

wards Major, William Holmes, who appears to have been a man of considerable eminence and force of character. He lived at Scituate, and died at Boston, 1649, without any family." While a lieutenant, "he was leader for the Plymouth people in taking possession of territory on Connecticut river, 1633. In 1638 he sold his house and garden, south side of High street, Plymouth, and lands in Duxbury. His Will is on record in Plymouth and Boston. It was proved in November, 1649. He gives a plantation in Antigua to Margaret and Mary Holmes (resident on that island) children of his deceased brother *Thomas*;" to others of his brother's family, in London, he gives his farm in Scituate, "if they should come to New England, if not, then to Margaret and Mary of Antigua."—He appears to have served in the Civil Wars in England; "and taught the colonists the military exercise, and is frequently mentioned in that time."

NOTE XXX. p. 282.

THE defence of Massachusetts was committed to Mr. Winslow. Hubbard, c. 55. p. 502. "The humble Remonstrance and Petition, [of the Governor of Massachusetts,] in way of answer to the Petition and Declaration of S. Gorton &c." is addressed to "The Honorable Robert earl of Warwick Governor in chief, Lord Admirall, and other the Lords and Gentlemen, Commissioners for Forreigne Plantations." The colonists acknowledge, "we still have dependence upon that state [England] and owe allegiance and subjection thereunto according to our Charter. . . . Our care and endeavour," say they, "hath been to frame our Government and Administration to the fundamentall Rules thereof so far as the different condition of this place and people, and the best light we have from the Word of God, will allow." They respectfully ask a perusal of the Papers they had delivered to the care of Mr. Winslow, in which were included the letters of Gorton, and his Company, by which "will appear the wrongs and provocations we received from them, and our long patience towards them, till they became our professed enemies, wrought us disturbance, and attempted our ruine; in which case (as we conceive) our Charter gives us full power to deal with them as enemies by force of armes, they being then in such place, where wee could have no right from them by civil Justice: which the Commissioners for the United Colonies finding, and the necessity of calling them to an account, left us the business to doe." Concerning the banishment of Gorton, they say, "as we are assured upon good grounds, our sentence upon them was less than their deserving, so (as wee conceive) wee had sufficient authority, by our Charter, to inflict the same, having full and absolute power and authority to punish, pardon, rule, governe, &c. granted us therein." Their denial of the right of *appeal* to the British government is so perfectly in accordance with the principles and spirit of the colonies 130 years afterwards, as to deserve remembrance: "Their appeals we have not admitted, being assured they cannot stand with the liberty and power granted to us, by our Charter, nor will be allowed by your Honours, who well know it will be destructive to all Government both in the honour and also in the power of it, if it should be in the power of delinquents to evade the Sentence of Justice, and force us by appeal to follow them into England, where the evidences and circumstances of fact cannot be so clearly held forth, as in their proper place, besides the insupportable charges we must be at in the prosecution of it."

However disorganizing and vexatious may have been the conduct of Gorton and his adherents, it is pleasing to find men of the first character in England endeavouring to moderate the exercise of colonial authority, and to check the current of popular indignation. The commissioners of parliament, in 1647, sent letters to Massachusetts colony (in reply to its Remonstrance and Petition), in which, with delicate address, they at once paid great deference to the just rights of the colony, yet strongly inculcated the toleration of those who had once been driven into exile. Hazard, Coll. i. 546—553. Hubbard, c. 55.