

# THE BURLINGTON COURT BOOK

The Court Record June 14th 1680.<sup>1</sup>

1680 The Proceedings of Court at Bur[lington]<sup>2</sup> Thomas Olive, Daniell Wills, Robert Stacy and Mah[lon Stacy Commissioners].

The Names of all the Freeholders and Inhabittants [ ] of the Court at Burlington, who are to doe their sute and [ ] Thomas Olive, Daniell Wills, Robert Stacy, Mahlon Stacy, William Emley Commissioners, Thomas Revell Clerke, Joshua Wright Constable, Samuell Wright, Andrew Smith, Thomas Lambert, John Wood, Thomas Woods, James Pharowe, John Rogers, Robert Mirfin, William Black, Anthony Woodhouse, John Hooton, William Beard, John Snowden, Thomas Budde, Thomas Wright, William Cooper, Thomas Gardner Constable, John Cripps, John Lambert, John Hollingshead, John Woolston, John Roberts, William Brightwell, William Peachee, Robert Powell, Thomas Eves, Samuell Lovett, James Wills, John Dewsberry, John Anthram, Jonathan Eldridge, George Bartlemew, Richard Dungworth, Seath Smith, Mathew Allen, John Kinsey, Richard Arnall, Godfrey Hancock, Thomas Potts, Thomas Ellis, Samuel Oldale, Henry Jacobs, Roger Hawkins, Francis [ ], Thomas [ ], William Hodg[ ], John Burton, John Petty, John Woodhouse, Henry <sup>3</sup>, Barnett Devonish, William Hillards, John Shenn, Clement Shenn, Jonas Keen, Capt. Hance Monse, Frederick Fred[?], Samuel Coales, Henry T[red-way].

The Jurours<sup>4</sup> names Thomas Lambert, Thomas Wright, Thomas Harding, John Cripps, John Woolleston, John Boarton, Samuell Lovett, Samuell Wright, Thomas Palmer, Walter Pomfrey, Robert Powell, William Cooper.

John Mifflin Indicted for Felloniously takeing away one paire of Shoes and Five small Box Locks, late the Goods of Robert Hodgkins Deceased:

<sup>1</sup> This is the cover title of a thin volume, originally bound in vellum and now rebound and silked, in the Secretary of State's office in Trenton. Only the first four pages of this volume are printed here. At the bottom of page four is written: "Booke C Containing the Records of Probate of Wills, Administrations Bonds Specialties." The rest of the book is filled with such matters until near the end, where, in reverse pagination, several pages of marriage records are entered.

An earlier transcription of the whole recora, in J. E. Stillwell's *Historical and Genealogical Miscellany*, II (New York, 1906), contains somewhat more than meets the eye in the original in its present state. Stillwell has "Be" after "Francis" and "Hod" after Thomas.

<sup>2</sup> Corner of page gone. Material in brackets supplied.

<sup>3</sup> Spare left for last name, but it was not inserted.

<sup>4</sup> "Jurors" in MS.

whereof hee was formerly Convicted before Thomas Olive and Daniell Wills, Commissioners: And by them bound over to this Court:<sup>5</sup> The Prisoner Mifflin pleads not Guilty to the Indictment and putts himself upon the Jury: The Indictment being not proved the Jury (by Thomas Lambert their foreman) bring him in not Guilty, whereupon the Court Cleares him.

One Gelding of John Tests formerly Attached by William Byles (upon Tests not Appeareing) called forfeit: William Clarke haveing given in Evidence that the said Test was indebted to the said Byles about 10l. and Daniel Wills declared that the said Test had notice given to make his defence. The said Gelding was alsoe Apprized by Daniell Wills Mahlon Stacy Thomas Lambert to 7l. whereof the Court Charges and Apprizing was [ ]:<sup>6</sup>

Ordered by the Court that if any person or persons shall hereafter directly or indirectly sell any Rumme or other strong liquor to any Indian or Indians either by great or small measure without order from the Court [ ] such person or persons soe offending shall forfeit and pay for every such offense 50s. And upon refuseall neglect or nonpayment of the same it shall be Levyed upon any of the Goods and Chattells of said person or persons [ ] by Distresse and Sale of the same: This to Continue till further order.

[2 1680] [Ordered]<sup>7</sup> That if any person or persons shall take away a Boat [from the] Landing where the owner shall leave the same, without [permission] shall forfeit and pay for every such offence—20s.

[Ordered t]hat if any person or persons within the Jurisdiction of the Court [ ] may for selling Ale Beere or strong liquors without [Lycence] the Court shall for every Moneth wherein hee or they shall [ ] contrary to order aforesaid forfeit and pay 5l.

[It is] further ordered That all persons within the Jurisdiction of the Court [bring in to the next Court the marks and earemarks wherewith they have [marked] or intend to mark their Cattle Horses Sheep and Swine, to the intent that [each] persons mark may be entered and inrolled and their Cattle Horses Sheepe and [Swine] may be knowne each from other.

[168]0 At the Court at Burlington August 3d. Thomas Olive, Daniell Wills, Robert Stacy, Mahlon Stacy and William Emley Commissioners. The Jurours Names William Peachee, William Cooper, Thomas Budde, Thomas Harding, Godfrey Hancock, Thomas Wright, John Rogers, John Lambert, William Hewland, Thomas Lambert, John Shinne, James Pharrowe.

Samuell Cliffe Complaines against Thomas Olive for takeing and unjustly detayning a Gunne of the said Samuells, to which the Defendant

<sup>5</sup> "Court" in MS.

<sup>6</sup> Mutilated.

<sup>7</sup> Corner of page gone. Material in brackets supplied.

pleads not guilty: whereupon Issue is Joyned: But before the Jury bring in their Virdict the Plaintiff and Defendant referre it; and agreed.<sup>8</sup>

[3 1680] 1680 At the Court at Burlington September 6th. See more in Page 9.<sup>9</sup> Thomas Olive, Daniell Wills, Robert Stacy, Mahlon Stacy and William Emley Commissioners.

It is ordered that the persons concerned in William Peachees Propriety who have noe Meadowe belonging to them, shall have meadowe, at the Point of Rankokus Creek belonging to the same Lott proportionable to each mans purchase.

It is further ordered that noe Person or persons shall hereafter sell any Rumme or other strong Liquor to any Indian or Indians by any measure or measures smaller than by the halfe Anchor. And that all such persons as shall sell the same by the halfe Anchor, shall take speciall care that such Indian and Indians as shall buy the same Liquors in manner aforesaid shall speedily depart with the same Liquors apart into the Woods to drinke the same there; that soe the people may not bee disturbed by them; upon paine to forfeit for every such offence Fifty shillings: And upon refuseall or nonpayment thereof, to be levyed upon any of the Goods or Chattels of the Person or persons soe offending by distresse and sale of the same 2l. 10s. The former order about selling Rumme or other strong Liquors being this day and yeare above written Repealed.

Capt. Hance Permitt being Viewed this Court, beares date in February 1674.

The Court same day demanded of Jonas Keene to shew his Tytle to the Land hee holds; whose Answer was that hee holds it under Peter Peterson, which (Peterson) had it of Capt. Hance and after sold his Right therein to the said Jonas.

John Cripps and John Hollingshead Lycenced by the Court to keep (each of them) an Ordinary for selling Ale Beere and other Liquors and for the entertaining of Travellers: untill 29th September 1681.

[4 1680] [ ]ers An Action of Trespasse upon the Case against [John? Woo?]lston agreed.

[ ] enters an Action of Trespasse upon the Case against Thomas Potts agreed.

[Mathew] Allen enters an Action of Trespasse upon the Case against George Bartlemew and Mary his wife goes by.

Henry Jacobs enters an Action of Trespasse upon the Case against Daniell Wills and Robert Stacy:

October 4th 1680. Thomas Olive, Daniell Wills and William Emley Commissioners. The Jury William Peachee, John Cripps, Thomas Ellis, John Woollston, Bernard Devonish, John Shinne, Thomas Eves, Samuell

<sup>8</sup> The rest of this page and the first half of the next are filled with earmarks.

<sup>9</sup> A note by the clerk evidently referring to another list of earmarks on pages 9-12.

Lovett, Thomas Harding, William Brightwell, Godfrey Hancocke, John Kinzey.

Mathew Allen against George Bartlemew and Mary his wife. the Defendant pleads not but lets the Action goe by default; Plaintiff proves his Debt and has judgment awarded.

Henry Jacobs against Daniell Wills and Robert Stacy the Jury finde for the Plaintiff and give him his Debt and Costs of Suite.

Ephraim Warwin Indicted for breaking the stocks, found Guilty by the Jury, and Fyned 5l. which the Court mittigates to 50s.

Elizabeth Kinzey Enters an Action of Slauder against Samuell Cole.

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