

of the charg and trobell i have put hem to that is to say  
Mr. Sallton 10 shilling toward the charges.\*

(*Town Meetings, Vol. 1, p. 345.*)

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[COURT RECORD—TRIAL OF MARY SUTTEN.]

[1660, April 13.]

Aprill the 13: 1660.

Mary suten indited to the corte for kepenig and alltaring  
the property of the goodes of lide higebe and likewise for  
having corispondence with Mr. Mattnes his negar in pill-  
faring.

gorge sotton indited likewise of being acesary thare unto  
is conserning the goods of Lide higbe.

the deposition of mary tites this deponent sayeth when she  
com to the mell she mete with mary soten which wase a  
making a cote which the deponent take to be all coten and  
it was in 2 peses and she asked mary soten what she make  
that cot of and she sed it was a curtayn and the deponent  
teke so much notes of it that it was not all to gathar news.  
the deposition of Lide higbe this deponent sayeth that she  
went to her bedestede and found 4 bisketes and she asked

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[\*From the first settlement down to this time, and a few  
years later, Huntington was practically free from the control  
of any outside government. New Netherlands, with its head-  
quarters at New Amsterdam, Manhattan Island, tried to en-  
force its authority here but the people had never acknowledg-  
ed Dutch authority, and had managed their affairs in their own  
way. The claim was now put forward that Long Island was  
within the grant to Connecticut and the people here gladly  
sought the protection of the Connecticut Colony from Dutch  
pretensions; sent deputies to Hartford and acknowledged its  
authority until 1664, when the English conquered and over-  
threw the Government of New Netherlands, and under a grant  
and charter to the Duke of York, Col. Richard Nicholls took  
possession and enforced the obedience of the people here to  
the Colonial Government of New York.—C. R. S.]

her dafter mary how thos bisket came thar she sed she colld not tell but mary soten cam and sed they ware herses but this deponent knoweth not how she com by them and further she testifieth she herd mary soten speke to gorge for bisket sevriall times and he sed he had none about him then she spake to him to bring som the next tim he com and he tould her it may be he would.

The confession of Mary seton before Mr. Sticklon jonas wood, thomas——wase her waskot wase made of a cote an that her cote was mad parte of a pece of cloth broute out of the tray by her mother and the other parte of a pese of cloth bouthe of Mr. leverige and likewise she owned that she had a cortayn that was lade higbes but she sed she boroud it and likewise confesed that she never cared it home agayne but sed it wase borent by her fathers menes being at worke nere the fir with his ax strok it in the fiar and so it wase borent in parte and the rest wase throwen a bout the house and so lost she knew not what became of it.

the verdict of the corte thay find threw her own confesion and witnes broitin to the corte it is ordered that Mary seton shall make full satisfackcion for the curtayn detayned acording to the worth of the other curtaynes and that mary soten shall be brout forth the next trayning day and that on to be apinted by the magestrates to proclayme be for the towne the crimes proved against her 1. her keping away and alltaring the proparty of the goodes of lide higbee and 2 that she have intesrted and used arguments with a manes sarvant to play the thefe and stell from his mastar that she might be the resever.

and the cort se case to find good man seton gilltie in to he up houuld his dafter in so sinful and evell a way and mayntayneing her thar in by arguements of fallshod and for which he is to give publick satisfackcion befor the trayn band next, or this, pay 20 shilling.

(*Court Rec. p. 14, 5.*)

## [COURT RECORD. EDWARD HIGBEE'S ESTATE.]

[1660, May 12.]

the 12 of may it wase agreed by the Corte to demand the will out of Jonas wood his hand which will belonged to Edward higbee it wase allso agreed by the sam corte that Thomas weeke Edward Tredwell John Tilot shall take an inventory of the estate which is eqlent belonging to Edward Higbee which inventory is to be taken the next second day being the 14 of may in the yere 1660.

it was allso agreed by the sam cort that thos that are to

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[\*“Lide” Higbee was the wife of Edward Higbee who then resided at the head of Huntington Harbor near where George W. Scudder now resides.

This is inserted as a sample of the Court proceedings of the times ; and not as having any special value otherwise. There are in the book entitled “Court Records” the recorded minutes of about thirty trials between 1659 and 1664, before Justices of the Peace. Such as relate to title to land are printed in this volume, but the most of them relate either to civil actions for debt, or contract or criminal prosecutions for assault, slander or other minor offences, of no interest now, except purely in a historical point of view. The Court also exercised power of probate, the proof of wills and settlement of estates.

There is no intimation in the records that the courts of this period were controlled by any written laws unless it might be some town meeting regulations.

They certainly did not recognize the Dutch laws. The magistrates, being Englishmen, recognized the New England jurisdiction, and at this time probably applied the unwritten common laws of England, as far as they understood it, and adopted its methods of procedure. After the conquest in 1664, when Gov. Nichols entered Manhattan Island and promulgated the “Duke’s Laws,”—an elaborate system of jurisprudence, under the authority of the Duke of York,—these laws controlled the courts, and there are a large number of cases of which minutes are found in the volume above referred to, entitled Court records, covering the period between 1664 and 1690. The “Duke’s laws” continued to be the laws here with a few modifications until about 1690. The well thumbed volume containing them in manuscript, is now in the Town Clerk’s Office, and was used in all Courts here for a long period of years.—C. R. S.]