

# BLUE LAWS OF CONNECTICUT.

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THE CODE OF 1650;

BEING A COMPILATION OF

THE EARLIEST LAWS AND ORDERS

OF THE

GENERAL COURT OF CONNECTICUT:

ALSO, THE

CONSTITUTION, OR CIVIL COMPACT,

ENTERED INTO AND ADOPTED BY THE TOWNS OF

WINDSOR, HARTFORD, AND WETHERSFIELD.

IN 1638-9.

TO WHICH IS ADDED

SOME EXTRACTS FROM THE LAWS AND JUDICIAL  
PROCEEDINGS OF NEW-HAVEN COLONY

COMMONLY CALLED

**BLUE LAWS.**

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CINCINNATI:

PUBLISHED BY U. P. JAMES,  
NO. 167 WALNUT STREET.

DISTRICT OF CONNECTICUT, ss.

**L. S.** **BE IT REMEMBERED**, That on the first day of January, in the forty-sixth year of the Independence of the United States of America, **SILAS ANDRUS**, of the said district, has deposited in this office the title of a book, the right whereof he claims as proprietor, in the words following, to wit: "The code of 1650, being a compilation of the earliest laws and orders of the General Court of Connecticut. Also, the Constitution, or civil compact, entered into and adopted by the towns of Windsor, Hartford and Wethersfield, in 1638-9. To which is added, some extracts from the laws and judicial proceedings of New-Haven colony, commonly called blue laws."

In conformity to the act of the Congress of the United States, entitled, "An act for the encouragement of learning, by securing the copies of Maps, Charts and Books, to the authors and proprietors of such copies, during the times therein mentioned."

**CHARLES A. INGERSOLL,**  
Clerk of the District of Connecticut.

**A true copy of Record, examined and sealed by me,**  
**CHARLES A. INGERSOLL,**  
Clerk of the District of Connecticut.

## ADVERTISEMENT.



THE following sheets contain an exact copy of the constitution, or form of civil government, as adopted by the towns of Windsor, Hartford and Wethersfield, and the Code of 1650, as confirmed by the General Court of Connecticut. These were both taken from the original records remaining in the office of the Secretary for the State. Much time and accuracy were required to obtain an exact copy, on account of the orthography, and particularly for the reason, that the record, in some parts, was nearly obliterated, and in others, totally gone. Other parts of the record, therefore, have been resorted to, and the copy rendered complete. The ancient orthography has been accurately preserved.

This small volume is offered to the public, without apology or comment: nor does the publisher deem it necessary to detail the reasons which induced him to undertake the publication. Only, suffice it to say, that the first revision of the early laws of Connecticut, was never before printed. Prior to the revision of 1672, which was printed in 1675, the laws and orders of the General Court, were promulgated only by manuscript copies. They were recorded in the public records of the court, and also in the town records, and it was made the duty of the constables of the several towns, to publish such laws as should be made from time to time, and, annually to read the capital laws at some public meeting.

To this Code may be traced the origin of almost all our civil and religious institutions. Our ancestors have thus, in a great measure, transmitted to their posterity their present customs, manners, and civil and religious opinions. The laws were few and simple, yet they were such as the exigences of the commonwealth required, and such as may be supposed to exist in the infancy of civil governments,



## INDIANS.

*It is ordered and decreed,* That where any company of indians doe sitt downe neare any English plantations, that they shall declare who is their Sachem or Cheife, and that the said Cheife or Sachem shall pay to the said English, such trespases as shall bee committed by any indian, in the said plantation adjoining, either by spoyling or killing any cattle or swyne, either with trapps, doggs or arrowes; and they are not to pleade, that it was done by strangers, unless they can produce the partye, and deliver him or his goods into the custody of the English; and they shall pay the double damage, if it were done voluntarily. The like engagement this courte also makes to them, in case of wrong or injurye done to them by the English; which shall bee paid by the partye by whome it was done, if hee can bee made to appeare; or otherwise, by the towne in whose limmits such facts are committed.

Fforasmuch, as our lenity and gentlenes towards indians, hath made them growe bold and insolent to enter into English mens howses and unadvisedly handle swords, and peeces, and other instruments, many times to the hazzard of limbs or lives of English or indians; and also, oft steale diverse goods out of such howses where they resorte, for the preventing whereof,

*It is ordered,* That whatsoever indian shall hereafter, meddle with, or handle any English mans weapons of any sorte, either in their howses, or in the feilds, they shall forfeitt for every such defaulte,

halfe a fathom of wampum ; and if any hurte or injurye shall thereuppon follow to any persons life or limbe, though accidentall, they shall pay life for life, limbe for limbe, wound for wound ; and shall pay for the healing of such wounds, and other damages : And for any thinge they steale, they shall pay double, and suffer such further punishment as the magistrates shall adjudge them. The constable of any towne may attache and arrest any indian that shall transsgress in any such kinde beforementioned, and bring them before some magistrate, who may execute the penalty of this order uppon offenders in any kinde, except life or limbe ; and any person that doth see such defaults, may prosecute, and shall have halfe the forfeiture.

*It is ordered by this courte, and authority thereof,* That no man within this jurissdiction, shall directly, or indirectly, amend, repaire, or cause to be amended or repaired, any gunn, small or great, belonging to any indian, nor shall indeavor the same, nor shall sell nor give to any indian, directly or indirectly, any such gunn, nor any gunpowder or shott, or lead, or shott mould, or any military weapon or weapons, armor, or arrowe heads, nor shall sell nor barter, nor give any dogg or doggs, small or great, uppon paine of ten pounds fyne for every offence, at least, in any one of the aforementioned perticulars ; and the court shall have power to increase the fyne, or to impose corporall punishment, where a fyne cannott bee had, at their discretion.

*And it is also ordered,* That no person nor persons shall trade with them, at, or about their wigwams, but in their vessells or pinnaces, or at their owne howses, on penalty of twenty shillings for each default.

Whereas it doth appeare, that notwithstanding the former lawes made against selling gunns and powder, to indians, they are yet supplied by indirect means ;

*It is therefore ordered and decreed,* That if any person, after publishing of this order, shall sell, barter or transporte any gunns, powder, bullitts or lead, to any person inhabiting out of this jurissdiction, without license of this courte, or from some two magistrates, hee shall forfeitt for every gunn, ten pounds: for every pound of gun powder, five pounds; for every pound of bullitts, or lead, forty shillings; and so proportionably, for any greater or lesser quantity; provided notwithstanding, that is left to the judgement of the courte, that where any offence is committed against the said order, either to agravate or lessen the penalty, according as the nature of the offence shall require.

Whereas diverse persons departe from amongst us, and take up theire abode with the indians, in a prophane course of life, for the preventing whereof ;

*It is ordered,* That whatsoever person or persons, chat now inhabiteth, or shall inhabitt within this jurissdiction, and shall departe from us, and settle or joyne with the indians, that they shall suffer three years imprisonment, at least, in the howse of correction; and undergoe such further censure, by fyne or corporall punishment, as the perticular courte shall judge meete to inflict in such cases.

Whereas the ffrench, Dutch, and other forraigne nations doe ordiuarily trade gunns, powder, shott,

&c. with the indians, to our great prejudice, and the strengthening and animating of the indians against us, as by dayly experience we finde ; and whereas the aforesaid french, Dutch, &c. doe prohibitt all trade with the indians, within their respective jurissdictions, under penalty of confiscation ;

*It is therefore, hereby ordered by this courte and authority thereof,* That after due publication hereof, it shall not bee lawfull for any frenchmen, Dutchmen, or person of any other forraigne nation, or any English living amongst them, or under the government of them, or any of them, to trade with any indian or indians, within the limmits of this jurissdiction, either directly or indirectly, by themselves or others, under penalty of confiscation of all such goods and vessells, as shall bee found so trading, or the due value thereof, uppon just prooffe made of any goods, or any vessells so trading or traded : And it shall bee lawful for any person or persons inhabiting within this jurissdiction, to make seizure of any such goods or vessells trading with the indians, as by this law is prohibited, the one halfe whereof shall bee to the proper use and benefitt of the partye seizing, and the other to the publike.

This courte judging it necessary that some means should bee used to convey the light and knowledge of God and his worde to the indians and natives amongst us, doe order, that one of the teaching elders of the churches in this jurissdiction, with the helpe of Thomas Staunton, shall bee desired, twice, at least, in every yeare, to goe amongst the neighbouring indians, and indeavour to make knowne to them, the counsell of the Lord, and thereby to draw and stirr them up ; to direct and order all



theire wayes and conversations, according to the rule of his worde; and Mr. Governor, and Mr. Deputy, and the other magistrates, are desired to take care to see the thinge attended, and with theire owne presence, so farre as may bee convenient, encourage the same.

This courte having duly weighed the joint determination and agreement of the commissioners of the United English colonyes, at New-Haven, of Anno 1646, in reference to the indians, and judging it to bee both according to rules of prudence and righteousnes, doe fully assent thereunto, and order that it bee recorded amongst the acts of this courte, and attended in future practice, as occasions may present and require; The said conclusion is as follows:

The commissioners seriously considering the many willfull wrongs and hostile practices of the indians, against the English, together with theire interteining, protecting and rescuing of offenders, as late our experience sheweth, which, if suffered, the peace of the colonyes cannot bee secured;

It is therefore concluded, that in such case, the magistrates of any of the jurissdictions, may, at the charge of the plaintiff, send some convenient strenght of English, and according to the nature and value of the offence and dammage, seize and bring away any of that plantation of indians that shall interteine, protect or rescue the offender, though hee should bee in another jurissdiction, when through distance of place, commission or direction cannott bee had, after notice and due warning given them, as actors, or at least. accessory to the injurye and dammage done to the English; onely women and children to bee sparingly seized, unless knowne to bee someway guilty; and because it will be charge-

able keeping indians in prison, and if they should escape, they are like to prove more insolent and dangerous after. It was thought fitt, that upon such seizure, the delinquent, or satisfaction bee again demanded of the Sagamore, or plantation of indians guilty, or accessory, as before; and if it bee denied, that then the magistrates of this jurisdiction, deliver up the indian seized by the partye or partyes endammaged, either to serve, or to bee shipped out and exchanged for neagers, as the case will justly beare; and though the comissioners foresee, that said severe, though just proceeding may provoke the indians to an unjust seizing of some of ours, yet they could not, at present, find no better means to preserve the peace of the colonyes; all the aforementioned outrages and insolences tending to an open warr; onely they thought fitt, that before any such seizure bee made in any plantation of indians, the ensuing declaration bee published, and a coppye given to the perticular Saggamores.

The commissioners for the United Colnoyes considering how peace with righteousnes may bee preserved betwixt all the English, and the severall plantations of the indians, thought fitt to declare and publish, as they will doe no injurye to them, so if any indian or indians of what plantation soever, doe any willfull dammage to any of the English colonyes, upon prooffe, they will in a peaceable way, require just satisfaction, according to the nature of the offence and dammage; but if any Saggamore or plantation of indians, after notice and due warninge, interteine, hyde, protect, keepe, convey away, or further the escape of any such offender or offenders, the English will require satisfaction of such indian and Saggamore, or indian plantation; and if they deny it, they wil right themselves as

they may, uppon such as so meinteine them that doe the wrong, keeping peace and all termes of amity and agreement with all other indiaus.

### INKEEPERS.

**F**forasmuch, as there is a necessary use of howses of common interteinement, in every commonwealth, and of such as retaile wine, beare and victualls; yet, because there are so many abuses of that lawfull libberty, both by persons interteining, and persons interteined, there is allso need of strict lawes and rules to regulate such an imployment:

*It is therefore ordered by this Courte and authority thereof,* That no person or persons licenced for common interteinement, shall suffer any to bee drunken, or drinke excessively, viz. above halfe a pinte of wyne, for one person, at one time, or to continue tipling above the space of halfe an houre, or at unreasonable times, or after nine of the clock at night, in or about any of their howses, on penalty of five shillings for every such offence; and every person found drunken, viz. so that hee bee thereby bereaved or dissabled in the use of his understanding, appearing in his speech or gesture, in any of the said howses or elsewhere, shall forfeitt ten shillings; and for excessive drinking, three shillings foure pence; and for continuing above halfe an houre, tipling, two shillings six pence; and for tipling at unseasonable times, or after nine o'clock at night, five shillings, for every offence in these perticulars, being lawfully convicted thereof; and for want of payment, such shall bee imprisoned untill they pay. or bee sett in the stocks, one houre or



yeare, and the said clark is to break or demolish such weights, yardes or measures as are defective.

## MILITARY AFFAIRES.

*It is ordered, and by this courte declared,* That all persons that are above the age of sixteene yeares, except magistrates and church officers, shall beare arms, unless they have, uppon just occasion, exemption graunted by the courte; and every male person within this jurissdiction, above the said age, shall have in continuall readines, a good muskitt or other gunn, fitt for service, and allowed by the clark of the band, with a sword, rest and bandaleers, or other serviceable provision in the roome thereof, where such cannott bee had; as also such other military provision of powder, match and bullitts as the lawe requires; and if any person who is to provide armes or ammunition, cannot purchase them by such means as he hath, hee shall bring to the clark so much corne or other merchantable goods, as by apprizement of the said clark and two others of the company, (whereof one to bee chosen by the party, and the other by the clarke,) as shall be judged of a greater value by a fifth parte, then such armes or ammunition is of, hee shall bee excused of the penalty for want of armes, (but not for want of appearance) untill hee bee provided; and the clark shall indeavour to furnish him so soon as may bee, by sale of such goods so deposited, rendering the overplus to the partye: But if any person shall not bee able to provide himselfe armes or ammunition through meere poverty, if hee bee single, hee shall bee put to service by some magistrate, and the constable shall appoint him armes and ammunition, and

shall appointe him where, and with whome to **earn** out.

*And it is ordered,* That all the souldgers within his jurissdiction shall bee trained, at least, six times yearely, in the months of March, Aprill, May, September, October or November, by the appointment of the captaine or cheife officer in the severall townes: and the times of their meeting together shall bee at eight of the clock in the morninge: And the clarke of each band, shall twice every yeare, at least, view the armes and ammunition of the band, to see if they bee all accordinge to lawe; and shall uppon every traininge day, give his attendance in the feild every day, (except hee hath speciall leave from his captaine or cheife officer,) to call over the rolle of the souldgers, and take notice of any defect by their absence or otherwise; And hee shall duely present to the Governor, or some of the magistrates, all defects in armes or ammunition, at least once in each yeare, and oftener, if it bee required. And it is left to the judgement of the magistrates to punish all defects in that kinde, according to the nature of the offence, wherein due regard is to bee had of willfull neglects in any, that such may not pass without a severe censure: And whosoever shall bee absent any of the days appointed for traininge, after the houre appointed, or shall not continue the whole time, shall forfeitt the summe of two shillings six pence, for every default, except such as are licensed under the hand of two magistrates; The clark of the severall bands are to distreine the delinquents within fourteene days after the forfeiture, whereof six pence shall bee to himselfe, and the remainder for the maintenance of drums, cullers, &c. And if any of the said clarkes shall omitte to distreine any

delinquents above the said terme of fourteene dayes, hee shall forfeitt and pay to the use of the publique, double the fyne so neglected by him.

*It is ordered,* That the souldgers shall onely make choyce of their millitary officers, and present them to the perticular courte; but such onely shall bee deemed officers, as the courte shall confirme.

The state and condition of the place where we live, by reason of the indians and otherwise, requires all due means to bee used for the preservation, the safety and peace of the same; this courte judgeth it necessary that there should bee a magazine of powder and shott provided and meinteined in the country in each towne within this jurissdiction, *And do therefore order and decree,* that there shall bee two barrills of powder, and six hundred weight of lead provided by this commonwealth, before the generall courte in September next, which shall be meinteined and continued and accounted as the country stock.

*And it is also further ordered,* that the severall townes in this jurissdiction shall provide and meinteine as followeth, viz.

WyndSOR, one barrill and halfe of powder, foure hundred and fifty pound of lead, one hundred fathom of match, and nine cotton coates or corseletts, and serviceable pikes to either of them.

Hartford, two barrills of powder, six hundred weight of lead, and six score fathom of match, and twenty cotton coates or corseletts, with serviceable pikes to either of them.

Weathersfeild, one barrill of powder, three hundred weight of lead, eighty fathom of match, and eight cotton coates or corseletts, with serviceable pikes to either of them.

Seabrook, halfe a barrill of powder, one hundred

and fifty pound of lead, forty fathom of match, and three cotton coates or corseletts, with serviceable pikes to either of them.

ffairmington, the same, in each perticular with Seabrook.

ffairefeild and Strattford, in each towne, one barrill of powder, three hundred weight of lead, one hundred fathom of match, and six coates or corseletts, with serviceable pikes to either of them.

Southhampton and Pequett, in each towne, halfe barrill of powder, one hundred and fifty pounds of lead, forty fathom of match, with three cotton coates or corseletts, with serviceable pikes to either of them. Each towne allso, shall provide so many firelocke muskitts, and good back swords or cutlasses, as the the corseletts are they are charged with by this order: All which shall bee provided by the severall townes, by the courte in September next, and meinteined constantly for the future, uppon the penalty of ten shillings per month, for each townes defect or ueglect herein.

*Allso, it is further ordered,* That every male person within this jurisdiction, that is above the age of sixteene yeares, whether magistrates, ministers, or any other (though exempted from training, watching and warding) shall bee always provided with, and have in readines, by them, halfe a pound of powder, two pound of serviceable bullitts, or shott, and two fathom of match to every matchlock, uppon the penalty of five shillings a month, for each persons default herein; provided notwithstanding, that if the proportions of powder laid uppon each towne and person, either doth not at present, or shall not, by reason of the increase of their numbers, for the future, amount in all to three pound of powder for every souldger, then each



towne shall, uppon the former penalty, provide so much more, as shall bee three pound of powder for a souldger, and other provision of lead, &c. increase in each towne, according to the same proportion.

Whereas many inconveniences doe appeare by reason that the severall souldgers of the trained bands in each towne within this jurisdiction, have not been allowed some powder uppon their training dayes, for their practice and exercise in their severall firings :

*It is ordered by the authority of this courte,* That there shall bee allowed to every souldger in the severall trained bands in each towne, as aforesaid, halfe a pound of powder a piece, for a yeare, and so from yeare to yeare, for the future, to bee provided by, and at, the propper costs and charges of the masters and governors of each family unto which the said souldgers doe belong, to bee called forth. improved and disposed of, at the discretion of the captaine, or other principall leaders in each trained bands.

*It is also ordered,* That the captaines, leiftenants and ensignes, shall bee freed from watching and warding, and the Serjeants from warding and halfe their watch.

### MINISTERS MEINTENANCE.

Whereas the most considerable persons in the land came into these partes of America, that they might enjoy Christe, in his ordinances, without disturbance; and whereas, amongst many other pretious meanes, the ordinances have beene, and are dispensed amongst us, with much purity and pow-