

lands in Hampton and making several disbursements for my wife and children and now resigning sd. housing and land to me, and my family. Without any further consideration but payment of twenty pounds which my deare brother Deacon Page gives for love to six of my children, viz. to my daughters Sarah Hobbs and Mary Fifield, four pounds each, (to be paid in one year after decease of sd. Page) and three pounds each to my four children at home, viz. Mehitable, Samuell, Shuah and Deborah to be paid as they shall come of age, after decease of said Page. Said Colcord, therefore, binds over his six acres fresh meadow, lying in ye west meadow adjoining to John Marian, etc.<sup>7</sup>

The exact relationship of the two men has proved puzzling. Edward's wife was named Ann. Researches by G. W. Chamberlain in Norfolk<sup>8</sup> proved that Robert Page had no sister Ann; and the inference that Edward had a sister who married into this Norfolk family is untenable, since Edward was apparently from Devon. It is now generally conceded that Edward's wife was the young girl, Ann, who was listed as servant to the Pages and aged 15 in the passenger list of the ship *Rose* in 1637. In the printed records the name appears as Ann "Wadd" but Chamberlain, questioning this, suggests that "Wadd" was a misreading of the name Nudd. The Nudds were a Norfolk family and are known to have been closely associated in New England with the Pages.

With this and the further fact in mind that young relatives were often described in Colonial shipping-lists as "servants," it seems reasonable to suppose that Lucy Page may have been born Nudd, and that Ann was her sister.

In 1645, the town meeting at Exeter "vnamemously Agreed vpon that Edward Colcord of Hampton (According to his desire made Known vnto vs) Is Receiued An Inhabetant Amongst us, and there Is giuene vnto him for his Accomodation An Iland lying between Lamprell Riuer falls and Oyster Riuer falls with A large peece of meddow lyeing neere the foote path to Oyster Riuore not fare from the s<sup>d</sup> Iland and as much vpland Adjoyning to the sayd meddow as may make it vp one hundred Akers. All w<sup>ch</sup> sayd lands and meddow wee do giue vnto the sayd Edward granteing him as full tittle to It as we may or Can giue him by vertue of o<sup>r</sup> first purchase of those lands."

This island was "Umbumbacucke or Edward Colcord's Island," now called Footman's Island. This small islet lies in the Piscataqua River opposite Adams' Point, in the township of Durham. Colcord retained the land only till 1648, when he sold it to Edwin Starbuck (later of Nantucket). It afterwards passed into the possession of John Footman, who with his entire family, according to local legend, was murdered by Indians on the shore near by.

<sup>7</sup> "Essex Institute Historical Collections" Vol. 60.

<sup>8</sup> N. E. H. G. R. Vol. 66, page 18.

Colcord was certainly a resident and grantee of Hampton in 1646, for early in that year "he found himself greaved at the Towns act that passed" during his absence from the settlement, and with John Moulton, petitioned against "the unequal stinting of the comons of Hampton."<sup>9</sup> He "gayned many to side with him whose speaker he was," and an arbitration committee of "indifferent gentlemen of other neighboring townes" was appointed over the town's remonstrance; but the vote was not set aside. This is the first serious difference recorded with his neighbors. In its course, the court imposed a fine upon him for "swearing a false oath."

He owned two of the 147 shares into which the town lands were divided, as well as several shares of the common lands. His house stood on what was later known as the "Marston farm," owned in 1933 by Mrs. Bennett. The depression made by the filled-in cellar of the old house is still visible between her house and the road. In 1653, he paid taxes of 12s 10d on this property. With others, he built a gallery in Rev. Seaborn Cotton's meeting house, and one of the pews in it is marked off on the original plan to "Goody Colcord." This appellation instead of "Mistress" shows that the family had the status of commoners and not gentlefolk.

Meanwhile, in 1645, Edward had been in trouble in Ipswich, Mass., for "drinking wyne to the abuse of himself," and two years later he was presented at the Ipswich Court for "challenging men of their goods."<sup>10</sup>

In 1647, he was in litigation about his Dover property, and Richard Cutts, John Pickering, Hate-Evil Nutter and Richard Waldron—former neighbors of his on the Piscataqua—were appointed to "hear, judge and determine accounts between said Colcord and Dover." Colcord was accused by them of subornation of witnesses. By the next year, so frequently had he appeared in the courts on others' behalf, that the General Court ordered that "Edward Colcorde is not to plead any cause in this Courte excepte it bee his own." On December 21, 1648, he was fined at the Salem Quarterly Court for being, for the second time, "farre gone in drink." The following year, he was presented in the same court for striking the marshal's deputy,<sup>11</sup> and on another occasion he was fined for "telling a lye in open court."

In 1650, he appears for the first time in the records of the Province of Maine, in the new settlement of Newichawannock (now Berwick, Maine). As the assignee of one Basil Parker, alias Thomas Brooks, he successfully sued the "Shrewsbury

<sup>9</sup> This was the dispute cited by Dow.

<sup>10</sup> "Essex Antiquarian," Vol. 6.

<sup>11</sup> Stockpole, E. S., "The First Permanent Settlement in Maine."

Merchants," (successors to the "Bristol Merchants") for wages due Parker from Colcord's old enemy, Capt. Thomas Wiggim, securing a verdict for £7 10s.<sup>11</sup>

In 1651, he was involved in the quarrel between Mr. Stephen Batchelor and the town of Hampton, against which Batchelor brought suit for back salary as minister. Acting as his agents, Colcord and John Sanborn seized the private property of officers of the church, a proceeding which seems to have been in accordance with laws then in force. However, the court ordered the property to be returned.<sup>12</sup>

In December, 1651, he and Humphrey Wilson leased a sawmill in Exeter from Samuel Dudley, the annual rent to be 10,000 feet of "sound, well-conditioned and merchantable boards of pine." The next year, he, together with the Gilmans and Humphrey Wilson, obtained permission to erect a sawmill on the Lamprey River. The town meeting accepted him upon his request as an "Inhabitant and to come and Live Amongst us."

He was chosen as one of the lot-layers in Exeter, also to oversee payments on the church, and to call to account the owners of sawmills who had failed to pay their taxes. In 1654, he had bought another mill from James Wall and was hiring two men to run it. This appears to have been one of the serene and more prosperous periods of his career. He was at peace with his Exeter neighbors, who trusted him with offices important to the little settlement, and he was making money from the lumbering then going on briskly in the region.

It is probable that he took up land at South Newmarket (Newfields) and built a house there, the cellar of which is still to be found, on land owned in 1933 by Mr. Robert Nixon. The road on which it stood was closed in 1673, and Edward's grandson Jonathan<sup>3</sup> Colcord who came from Kingston in 1707 to occupy the same farm, built on the new road a mile or more away. Tradition states that the "old Colcord cellar" is the oldest in the town; and F. G. Peavey, local historian and topographer, believes it to have been built by Edward and not by his descendants who came later.

It may be noted in passing that between 1651 and 1656, during most of which period Edward was living quietly in Exeter, the births of no children are recorded to Ann in Hampton. This may indicate that she joined him in Exeter, and that any children born in that new settlement were not recorded and probably died young. Or it may indicate the beginning of separation and domestic difficulty between them, positive evidence of which was to occur in 1655.

Just when and why Edward Colcord left Exeter for good does not appear in the records. He was still heavily involved with

<sup>12</sup> N. H. S. P. Vol. I, page 196.

property in Hampton and Dover; in 1652, when Massachusetts Bay, with the help of Capt. Wiggim, finally succeeded in extending its influence over all the settled regions of New Hampshire, land titles became still further confused. Edward Colcord was appointed, or assumed, the function of agent for a certain faction of those who claimed holdings under the old Dover-Swampscott Patent; and in 1654, there is recorded a series of documents of particular interest as showing the grounds of the continuing animosity against him by the persons then occupying the lands.

On May 6, 1654, Edward "Calleott," together with John Allen, Nicholas Shapleigh, John Severance, and Thomas Lake, petitioned the General Court on behalf of themselves and other owners under the Patent for a division of lands according to "the covenant with George Willys, gent." made in 1641.

A counter-petition was promptly filed:

To the Right Worshipfull the Governor and magistrates and deputies of the Generall Court now assembled in Boston

The humble petition of the inhabitants of the town of Dover. Shewethe that whereas your poor petitioners were taken under the government of the Mattachusetts by the extent of the line of the Patent of the Mattachusetts, and likewise the people there are accepted and reputed under the government as the rest of the inhabitants under the said jurisdiction, as also a Committee which was chosen bound out the Towne, which accordingly was done, & afterwards was confirmed at the Generall Courte as the Acts do more fully declare. Therefore wee your poor petitioners do humbly crave protection in our habitations and rights according to the laws & liberties of the jurisdiction, & likewise that some order might be taken to restraine such as doe disturb and molest us in our habitations by challengeinge us by patent & threateninge of us, & sayinge that wee plant upom their ground & that we must give them such rent as they please for cuttinge grass and timber, or else they will take all from us, so by this means the people are many of them disquieted, not onely by the Patent but alsoe by the threats of Edwarde Colcorde who with others of his pretended owners do report that they have fourteen shares and that they are the greatest owners in the Country which Patent wee conceive (under favour) will be made voyde if it be well looked into, so hoping ever to enjoy protection within your jurisdiction Wee shall ever pray.

This was signed by 33 residents of Dover, including many of the original grantees, and endorsed, "Answered upon Capt. Jo. Allen's petition, 1654."<sup>13</sup>

That Allen dropped out of the picture, and resentment centered upon Colcord, appears in the action then taken by the General Court:

May 15, 1654.

The Court having recieved seuerall informations of many gross & abusiue cariages of Edward Colcord in a seeming way of fraude, which if proued as is tendred, ought to be duely & timely wittessed agaynst, & meet punishmt inflicted, & bec̄ this Court would not be wanting in the vse of all due meanes for the discouery of such vile practises, it is ordered, that the

<sup>13</sup> N. H. S. P. Vol. I, pages 211 ff.

secretary shall forthwith graunt out atachmt agt the sd Edward Colcord, in the some of fifty pounds, binding him to be responsall to the next County Court at Hampton, for such of his miscariages as is wthin mentioned, & shalbe then pved agaynst him for that end. This Court doth hereby appoynt & impower the recorder for the County Court at Hampton, by warrent, to send for all such ptyes as haue profered to proue the within mentioned abuses of Edward Colcord, & such other as he shalbe informed off can come in & testife agt him, and that Court to make returne to the next Court of Assistant of what they shall find, so that justice may be administered, in case the Court cannot reach to due punishment.<sup>14</sup>

How the controversy was finally settled does not appear in the records.

Meanwhile, Colcord was again involved in lawsuits in Maine. We find from records of the York County Court held on June 29, 1654, that Edward Rishworth recovered a debt against him in that court for £11 5s and costs.

Domestic difficulties between Edward and Ann now began to take definite shape. Divorce was a practical impossibility; but on May 29, 1655, Ann took steps to protect her dower rights. "In ansr to the peticon of Ann Colcord, wife of Edward Colcord, the Court doth graunt the peticoner liberty to revjew any case according to hir desire to recouer any of hir just rights."<sup>15</sup>

From 1657 to 1661, Edward appears to have sold or mortgaged the greater part of his holdings in Hampton, and in 1659, according to Folsom's "History of Saco and Biddeford," (Maine) "Mr. Edward Colcott is received an inhabitant into our town of Saco. Allso he is granted a lott in our towne lying on the s.w. side of our river 20 poles broad, lying next N. Buly [Burleigh?] Jr."

He was promptly in trouble among his new neighbors, and we find him haled to the York County Court in July, 1659, for abusing the servant of Lawrence Davis during his master's absence and "threatening to flyng him in the fyre." Colcord was discharged after paying court costs. He retained his property in Saco at least until 1671, for in that year a fine of £10 was imposed on the land "for lack of improvement." Saco lies further to the eastward than York, and it is probable that his sojourn there was caused by the increasing difficulties in which he found himself with the courts and with his New Hampshire neighbors; for in 1661, divers persons in Hampton were moved to petition the General Court in the following terms:<sup>16</sup>

Hampton, 1661.

To the Right Worshipfull and much honored Generall Court now assembled at Boston, the complaint of severall persons whose names are underwritten to which many others might be added if desired.

<sup>14</sup> "Records of Massachusetts," Vol. III, page 347.

<sup>15</sup> *Ibid.* Vol. 4, page 236.

<sup>16</sup> N. H. Hist. Mem., No. 97, A. H. Q. Many words in the petition are illegible.