

Articles of agreement betweene Theophilus Eaton & John Davenport & others, English planters att Quinopiocke on the one partye & Momaugin y<sup>e</sup> Indian Sachem of Quinopiocke & Sugcogisin, Quesaquauch, Caroughood, Wesaucucke & others of his counsell on the other partye, made & concluded the 24<sup>th</sup> of Novemb<sup>r</sup> 1638. Thomas Stanton being interpreter.

That hee y<sup>e</sup> s<sup>d</sup> sachem, his counsell & company doe jointly profess, affirme & coven<sup>t</sup>, [th]at he y<sup>e</sup> s<sup>d</sup> Momaugin is the sole sachem of Quinopiocke, & hath an absolute and independant power to give, alien, dispose or sell, all or any part of the lands in Quinopiocke, & that though he have a soñ now absent, yet neither his s<sup>d</sup> soñ, nor any other pson whatsoever hath any right title or interest in any part of the s<sup>d</sup> lands, soe that whatsoever he, y<sup>e</sup> forenamed sachem, his counsell & y<sup>e</sup> rest of y<sup>e</sup> Indians present doe & conclude, shall stand firme & inviolable against all claimes & psons whatsoever.

Secondly y<sup>e</sup> s<sup>d</sup> sachem, his counsell & company, amongst which there was a squaw sachem called Shampishuh sister to y<sup>e</sup> sachem, whoe either had or p<sup>r</sup>tended some interest in some part of y<sup>e</sup> land, remembring & acknowledging the heavy taxes & eminent dangers w<sup>ch</sup> they lately felt & feared from y<sup>e</sup> Pequotts, Mohaucks & other Indians, in regard of which they durst not stay in their country, but were forced to flie, & to seeke shelter under the English at Coñecticut, and observing y<sup>e</sup> safety & ease y<sup>t</sup> other Indians enjoy neare y<sup>e</sup> English, of which benefitt they have had a comfortable tast already since the English began to build & plant at Quinopiocke, which w<sup>th</sup> all thankfullnes they now acknowledged. They jointly & freely gave & yeilded up all y<sup>r</sup> right, title & interest to all y<sup>e</sup> land, rivers & ponds, trees with all y<sup>e</sup> libertyes & appurtenances belonging unto y<sup>e</sup> same in Quinopiocke to y<sup>e</sup> utmost of their bounds East, West, North, South unto Theophilus Eaton, John Davenport & others, the p<sup>r</sup>sent English planters there, & to their heires & assignes for ever, desiring from y<sup>m</sup> y<sup>e</sup> s<sup>d</sup> English planters to receive such a portion of ground on the East side of the Harbour towards y<sup>e</sup> fort at y<sup>e</sup> mouth of ye river of Coñecticott as might be sufficient for them, being but few in number, to plant in; and yet within these limitts to be hereafter assigned to them, they did coven<sup>t</sup> & freely yeild up unto y<sup>e</sup> s<sup>d</sup> English all the meadow ground lying therein, with full liberty to chuse & cut downe what timber they please, for any use whatsoever, without any question, licence or consent to be asked from them y<sup>e</sup> s<sup>d</sup> Indians, and if, after their portion & place be limited & set out by the English as above, they y<sup>e</sup> s<sup>d</sup> Indians shall desire to remove to any other place within Quinopiocke bounds, but without y<sup>e</sup> limitts assigned them, that they doe it not without leave, neither setting up any wigwam, nor breaking up any ground to plant come, till first it be sett [ou]t & appointed by y<sup>e</sup> forenamed English planters for them.

Thirdly y<sup>e</sup> s<sup>d</sup> sachem, his counsell & company desireing liberty to hunt & fish [withi]n the bounds of Quinopiocke now given & graunted to the English as before, doe [hereby] jo[in]tly coven<sup>t</sup> & bind themselves to sett noe traps neare any place where y<sup>e</sup> [ ] whether horses, [ox]en, kine, calves, sheep, goates, hoggs or any sort [.....to take] any fish out of any ware belonging to any English, nor to doe any thing neare any such ware as to di[sturb] or affright away any fish to y<sup>e</sup> p<sup>r</sup>judice of such ware or wares; & that upon discovery of any inconveni[en]cy growing to y<sup>e</sup> English by the Indians disorderly hunting, their hunting shalbe regulated and limited for the p<sup>r</sup>venting of any inconvenience, & yet with as litle damage to y<sup>e</sup> Indians in their hunting as may be.

Fourthly, y<sup>e</sup> s<sup>d</sup> sachem, his counsell & company doe hereby covenant and bind themselves y<sup>t</sup> none of them shall henceforth hanker about any of y<sup>e</sup> English houses at any time when the English use to meete about the publique worship of God; nor on y<sup>e</sup> Lords day henceforward bee seene within y<sup>e</sup> compass of y<sup>e</sup> English towne, beareing any burdens, or offring to truck with y<sup>e</sup> English for any comodity whatsoever, & y<sup>t</sup> none of y<sup>m</sup> henceforward without leave, open any latch belonging to any English mens dore, nor stay in any English house after warneing that he should leave the same, nor doe any violence, wrong, or injury to y<sup>e</sup> pson of y<sup>e</sup> English whether man, woman or child, upon any p<sup>r</sup>tence whatsoever, and if the English of this plantation, by y<sup>m</sup>selves or cattle, doe any wrong or damage to y<sup>e</sup> Indians, upon complaint, just

recompence shalbe made by y<sup>e</sup> English; and y<sup>t</sup> none of y<sup>m</sup> henceforward use or take any English mans boate or canoe of what kind soever, from y<sup>e</sup> place where it was fastened or layd, without leave from the owner first had & obtayned, nor y<sup>t</sup> they come into y<sup>e</sup> English towne w<sup>th</sup> bowes & arrowes, or any other weapons whatsoever in number above 6 Indyans soe armed at a time.

Fiftly y<sup>e</sup> s<sup>d</sup> sachem, his counsell & company doe truly covenant & bind y<sup>m</sup>selves y<sup>t</sup> if any of y<sup>m</sup> shall hereafter kill or hurt any English cattle of w<sup>t</sup> sort soever, though casually or negligently, they shall give full satisfaction for the loss or damage as the English shall judge equall, But if any of y<sup>m</sup> for any respect, wilfully doe kill or hurt any of the English cattle, upon prooffe they shall pay y<sup>e</sup> double valew, And if, at any time, any of them find any of the English cattle straying or lost in the woods, they shall bring them backe to the English plantation, & a moderate price or recompence shalbe allowed for their paynes, provided, if it can be proved y<sup>t</sup> any of y<sup>m</sup> drove away any of y<sup>e</sup> English cattle wheresoever they find them, further from y<sup>e</sup> English plantation to make an incre[ase] or advantage, or recompence for his paynes finding or bringing y<sup>m</sup> back, they shall in any such case pay damages for such dealings.

Sixthly, the number of y<sup>e</sup> Quinopyocke Indyans, me[n] or youth growne to stature fit for service being forty seven at p<sup>r</sup>sent, they doe covenant and bind y<sup>m</sup>selves not to receive, or admitt any other Indians amongst them without leave first had & obtayned from y<sup>e</sup> English, & that they will not, at any time hereafter, entertaine or harbo<sup>r</sup> any that are enemies to y<sup>e</sup> English, but will p<sup>r</sup>sently ap<sup>h</sup>end such & deliver y<sup>m</sup> to y<sup>e</sup> English, and if they know or heare of any plott by y<sup>e</sup> Indyans or others against y<sup>e</sup> English they will forthwith discover & make y<sup>e</sup> same knowne to y<sup>m</sup>, & in case they doe not, to be accounted as partyes in y<sup>e</sup> plott, and to be proceeded against as such.

Lastly y<sup>e</sup> s<sup>d</sup> sachem, his counsell & company doe hereby promise truly & carefully to observe & keepe all & every one of these articles of agreem<sup>t</sup>, & if any of y<sup>m</sup> offend in any of y<sup>e</sup> p<sup>r</sup>misses, they jointly hereby subject & submitt such offendo<sup>r</sup> or offendo<sup>r</sup>s to y<sup>e</sup> consideration, censure & punishm<sup>t</sup> of the English magestrate or officers appointed among them for governem<sup>t</sup> without expecting y<sup>t</sup> y<sup>e</sup> English should first advise with y<sup>m</sup> about it, yet in any such case of punishm<sup>t</sup>, if the s<sup>d</sup> sachem shall desire to know the reason & equity of such p<sup>r</sup>ceedings, hee shall truly be informed of the same.

The former article being read & interp<sup>t</sup>ed to y<sup>m</sup>, they by way of exposition desired y<sup>t</sup> in y<sup>e</sup> sixth article it might be added, that if any of the English cattle be killed or hurt casually, or negligently, & prooffe made it was done by some of the Quinopiocke Indyans, they will make satisfaction, or if done by any other Indyans in their sight, if they doe not discover it, & if able to bring y<sup>e</sup> offendo<sup>r</sup> to y<sup>e</sup> English they wilbe accounted & dealt with as guilty.

In consideration of all which, they desire from y<sup>e</sup> English, that if at any time hereafter they be affrighted in their dwellings assigned by the English unto y<sup>m</sup> as before, they may repayre to the English plantation for shelter, & that y<sup>e</sup> English will there in a just cause endeavor to defend y<sup>m</sup> from wronge But in any quarrell or warres which they shall undertake, or have w<sup>th</sup> other Indyans, upon any occasion w<sup>so</sup>ever, they will ma<sup>n</sup>age their affayres by y<sup>m</sup>selves without expecting any ayd from the English.

And the English planters before mentioned accepting and graunting according to y<sup>e</sup> te<sup>n</sup>or of the p<sup>r</sup>misses, doe further of their owne accord, by way of free & thankfull retribution, give un[to] y<sup>e</sup> s<sup>d</sup> sachem, counsell & company of y<sup>e</sup> Quinopiocke Indians, twelve coates of English trucking cloath, twelve alcumy spoones, twelve hatchetts, twelve hoes, two dozen of knives, twelve porengers & foure cases of French knives and sizers; All which being thankfully accepted by y<sup>e</sup> afores<sup>d</sup> & y<sup>e</sup> agreements in all points perfected; for rattification & full confirmation of the same, the Sachem, his counsell & sister, to these p<sup>r</sup>sents have sett to their hands or markes ye day & year above written.

Momaugin his marke

Sugcogisin his marke  
Qesaquausha his mark  
Carroughood his marke  
Weesancuck his mark  
Shaumpishuh her marke

I, Thomas Stanton, being interpreter in this treaty, doe hereby profess in y<sup>e</sup> p<sup>r</sup>sence of God, y<sup>t</sup> I have fully acquainted the Indyans with y<sup>e</sup> substance of every article, & truly returned their answer & consent to the same, according to y<sup>e</sup> tenno<sup>r</sup> of the foregoeing writeing, the truth of which, if lawfully called, I shall readily confirme by my oath at any time.

Thomas Stanton.

All contents copyright © 2019 The Yale Indian Papers Project. All rights reserved.

Transcribed by the Yale Indian Papers Project.

*Note: These transcriptions are solely for educational or scholarly purposes. Under no circumstances are they to be republished, in part or in whole, without express permission. Copyright on all editorial transcriptions, introductions, textual and explanatory notes, identifications of people, places, events and dates found herein is held by the Yale Indian Papers Project, Yale University.*

If you have inquiries regarding copyright, please e-mail [indianpapersproject@yale.edu](mailto:indianpapersproject@yale.edu)