OLD KENT

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Notes Illustrative of the Early Records
OF
KENT COUNTY, MARYLAND
BY
GEORGE A. HANSON, M. A.

SEC. 33. A. I will now pause to pick up the thread of the political history of the State The "false reports" as my Lord Baltimore styled them were something more than idle fictions. The Commissioners appointed by the Council of State for the Common wealth of England, by authority of Parliament, "for the reducing, settling and governing of all the plantations within the bay of Chesapeake," after an expeditious "reducement" of Virginia, paid their dreaded visit to Maryland in March 1652. We may be sure that they were received with due ceremony and diplomatic courtesy by Gov. William Stone, who under the circumstances felt as happy as if the devil was after him. After many fair speeches and promises, they demanded of Gov. Stone to see the Commission, under which he acted, from Lord Baltimore; "which he showed them; and then, without any other cause at all, they detained it, and removed him, and his lordship's other officers out of their employment in the province under him, and appointed others to manage the government of Maryland independent of his lordship"

SEC. 34. On Folio 45 is recorded the following Proclamation:

PROCLAMATION

By the Commissioners of the Council of State for the Commonwealth of England.

WHEREAS the right honorable the council of State for the commonwealth of England by authority of parliament have committed to us the commissioners several powers in the reducing, settling and governing of all the plantations within the bay of Chesapeake, as by their commission and instructions, bearing date at Whitehall, the 26th day of September 1651, may appear, in pursuance whereof the foresaid commissioners, having applied themselves to the governor and council of themselves to the governor and council of Maryland, (one of the plantations within the limits aforesaid) requiring them to submit themselves and to act acordingly, and having tendered the same several times unto them, so that they might remain in their places conforming themselves to the laws of the Commonwealth of England in point of government only, and not infringing the lord Baltimore's just rights, which they having denied and refused as being inconsistent with the patent of the lord proprietor and their oaths made to him! In obedience, therefore, to the said council's commands, in their said commission to us directed, for the preservation of the honor and interest of the commonwealth of England for settling the colony of Maryland in their due obedience and peace, and for the true administration of justice and right to the inhabitants thereof, until further order can be taken therein and until the council of State's further pleasure shall be known; We, the said commissioners have hereby thought fit to publish these orders following, requiring all the people of this province to see the same kept and observed:

That all writs, warrants and process whatsoever be issued forth in the name of the keepers of the liberty of England by authority of parliament, that they be signed under the hand of one or more of the council hereafter named, viz: Robert Brooke, esqr., cols. Francis Yardley, Mr. Job Chandler, Captain Edward Windham, Mr. Richard Preston, and lieutenant Richard Banks.

That the said council of Maryland first taking the engagement, do cause the same to be tendered to all the inhabitants in these words,—We, whose names are subscribed, do promise and engage ourselves to be true and faithful to the commonwealth of England, as it is now established without King or house of lords.

That the said council of Maryland, or any two or more of them, whereof Robert Brooke, esqr., to be one, do govern and direct the affairs thereof, and hold courts as often as they think fit for that purpose as also that they summon an assembly to begin 24th June next coming, the burgesses whereof are only to be chosen by such freemen as have taken the said engagement and that neither by the said council nor in the said assembly anything be acted contrary to the laws of England there established, or to their obedience due to the commonwealth of England.

That the commissions for the gover nor and council be hereby declared void and null, and to be delivered into the hands of us the commissioners, as also that all records and other matters and things relating to the government of Maryland be delivered into the hands of the council herein by us nominated.

RICHARD BENNETT,
EDMUND COURTIES,
WILL'M CLAIBORNE.

Dated at St. Mary's the 29th day of March 1652.

SEC. 34. A. Thus at one stroke was the Province of Maryland reduced to subjection to the parliament of the Commonwealth of England, to the will of Oliver Cromwell, and the rule of the Puritans. With Governor William Stone RELIGIOUS TOLERATION was deposed in Maryland. The authority of the Lord Proprietary was entirely overthrown, his vested rights denied, and the fruit of all his strivings, all his watchings, labors, cares and anxieties withered in the scorching blast of intolerance. Deprived of her fraternal government my Maryland was no longer the "Land of the Sanctuary" and the home of a free, contented, and happy people. The seeds of discords, hatreds, suspicions and dissensions were sown broadcast all over the land by the new comers, in those perilous times, "lovers of their own selves, covetous, boasters, blasphemers, disobedient to parents, unthankful, unholy, without natural affection, trucebreakers, false accusers, incontinent, fierce, despisers of those that are good, traitors, heady, highminded, lovers of pleasures more than lovers of God; having a form of godliness, but denying the power thereof; of this sort were they which creep into houses, and lead captive silly women laden with sins."

SEC. 34. B. After the Commissioners had given this "coup de grace" to the tranquility of Maryland they visited Virginia to provide for the head and tail of the Commission: which they did right lovingly by appointing "Mr. Richard Bennett, esqr." governor, for the ensuing year, of Virginia, and "Colonel William Clayborne," Secretary of State for the said Province of Virginia—"par nobile fratrum." In June 1652, they returned to Maryland, and finding that it was the manifest "desire of the inhabitants, that Captain Stone should reassume his former place of governor," on the 28th day of June 1652, they reinstated Gov. Stone and reorganized the government by public Proclamation, signed by RICHARD BENNETT and WILLIAM CLAYBORNE; which, among other things, recites, that, "forasmuch as the foresaid captain William Stone esqr., at the motion and request of the foresaid commissioners and the desire of the inhabitants is content to reassume his former place of governor here and to act according to foresaid order or proclamation and according to his former power, reserving and saving to himself as also to the aforesaid Mr. Thomas Hatton, Robert Brooke, esqr., and captain John Price their oath made to the Lord Baltimore lord proprietor of this province until the pleasure of the State of England be further known, it is therefore ordered by the aforesaid commissioners with the advice and consent of the council and other the inhabitants, that capt. William Stone esqr., be the governor, and Mr. Thomas Hatton, Robert Brooke, esqr., captain John Price, Mr. Job Chandler, Colo. Francis Yardley, and Mr. Richard Preston be of the council for this province. * * * there is no absolute necessity of a general assembly at present," &c.

SEC. 34. C. Two of the former council, created by the proclamation of 29th March 1652, were, now, left out, namely, Captain Edward Windham, and lieutenant Richard Banks; and Mr. Thomas Hatton (who was also Secretary of the Province), and Capta'n John Price put in their places.

SEC. 34. D. The new government was immediately organized and proceeded to business: witness the following extract from the record:

"At a court held at St. Mary's, the 28th day of June, anno domini, 1652, being the first sitting of the court after the alteration of the government, the same day—Present, William Stone, esqr., governor, Mr. Thomas Hatton, secretary, Robert Brooke, esqr., col. Francis Yardley, Mr. Job Chandler, Mr. Richard Preston."

SEC. 34. E. This Court acted upon two very important and interesting matters. "Whereas this court is informed, that the Susquehanna Indians have a long time desired and much pressed for the conclusion of a peace with the government and inhabitants of this province, * * * It is therefore ordered, and the court doth hereby give full power and authority unto Richard Bennett, esqr., Mr. Edward Lloyd, captain William Fuller, Mr. Thomas Marsh, and Mr. Leonard Strong, or any three or more of them, whereof the said Richard Bennett, esqr., to be one, * * * * to consult and treat with the said Susquehanna Indians," &c. In pursuance thereof those gentlemen, "at the river of Severne" on the 5th day of July 1652, concluded a treaty with "the Indian nation of Susquesahanogh." The first Article of which is interesting to the people of Kent:

"1. First, the English nation shall have, hould, and enjoy, to them their heirs and assigns for ever, the land, lying from Patuxent river unto Palmer's island on the westerne side of the baye of Chesapiake, and from Choptank river to the northeast branch which lyes to the northward of Elke river on the easterne side of the said baye, with all the islands, rivers, creeks, —— —— fish, fowls, deer, elke, and whatsoever else to the same belonging; excepting the isle of Kent and Palmer's island, which belong to captain Clayborne. But nevertheless it shall be lawful for the aforesaid English or Indians to build a house or fort for trade or any such like use or occasion at any tyme upon Palmer's Island."

SEC. 34. F. The other important transaction of this Court, related to certain complaints, which had been made by the inhabitants of the Isle of Kent, and others against Captain Robert Vaughan, Commander of said Island, "for divers misdemeanors and abuses in the execution of his office and otherwise." These complaints were also referred to the gentlemen above named, "no course having been hitherto taken in the due examination thereof, for the satisfaction of the said inhabitants, who have several times attended this court for that purpose to their great charge and trouble ,and the said captain Vaughan not now appearing according to Expectation; It is therfore, by the governor of this province, with the advice of the council, for avoiding of further charges and trouble to the said inhabitants in attending this court again at so great a distance upon this occasion, thought fit and so ordered, that the matter complained of be referred to the hearing, examination, and determination of the persons before named, or any three or more of them, whereof the said Richard Bennett, esqr., to be one, who are hereby desired and authorized at such time and place, as they shall think fit for that purpose, to call the said captain Robert Vaughan before them, and if, upon the hearing and examination of the matter, they shall see cause for it, to remove him from his said place of commander of the said island, as also to appoint and constitute the said Mr. Thomas Marsh, or some other fitting and able person, to the said place or office of commander of the said island, who is hereby in that case by the said governor, with the advice aforesaid, as fully authorized for that purpose as any other commander of any other county within this province, till further order to be taken herein"

Buzman thinks that the Commissioners never proceeded "to any hearing or examination of these complaints against Vaughan." He was mistaken, as we will see by the document in the following section, which has never, before been published. It it recorded on Folio 66 to LIBER A. Court Proceedings of Kent county.

SEC. 35. WHEREAS, the reducing, settling and governing of Virginia and all the English plantations within the Bay of Chesapeake, was referred to certain Commissioners, by order from the Council of State for the Commonwerlth of England; AND Whereas the Governor and Council for this Province of Maryland, in obedience and conformity to the said order and power, have authorized and deputed the persons, whose hands are hereunto subscribed, for settling the Isle of Kent, and the rather for that reason of some differences, and complaints by the inhabitants, there, against Capt. ROBERT VAUGHAN, the chief in place and command upon the said Island, the course of justice, and keeping courts for the better administration thereof, hath been of the discontinued:

THESE are therefore, in the name of the KEEPERS OF THE LIBERTY OF ENGLAND, by authority of Parliament, to signify, and declare, that for the present, till further order out of England, Mr. PHILIP CONNER, Mr. THOMAS RINGGOLD, Mr. THOS. BRADNOX, Mr. HENRY MORGAN, Mr. NIC. BROWNE, Mr THOS. HYNSON, Mr. JOSEPH WICKES, Mr. JOHN PHILLIPS, and Mr. JOHN RUSSEL, be Commissioners for the said Island, and that they, or any four of them, whereof Mr. PHILIP CONNER, or Mr. THOS. RINGGOLD to be always one, shall have power to hear and determine all differences, and to call courts for that purpose as often as they shall see cause, to make choice of a Sheriff, and a Clerk for keeping Records, and Execution of Writs, and all other process, and to act in all things for the peace, safety and welfare of the said Island, and the inhabitants thereof, as they or the former Commissioners did, or might do, by virtue of their commission from the Lord Baltimore, and the Governor & Council of this Province under him.

REQUIRING all the inhabitants of the said Island to take notice of this Order, and to conform themselves accordingly, as they will answer the contrary at their peril.

Given under our hands, at the Isle of Kent the 31st day of July, 1652.

RI: BENNETT,
EAD: LLOYD,
THOS: MARSH,
LEO: STRONG.

SEC. 35. A. During this year the Tockwocks and Osinies were in a great ferment in consequence it was supposed of the reported cession of land by the Susquehannahs, and were so aggressive and hostile that the inhabitants of Kent were forced to appeal for assistance and deputed Mr. Philip Conner, Mr. Thomas Ringgold, Mr. Henry Morgan and Mr. John Philips to go to St. Mary's with a petition to the Governor and Council, setting forth, "that, whereas formerly there had been by the Eastern shore Indians one murthered, and now of late one shot, another killed and stript near to his own house, all of them inhabitants of this island and subjects of this province, a dwelling house and much goods burned, as is conceived, by Indians, to say nothing of the continued trade of killing of hogs, they are so emboldened, these murthers being past by, and being so well furnished with gun-powder and shot, that they come about our houses night and day, so that larums and desturbances are occasioned weekly, nay daily, so that some are so dreaded and affrighted, they have left their plantations, and many are resolved to desert the island." "We are also informed that the eastern shore Indians have great store of powder and shot, and many guns, not only in what they formerly bought, and have taken in Captain Gugens his wreck, but they have not long since taken a Dutch sloop with guns besides very much powder and shot, so that they are very strong, bold, and insolent; the premises considered, the petitioners humbly crave, that his worship and the council would be pleased to seriously weigh and consider their deplorable condition, and take some speedy course for the suppressing of those heathens, and avenging of guiltless blood, and the preservation of their lives, and their wives and children."

In consequence of this petition, Governor Stone convened the council "at a court held at Saint Mary's, 25th day of November 1652," and it was determined "to press the ablest and fittest men amongst every seven," in the Province, "for this service," etc., to meet at a general rendezous at the Isle of Kent on the 30th of December following, and there to be disposed of under the command of Captain William Fuller who was appointed Commander-in-Chief of the expedition. As might have been expected the season was too inclement to effect anything and before the 30th arrived, all the forces raised for the intended march were dischargd, by proclamation dated 18th December 1652.

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BEULAH H. PERKINS

late of said county, deceased. All persons having claims against said deceased's estate are hereby warned to exhibit the same, with the proper vouchers thereof, to the undersigned on or before the 6th day of November, 1933, otherwise may by law be excluded from all benefit of said deceased's personal estate.

All persons indebted to this estate must settle at once.

Given under my hand this 29th day of April, 1933.

THOMAS W. PERKINS,
my6 Administrator.

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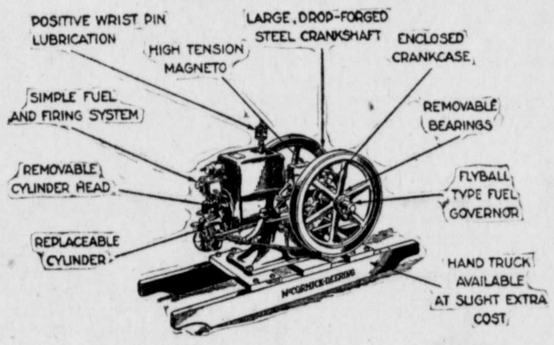

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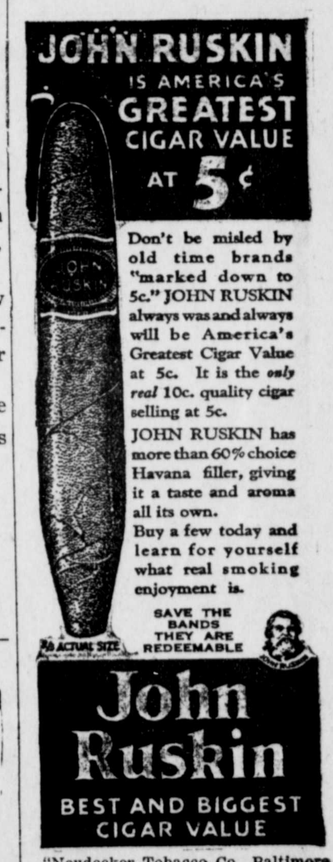

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