefe of y^e Planters there, being stayed by the Mayor or his officers,

A Petⁿ for
meal stayed
by y^e Mayor
of Norw^{ch}

The Councell Answered their
Petition, put, etc.

The
Councell
misinformed
by
Plymth Comp.

The Mayor and Aldermen Answered hereunto by Letter dated y^e day of whereby it appeared that y^e Councell were Missinformed by y^e Company and by one Rounce.

Whereas Mr William Darby of the Towne of Dorchester, Agent for Richard Bashrode of the same, Merch^t, and his Associates, propounded unto the Councell that the said Mr Bashrode desired that either himselfe or some one of his Associates might bee admitted a pattentee, and for that they purpose to Settle a plantaçõn in New England, they now prayed to have a Lycence granted unto them to send forth a Shippe for Discovery and other Employments in New England for this yeare, which the Councell ordered accordingly.

Touching
Transportacon
of men
&
goods.

Whereas his Matie: by his Royall Charter hath granted unto y^e Councell of New England in America Licence to carry and transport into their Voyages and for and towards the plantaçõn of New England, all such & soe many of his Loveing Subjects or Strangers that will become his Loveing Subjects (Excepting only such as shall bee restrayned by speciall name) wth Shipping, Armour, Weapons, ordinances, Muniçõn, powder, Shott, Victualls and all manner of Cloathing, Implem^{ts}, furniture, Beasts, Cattle, Horses, Mares and all Necessarys for plantaçõn and for use and defence, without paying or yeilding any Costome or Subsidie inward or outward for the space of certaine yeares yett unexpired, And not to Transport or Dispose of them elsewhere (under that pretence) upon paine of Confiscaçõn of the said goods together with the Shippe or Vessell, wherein such Transportaçõn was made. Now for that wee understand that many persons of evill disposiçõn have heretofore (and may hereafter if care bee not taken) under collour of Transporting Goods to New England, carried the same into other parts beyond the Seas, to the abuse of his Matie^s most gracious fauour, contrary to y^e expresse Commands of the said Councell, therefore the said Councell for the more exact

prevençõn of the like Miss-demeanours and abuses, have thought fitt, and doe hereby order, Command and appoint, that noe shipp shall bee henceforth sett out by any though free of these Territorys, or other whatsoever, either in ffishing Voyages or Transportaçõn of any passengers Goods or provisions whatsoever. But they shall first take Lycence from us the said Councell respectively upon paine of such penalties in his M^{jes^{ties}} said Royall grant, and proclamaçõn expressed. And further that the Capt., Master, and purser of every Shipp that shall bee employed for transportaçõn of any Passengers with their provisions, as aforesaid, shall Likewise (upon paine of such penalty as y^e said Councell shall think fitt to inflict) deliver or Cause to bee delivered unto the Clerke of y^e said Councell a true Note or Inventory under his or their hands of all the names, Surnames, Trades, professions and faculties of all pass^{rs}, together with an Invoyce or Inventory, Signed also by the proprietor of all such Goods, Cattle, Armes, Muniçõn, and provisions whatsoever, intended to bee thither transported in their severall Shipp, which shall bee by the said Clerke fairely kept and registred. And to the end such pass^{rs} may duely Receive their said Goods at their Arrivall and Landing in New England, It is Likewise ordered that the said Clerke shall Transmitt under his hand, a true Copie of all such Inventories whereby the Proprietor or (if hee decease thither bound without disposing or bequeathing his said Goods) the officer Assigned may duly Receive the same or such part unbequeathed, and stand charged for redelivering thereof as to Justice shall appertaine.

Noe shipp
shall goe
without
Lycence.

Whereas it was ordered that Mr Bushrode and his Associates should have a Lycence to sett forth a Shipp for discovery and other Employment^s in New England, the Lycence, being signed by the Earle of Warwicke, S^r Fer^d Gorges and S^r Sam^l Argall, was this day sealed, And a covenant taken from Mr Derby that if the said Mr Bushrode nor any of his Associates came not in for a pattentee before

20th Febr 22.
Mr Bushrodes
Licence.

Sr Ferd.
Gorges
to acct^r for
this £10.

the 26th of May next, then to pay £13. 6^s 8^d for this Lycence, whereof £10 was forthwith paid to the hands of Sr Ferd^s Gorges for the use of the said Councill, and the residue payable on the 26th of May next.

And if the said M^r Bushrode or any one of his Associates come in for a pattentee before the said 26th of May, then to pay on that day £50 and the other £50 to make up £110 on y^e second day of July then following, as by the Covenant remaining in D^r Goche's Custody appeareth.

Tuesday 25. of Feby 1622.

S^r FER^d GORGES.

S^r HEN: SPELMAN

&

S^r SAM^l ARGALL.

Lycence for
the
Little James.

Whereas the Adventurers for M^r Pierce's planta^on exhibited their petition for the altering of some part of y^e Lycence granted for y^e little James to Samuell Altham, Cap^t, viz^t that in considera^on of many crosses and Losses by them lately sustayned they might have to themselves the Moyety (formerly reserved unto y^e Councill) all such prizes as they should seize and Lawfully take upon the Coasts of New England, as by the position & Lycence appeareth. It is ordered and agreed accordingly, And a Lycence is now sealed and signed by Robert Warwicke, Fer^d Gorges, Sam^l Argall, and the former Lycence is Cancelled in the presence of the said Councill.

It is ordered that the Clerke call upon M^r Collingwood for y^e Copie of S^r John Bruces pattent.

M^r Collinwood Answered me that hee hath delivered all the Bookes to S^r Ferd. Gorges & to M^r Thompson.

It is ordered that a Commission bee drawne for the L^d Gorges Shipp called the Katherine, of 180 Tunns, as well for Transporta^on of passengers as for such other Employ^{ts} as the Lord Gorges shall direct, as large as the Com^o. granted to y^e Little James. Cap^t Tho^s Squibb, Cap^t, and Joseph Stratton, Master^r.

S^r Henry Spelman propoundeth that from henceforth such Patents as are to bee granted, shall only pass to one pattentee, and others to come in under that and not otherwise. Touching y^e £52. 9^s 6^d charged by M^r Dickson due to M^r Horton the ffishmonger, It is ordered that he shall Receive the same out of the £55 which M^r Levitt undertaketh to pay on our Lady day next.

It is likewise ordered that there shall bee a Bill of Adventure made for the Earle of Warwick for £60 allready paid to S^r Fer^d Gorges late Trear, and for £100 now to bee paid, vid^t 5th May. And that there bee a Bill of Adventure for the Earle of Holdernes for £160.

Mem^d that the 4th of March 1622 this Bill of Adventure Signed by S^r Fer^d Gorges, was sealed and delivered to M^r Alexander Narme and y^e £160 was paid by M^r Narme to M^r Andrew Dickson.

Tuesday 11 Marci 1622.

S^r FER^d GORGES.

S^r HEN: SPELMAN.

It is ordered that the Clerke give Notice to M^r Jo: Pierce to attend the Councill on Tuesday next to answer such Complaints as his Associates shall object.

Emanuell Altham, Cap^t of the Little James of London, and other of the Adventurers of New Plymouth crave the ayde of the Councill for discharging of some of their

Lycence
for the
Katherine.

Grant
to one
pattentee.

£52. 9^s 6^d
to be pd to
M^r Horton.

A Bill for the
Earle of
Warwick.

Mr Dickson
to account
for £160.

Men press'd
for the K's
service out
of the Little
James.

Shipp Company, which were lately prest by the Marshall of the Admirallty for his Ma^{ties} Service, whereupon the Clerke was willed to acquainted * the Marshall that those persons were shipp'd in the Little James to goe to New England and therefore were free by his Ma^{ties} Charter granted to the Councill. The Marshall Answered that hee sent not aboard to press any, but if any were prest it was their owne fault to bee abroad, And that such as were press'd their names were returned to Chatham where the Kings Shipp lay, soe that hee could not discharge them. But he would henceforth forbear to press any off such Shipp Company as should be bound for New England.

Propositions
for renewing
y^e Pattent.

Touching the Renewing of the Pattent; S^r Henry Spelman propoundeth, that the Councill may have Liberty to grant Lands in New England to bee held of them by any tenure such as they shall think most fitt. Notwithstanding the Statute of *quia emptores terrarum* made in the 18th of H. y^e 3^d

And touching the Governm^t of those Territories by the present patent, it is limited to bee (as neere as may bee) to the Lawes of England; for many reasons it is propounded, that those words may bee omitted in the New Patent.

Tuesday 18th Marcii 1622.

S^r FER^o GORGES & S^r HEN: SPELMAN.

Proposition was made M^r Hagthorpe, M^r Jerveys Biliand, M^r Edward Cox and M^r William Wader, Merchants, that they might joyne with Capt. Robert Gorges in his plantacon in New England. S^r Fer^d Gorges desired to consider further thereof and that hee might treat with them therabout at some other fitter time.

For matter of incorporacon, the grant to bee Gen^l to the Councill and their Successors.

That the Councill may have power to erecte tenures.

* Sic.

Notwithstanding the Statute of 18 H. 3. either according to the Lawes of England, or the feodall Lawes, or any other Lawes.

That they may have power to erect the Governm^t and to Transact [transmit?] that power to their Majestrates there.

Touching y^e Petition exhibited to the Councill by the Adventurers of New Plimouth in New England, ag^t M^r John Peirce, the patentee wth whom they are Associates:

M^r Peirce and the Associates mett, and made severall proposi^ons each to other but agreed not.

Whereupon they were appointed to give meeting each to other and then to certifie the Councill what they Concluded on, that then such further course might bee taken as should bee meet. Upon reading of a Letter written from the Mayor and Aldermen of Northw^{ch} to the Councill touching their detaining of certaine Barrells of Meale from the Adventurers of New Plimouth, It appeareth that one Rounce of Norw^{ch}, agent for the Adventurers, had Missinformed the Councill therein, whereupon it was ordered that Rounce should bee spoaken with touching his wrong Informa^on, And it is thought fitt that henceforth noe Informa^on bee taken but upon Oath.

Vide 18 Feb.

Tuesday 25th Marcii 1623.

S^r FER. GORGES.
S^r SAM: ARGALL.
S^r HEN: SPELMAN.

M^r JO: PEIRCE
& his Associates.

After a Long dispute of the differences betweene M^r Jo: Peirce and his Associates, It appeared that M^r Jo: Peirce obtained from the Councill an Indenture purporting a Grant of certaine Lands in New England for settling of a plantacon there, dated the first day of June, A^o 1621. It further appeared that upon the xxth day of Aprill, 1622, M^r Jo: Peirce granted Letters of Associacon unto the said Adven-

M^r Peirce
& his
Associates.

turers, whereby hee made them jointly interested with him in the Lands granted by the abovesaid Indentures.

Moreover it appeared that upon the said xxth day of April 1622, after the said M^r Peirce had interested the said Adventurers in the Lands past unto him by the said Indenture, that hee yeilded & surrendred upp the said Indenture and Received upp the Counterp^t thereof, And tooke a pattent or Deed pole of the said Lands to himselfe, his Heires, Associates & Assignes for ever, bearing date the said xxth of April 1622, with w^{ch} Surrender and new Grant the Adventurers affirmed that they were not privy unto, And therefore conceived themselves deceived by M^r Peirce, w^{ch} was the cause of their Complaint. Att length by the Mutuall consent of M^r Peirce and of the said Adventurers it was ordered as followeth:—

Whereas there were Severall differences betweene John Peirce, Cittizen and Cloathworker of London, & the Trear and other the Associates of him the said John Peirce, that were undertakers with him for Settling and Advancem^t of the Plantaçõn of Plimouth in the parts of New England: All w^{ch}, after the full hearing and debateing thereof before us, were finally concluded upon, by the offerr of the said John Peirce, and mutuall acception of the said Trear and Company then present, in the behalfe of themselves and the rest of the said Company, that the said Associates with their undertakers and Servants now settled or to bee settled in Plymouth aforesaid should remaine and continue Tennants unto the Councell established for the managing of the foresaid affaires of New England, Notwthstanding a grant bearing date the xxth of Aprill, 1622, by y^e said Peirce obtained (without the consent of the said Associates) from the said Councell, contrary to a former grant to the said Peirce made in the behalfe of himselfe and his said Associates, dated the first of June, 1621. And soe his said Associates, are left free to hold the priviledges by the said former grant of the first of June, as if the later had never bin, And they

The Order
between
M^r Peirce
& his
Associates.

the said Associates to receive and enjoy all that they doe or may possesse by vertue thereof. And the Surplus that is to remaine over and above, by reason of the later grant, the said Peirce to enjoy, and to make his best benefit of, as to him shall seeme good; for performance whereof both parties have submitted themselves to y^e Authority and pleasure of the said Councell to pass unto them new Grants for either of their Interests & finall determination of all the differences betweene them, agreeable and upon such Conditions as are usuall, or as in equity the Councell shall think fitt.

M^r Sherly, Trear to y^e said Adventurers of New Plymouth, propoundeth in the behalfe of the said Adventurers, that they may have a pattent for soe much as is granted to them in the former Indenture made to M^r Peirce, Dated y^e first of June, 1621.

It is propounded by S^r Hen: Spelman that there shall only bee allowed unto such as shall transport themselves into New England, the proporçõn of 60 Acres for every person & noe more. And that such as shall become Tennant to any of the Pattentees, and Settled in New England, shall not depart from the place where hee is once planted, without Lycence from his Land Lord.

It is propounded touching the removeing of such pattentees as shall refuse to pay in their Adventures, that they may bee called before the Lords of the privy Councell to surrender upp their right granted in his Matiës. Letters pattents, and then others to bee admitted in their places.

Monday y^e 5th of May 1623.

M^r TREAR.

S^r FER^o GORGES.

S^r SAM: ARGALL.

Touching the differences betweene M^r Hopkins and M^r Peirce, M^r Hopkins allcadgeth that hee hath paid to M^r Peirce for Transportaçõn of himselfe and two persons

M^r Sherly's
ppositions
for a
pattent.

50 Acres only
to bee allowed
to a planter.

None to depart
after they
are planted.

The course
to remove
Pattentees.

Differences
betweene
M^r Peirce
&
M^r Hopkins.

more, and Likewise for his goods, w^{ch} Peirce acknowledgeth, but alleadgeth, that by reason of his unfortunate returne, the rest of the passengers that went upon the Like Conditions have been contented to allow unto 40^s a person towards his Loss, and therefore desireth that Master Hopkyns may doe the like, which M^r Hopkins at length agreed unto, soe as M^r Peirce and his Associates will accept of £6 for 3 passengers out of £20 his Adventure w^{ch} he hath in their Joynt Stock. And therefore they both pray that the Councill will bee pleased to write to the Associates to accept thereof, which they are pleased to doe.

A Letter was this day written
and Signed *prout*, &c.

Touching the Petition delivered by M^r Peddock for some allowance towards the charge of his Last Voyage to New England, S^r Fer^d Gorges willed the Clerke to Remember him thereabouts when money came in.

A Bill of Adventure was this day Sealed, with a Blanck for the date, to the Earle of Warwick, for £60 paid to S^r Fer^d Gorges late Treār, And £100 to bee p^d to D^r Goche now Treār.

Memorand. this Bill the 14th of May, And S^r Sam. Argall then Rec^d £100 and reserved £57. 5^s to discharge a debt wherein hee stood ingaged for Iron, and the residue £42. 15^s the Clerke Received, whereof hee reserved £2. 15^s towards his Sallary due at our Ladyday, and paid the £40 to M^r Treār, which he paid forthwith to M^r Horton, in part of a Bill of £52. 9^s 6^d charged by M^r Dickson, And gave a Bill for the £12. 9^s 6^d to bee paid on the 8th of August next.

In consideraçon of a Statute given by M^r Christopher Levitt, Esq^r for £110, to bee a principall pattentee, *Prout* p^r Statute, It is ordered that a grant bee made unto M^r Levitt for 6000 Acres of Land, *prout*, &c. This grant was drawne by S^r Henry Spelman and signed *prout*, &c.

It is ordered that a Lycence bee granted to Melchard Bennett of Barnstaple, for setting forth of a Shipp called y^e Eagle, of the Burthen of Tunns for a fishing Voyage, whereof John Wetheridge is appointed Master.

This Lycence was Printed, And
was dated and Sealed y^e 22th
of May 1623, for w^{ch} D^r
Goche Recd. £6. 13^s 4^d

Tuesday 10 Junii 1623.

M^r TREAR.
S^r FER. GORGES.
S^r HEN: SPELMAN.

A Conference was now had for y^e Speedy furnishing of such money as might discharge the Country at Whiteby, And defray the charge for bringing about of the Shipp:

Tuesday 17th Junii. 1623.

The EARLE OF HOLDERNES.	S ^r FE RD GORGES.
LORD VICE PRESIDENT.	S ^r HEN: SPELMAN.
The LORD GORGES.	S ^r WILL ^M BELLASIS.
M ^r TREAR.	EDMOND BRUDNELL.

S^r William Bellasis did this day pray to bee admitted a pattentee and Councillor for the Affaires of New England, whom the Councill did willingly admitt. And in consideraçon thereof, S^r William assumeth to pay unto the Councill £160 for a pattentees part of the Mayne Land and a Share of the Shipp, in manner following, viz^t £80 at All Holloutide next, and other £80. upon the first day of May then next following, whereof the Councill did accept.

Edmond Brudnell, Ge [*effaced*] doth likewise pray to bee admitted a pattentee and Councillor for the Affaires of New England, of whom the Councill doth accept, whereupon hee

assumed to pay unto them the sume of £110 for a pattentee part of the Mayne Land of New England, to bee paid unto the Trear within one Moneth next ensueing.

Two Bills of Adventure are this day sealed and Signed by the Trear, for the Lord Keeper, the one for £110 for a pattentees part in y^e Mayne Land, And the other of £160 for the part in the mayne Land and a rateable share in y^e Shipp. Both which are delivered to S^r Henry Spelman that the Lord Keeper may make choice of which hee best liketh.

The Lord Keeper accepted of the Bill of £110 and paid the same into D^r Goche.

Propositions and demands were this day offered to the Councill by M^r Francis Weekes, in the behalfe of some owners and Merchants of the Port of Barnstaple in the County of Devon, for the Settling of a Plantacon in New England, which were read and y^e Councill desired respit for Answering them untill their next Meeting, And the propositions were delivered to M^r Trear. who was desired to conceive Answeres thereunto.

Saturday 21st Junii 1623.

The LORD GORGES.
M^r TREAR.

S^r FER^d GORGES.
S^r WILL: BELLAISES.

Answeres to y^e Demands and propositions made by the owners and Merchants of Barnstaple are this day delivered to M^r Weeks, and signed *prout supra*.

A promise was now taken under M^r Weeks hand for paym^t of £250 to the Councill on the 24th of August next, for the grant which the Councill were contented to pass when they should require the same. It*

* Thus ends the first fragment of these records. — Eds.

Itt is propounded whither the Islands that lye within everye Pattentees share shall passe (uppon the Devision) as parte of the devident, or be layd out for the publique use.

And that the land maye be devided according as the devision is made in the Plott remayning with D^r Goche.

Further that when the shipp is ready, everye Pattentee send 5 men to settle uppon the State County, and if any neglect sending his number, another maye have liberty to send them.

For that many of the Adventurers fayle payment of their Adventures, And the shipp receaveth great prejudice by stayeing in Whitbye, and runneth on to a great charge Itt is propounded that she be mortgaged to any of the Adventurers already interessed in her for the some of 2000 marckes.

Sir Ferd: Gorges, Sir Sam: Argall, and M^r Treasurer, are contented to ingage themselves with any of the Adventurers each for a 5th or 6th parte of 2000 marckes uppon the Shipp.

Saturday 28 Junij 1623.

The EARLE OF HOLDERNES.
The LORD GORGES.
M^r TREASURER.

SIR FERD. GORGES.
SIR HENRY SPELMAN.
SIR SAM: ARGALL.
SIR W^r: BELAYSYS.

Touching the renueing of the Pattent, Sir Henry Spelman is prayed to take the same into his consideracon.

For that some of the Adventurers excuse their non payem^t in of their adventures, because they knowe nott their shares for which they are to paie, which much prejudiceth the proceedings, Itt is thought fitt that the land of New England be devided in this manner viz^t: — by 20 lotts and eache lott

NOTE. — The first part of these records, at p. 96, ends abruptly, the remaining portion of the MS. from which it was copied having been lost. The last word, "It," was the "catch-word" to the next page wanting. The three pages which now follow have been taken from another MS. recently (1875) discovered. See Proceedings for October, 1875. — Eds.

to conteyne 2 shares. And for that there are not full 40, and above 20 Adventurers, that onely 20 shall drawe those lotts. And the rest that are already, or shall hereafter become Adventurers, shall have one of those shares, butt the proprietor shall first chuse one of the shares and leave the other. And to the end the number of 40 maye be compleat, The adventurer that draweth a double share maye nominate a gent in trust for one share, who if he come nott in for the same before the end of Michas terme, then the Councell, to nominate one that will accept thereof, and the gent so trusted to resigne the said share uppon demand. And for that some desire to plant in the North and some in the South, Itt is though fitt, that after the lotts are drawne, such Pattentee as hath drawne a double lott either in the North or South, shall have liberty to exchange or to take one share in the others lott. But the proprietor shall still first chuse one share and leave the other.

And that the Islandes shall be graunted unto such Pattentee within whose devident they happen to fall.

And if any differences happen amongst the Pattentees touching their shares or the devision of the land, the Councell shall have power to order and determyne the same.

Touching the Mortgaging of the shipp for that itt is made unto D^r Barnabe Goche and his Associates for the consideration of 2000 markes att D^r Goche his instance, The Councell expresse that they did nott conceave that D^r Goche should be compellable to undertake for more than a 5th or 6th parte, otherwise then he should please. And theruppon the same was signed put sup^r except S^r Henry Spelman.

This Mortgage was also signed by Richmond & Lennox, Arundle & Surrey, Warwick.

Itt is propounded by the Lo. Vice President, that the lotts maye be made ready and brought to Greenwich to morrowe, which he will humbly present unto the Kinges most excellent Ma^{tie}. And praye his highenes to be pleased, to see the devision made, And to drawe one lott for the Lo. Duke of

Buckingham in his absence, wherefore M^r Treasurer is desired to see the making upp of the lotts.

Sondaie 29^o Junij. 1623.

Att Greenwich.

There were presented to the Kings most excellent Ma^{tie} a Plott of all the Coasts and lands of New England, devided into twenty parts each part conteyning two shares, And twenty lotts conteyning the said double shares made upp in little bales of waxe, And the names of twenty Pattentees by whom these lotts were to be drawne. And for that the Lord Duke of Buckingham was then absent, his Ma^{tie} was graciously pleased to drawe the first lott in his Graces behalf, which conteyned the eight number or share. And the rest of the lotts were drawne as followeth:—

The Lord Duke of Richmond for himself the number of . . .	6
The Earl of Arundle and Surrey	20
For the Lord Keep. drawne by His Ma ^{tie}	17
The Earl of Middlesex	13
The Earl of Warwick	7
The Earl of Holdernes	14
The Earl of Carlile	18
For the Lord Sheffield, drawne by Sir John Bouchier	12
For the Lord Gorges drawne by the Kinges Ma ^{tie}	3
For Sir Robert Mansell drawne by Sir Samuell Argall	15
Sir Ferdinando Gorges	19
Sir Alleyn Apsley	10
For Sir Henry Spelman drawne by the Lord Duke of Rich- } mond }	11
Sir Samuell Argall	2
Sir William Bellasys	16
Doctor Barnabe Goche	1
For Doctor Mattheve Sutcliffe drawne by Doctor Goche . . .	4
For Cap ^t Thomas Love drawne by Sir Samuell Argall	9
For M ^r Abraham Jenings drawne by Sir Sam. Argall	5
[The Lord Duke of Buckingham drawn by his Ma ^{tie} as above.]	8

This table of Errata is the result of a collation of the Carew MS. with the Society's printed copy.

Page. Line.
 59, 25, read "renewing of y^e patent."
 59, last, "The businessse" begins a new paragraph.
 59, in margin, after Audit^r, read "appointed," &c.
 60, 3, read "to tye these Marchants," &c.
 60, 5, read "Dr. Gouche."
 61, 16, dele "apeece."
 62, in margin, read "St. Hen. Spelman desired to conceive," &c.
 62, 13, read "staying of," &c.
 63, 4, between "reach" and "Miles" a blank space.
 63, 15, for y^e, read "they."
 65, 6, for to, read "unto."
 65, last, for accept, read "expect."
 66, top, for Munities, read "inunities."
 66, 9, for Johnson, read "Johnston."
 66, 25, for Atty Trears., read "Att y^e," &c.
 66, 28, for these shippes, read "those shippes."
 66, in margin, for And resolucons, read "6 resolucons."
 67, 2, read "their reason, because that the making," &c.
 67, 12, for shippes, read "shipp."
 67, 15, for them, read "hym."
 67, 26, read "delivered either."
 67, 30, read "received there."
 68, 23, after y^e, follows "Frenche," but with a pen drawn through it.
 69, 12, after Infidell, read "there is," &c.
 69, 28, for Hon^r, read "Hon^r."
 70, 4, "And that" begins a new paragraph; for pattent, read "commission."
 71, 8, for this Adventure, read "his adventure." In margin of this paragraph "misentred, vide 22 Nov."
 71, 21, for Xpie, read "Christopher," and for Lausey, read "Lansey."
 72, 13, read "clearcing of."
 73, 12, read "Craft."
 73, 17, read "provisions."
 73, 30, read "Whitby."
 74, 6, papa is underlined, and "Unipa" in the margin.
 74, in margin, against next paragraph, "bis intrat."
 75, 8, read "Whitby."
 75, 24, read "for 110."
 75, in margin, "Capt. Love promiseth."
 76, 18, for any that, read "any who."
 76, 20, read "provisions."
 77, 20, fill blank with "30"
 77, 27, read "necessarily."
 77, in margin, read, "repaymt of moneys," &c.
 78, on top margin, "Wheras Capt^r. Franorcs Jones under p." but a pen has been struck through it.
 79, 15, for In what Number, read "in what manner."
 79, 22, for tilling, read "tillage."
 80, 9, for that had, read "as had."

Page. Line.
 80, 13, read "demand thereof."
 80, 14, read "the sayd patentees."
 80, 27, for also, read "likewise."
 81, 26, for money, read "moneys."
 81, in margin, for "is directed," dele it.
 82, top, read "Menahigan."
 82, 12, read "Whitby."
 82, below, in margin, read "Mr. Amb. Jennings to overlooke," &c. also "Mr Abr. Jennings pticulars," &c.
 83, against "Sir Henry Spillman," &c., is written in margin "bis intrat."
 83, 25, 26, 31, read "proclamacons."
 84, 3, read "said 3 Shippes."
 84, 12, read "consider of."
 84, 25, read "St. John Bourchler."
 84, 29, for Lease, read "seate."
 84, in margin, for Seale, read "seate."
 85, 6, read "Grants be passed."
 85, 15, read "to New England."
 85, 24, not a new paragraph.
 85, 29, "Whereas" begins new paragraph.
 86, top, read "returned answere."
 86, 32, read "not well taken."
 86, 35, read "Cominand."
 87, 8, read "proclamacons."
 87, 9, read "or purser."
 87, 28, read "redelivery."
 87, 35, in margin, "Darbey."
 87, last, read "nor any one."
 87, in margin, read "licence to Mr. Baub-
 rode."
 88, 7, read "the some of £110," &c.
 88, 17, read "Emanuel Althem."
 88, 20, read "of all such prizes."
 88, 22, for position, read "petition."
 89, 17, "And that," new paragraph.
 89, 29, read "unto Mr. Jo: Pierce."
 90, 3, read "acquaint."
 90, 6, "The Marshall" begins new par.
 91, 13, for that then, read "to th^e end."
 91, 14, "Upon" begins new paragraph.
 91, 31, "It further" begins new paragraph.
 92, 13, read "present complaint."
 92, 20, read "at Plymouth."
 93, 15, read "1621, &c."
 93, in margin, read "60 acres."
 93, 19, "And that" new paragraph.
 94, 13, after prout, &c., read "p. cart. ord. die." All the following entries under this date have the substance of them in brief in the margin.
 94, 22, blank filled up with "was dated."
 94, last, read "sealed and signed."
 95, 14, read "Whitby."
 95, 20, read "Edmund Brudnell, gent."
 95, 29, read "Edmund Brudnell, gent."
 96, 6, read "for £160."
 96, 12, for into, read "in to."
 Pages 84 and 96, read "The Earle of Hert-
 ness, Vice-President," and "Lord
 Vice-President."

PUBLIC RECORD OFFICE. }
 Colonial Papers, Vol. VI. No. 29. }

Copye taken upon a Journall of this Comissⁿ in Mr. Povey's hands. dec. 1674. J. W.*

Att Warwicke House

the 4th of November 1631.

there being p'sent

The EARLE OF WARWICKE, Presid^t

&

S^r FERDINANDO GORGES Kn^t Threr.

There was that day sealed a Pattent granted to S^r Ferdinando Gorges Knight, Cap^t John Mason and their Associates, of a porcion of Land lyeing upon the River of Pascataquack, extending itselfe along the sea shore to the westward 5 English miles, and so by an imaginary line up into the Maine, north to the bounds of a plantacon belonging to Edward Hilton, and the Islands within the same River eastward, together with 3 miles along the shoare to the Eastward of the s^d River and opposite to the Habitation and plantation where Cap^t Neale lives, and soe up into the maine Land northerly by all y^e breadth aforesaid thirty miles, with all y^e woods, soyles & marshes within the said Limitts, with the Lakes at the head of the said River, and other Comodities and Imunityes as, by the Counterparte of the same grant, it more at large appeares.

The consideration was for service formerly done, & for y^t they had already settled there, with the said Captain Neale, divers of their people, and had erected salt pannes and hoped to make salt, & intended further to raise other goods and

* Mem. in the handwriting of Sir Joseph Williamson, Secretary of State.—Eds.