

William Furbish (abt. 1631-1694)

How a Scottish Prisoner of War became one of our first American ancestors

Since first publishing an article about my 9x-great grandfather William Furbish in 2016, enough new information has become available that it seemed important to rewrite the narrative.¹

First and most important, an unexpected archaeological discovery in the city of Durham, England, in 2013, proved to be the remains of 28 of the Scottish prisoners who died there in the autumn of 1650 following their defeat at the Battle of Dunbar in Scotland. The resulting study has led to an overwhelming body of new information about these soldiers, their origins, and their ultimate ends. The complicated political landscape leading up to the battle has also been newly described, as has the Battle of Dunbar itself. At the same time, an interest in the survivors, especially those who were sold into indenture in New England, has begun to illuminate the enormous impact made by these Scottish men who were involuntary immigrants. *Lost Lives, New Voices: Unlocking the Stories of the Scottish Soldiers from the Battle of Dunbar 1650* provides an essential and fascinating journey through this new world.²

Second, a new possibility has emerged regarding who may have purchased the indenture of William Furbish.

Third, we are learning from court records that William and Rebecca Furbish were in court many more times than we had originally known, and some of these cases were even more hard-hitting than we had earlier understood.

And fourth, the most recent information we can access suggests the need for a great deal more caution regarding the dates of birth of the Furbish children than the previous iteration displayed.

In 2016 we were able to visit with Alexander Forbes, genealogist for the Forbes clan, at his residence at Druminnor Castle. There, he showed us one branch of the Forbes tree “whose posterity, when they became men, went out of Scotland: that we have no memory of them”. These men had died or emigrated by 1655; Alexander suspected they were related to the Furbushes who appeared about the same time in America. We seem very close to tying William Furbish to his family of origin across the sea.³

¹ B. Craig Stinson, *William Furbish (1631-1694): How a Scottish Prisoner of War became one of our first American ancestors*, July 3, 2016.

² Christopher Gerrard, Pam Graves, Andrew Millard, Richard Annis, and Anwen Caffell, *Lost Lives, New Voices: Unlocking the Stories of the Scottish Soldiers from the Battle of Dunbar 1650* (Oxford and Philadelphia: Oxbow Books, 2018).

³ Alexander Forbes, *Forbes Family Tree and Notes*, and private conversation, August 31, 2016.

One important note: Furbish family histories continue to quote Everett Stackpole, who stated in 1903 in *Old Kittery and Her Families* that William Furbish was granted land in Dover, N.H., on 18 March 1648.⁴ Stackpole corrected his error in a book published in 1913, *History of the Town of Durham, New Hampshire*, where he wrote: “William Furbish was taxed in Dover in 1659 as William Ferbush. The statement that he was taxed in Dover in 1648, made in *Old Kittery and Her Families*, is an error, the result of the misreading of the name William Furber. William Furbish was in Scotland...”⁵ Perhaps together we can eventually get this old error corrected.

We pick up the tale of 19-year-old William Forbes/Furbish in late 1650, after the defeat of the Scottish army at Dunbar and the forced march of the survivors to Durham. John Becx, an investor with interests in new ironworks and sawmills in New England, purchased some 150 of the Scottish prisoners for £5 each and arranged for them to be transported to Boston, where their indentures were to be sold. The two-masted ketch *Unity* sailed from Durham on November 11, 1650, with Augustine Walker as master. The small ship arrived in Boston about December 24.⁶



1968 Replica of the 1650 Ketch “Nonsuch”⁷

⁴ Everett S. Stackpole, *Old Kittery and Her Families* (Lewiston, Maine: Press of Lewiston Journal Company, 1903), 437.

⁵ Everett S. Stackpole and Lucien Thompson. *History of the Town of Durham New Hampshire (Oyster River Plantation) with Genealogical Notes, Volume 1* (Concord, N.H.: The Rumford Press, 1913), 79.

⁶ Gerrard et al, *Lost Lives, New Voices*, 171-174.

⁷ According to Christopher Gerrard, the *Unity* probably looked similar to the ketch *Nonsuch*, which was built in 1650. Gerrard et al, *List Lives, New Voices*, 166-167. Image of this replica of the *Nonsuch* courtesy of Hastings County Community Archives, HC02654. [https://en.wikipedia.org/wiki/Nonsuch_%281650_ship%29#/media/File:Hastings_County_Archives_HC02654_\(41215384581\).jpg](https://en.wikipedia.org/wiki/Nonsuch_%281650_ship%29#/media/File:Hastings_County_Archives_HC02654_(41215384581).jpg).

The Scottish prisoners are sold into indenture

Safely at harbor in New England, Becx could now market a needed workforce and realize a profit several times greater than his investment. A few dozen of the young men were sent to the Hammersmith ironworks in Lynn. Others went to the Braintree ironworks. More than a dozen sawmills had recently sprung up along rivers in New Hampshire and Maine, and *Unity* Scots provided a bounty of cheap labor there, too. Mill owners and speculators across New England could purchase indentures of these young Scottish men for about £20-£30 apiece.⁸

Richard and George Leader purchased some fifteen Scots and brought them up the Newichawannock River to Maine. They were to become the core of the ambitious "Great Works," which was envisioned to employ twenty saws working at once. Great Works came to be the new name bestowed both on the sawmills and on the tributary (Asbenbedick) that supplied the water power.

Nicholas Lissen purchased Scots to work his sawmill on the Lamprey River at Exeter, New Hampshire.

Valentine Hill had recently constructed a new sawmill and a large new house in Dover, New Hampshire, at the fall of Oyster River.⁹ He was soon granted an additional five hundred acres and timber privileges. When the Dunbar prisoners filed off the *Unity* in Boston harbor, Hill purchased the indentures of several Scottish prisoners to work his mill and timber.¹⁰ The Scots felled trees and hauled logs and stripped bark and, at the mill, fed the logs by hand into the reciprocating saw that was powered by the mill wheel. The work carried its own set of dangers. James Morrey was killed when a large limb fell and hit him on the head.¹¹

Among the Dunbar Scots indentured at Dover was William Forbes, whose surname was making its first appearance in New England, albeit in an Anglicized form. In Gaelic, Forbes is Foirbeis. When William pronounced his name, the English heard and wrote "Furbish"—that is, when they

⁸ Cf. Gerrard et al, *Lost Lives, New Voices*, 205.

⁹ Amazingly, this house has been preserved in part and renovated over almost four centuries; guests can still stay at the lovely Three Chimneys Inn, 17 Newmarket Road, Durham, New Hampshire.

¹⁰ *Unity* Scots linked in some way to Valentine Hill include Robert Junkins, James Kidd, Henry Brown, James Orr, Thomas Doughty, James Morrey/Murray, James Middleton, William Furbish, William Gowen/Smith, Niven Agnew, and Micum McIntire. Scottish prisoners from the Battle of Worcester, in 1651, would swell that group to almost twenty young men. The *Unity* prisoners are explored in more detail in the 2016 version of this narrative.

¹¹ This incident took place in 1659, just a year after Morrey's eight-year indenture ended. "wee heare Panelled doe Jontly Agree that wee find A wound in his head made by A Lime of A tree falling downe upon his head which wee Aperehend is the Cause of his Death." Otis G. Hammond, ed. *New Hampshire Court Records 1640-1692: Court Papers 1652-1668* (The State of New Hampshire, 1943), 465.

didn't render it as Furbush, Forbush, Fourbush, Ferbush, Ferbish, Faurbish, Fourbish, ffurbush, or fforbes, which spellings of William's surname are also found in various early documents.



“Pascataway River in New England” map by John Scott, ca. 1660¹²

Earlier historians differed widely in their opinions regarding how the Scots were treated during their indenture. At one extreme is the suggestion that the Scots worked four days of the week for their master and were given three days to work their own land.¹³ In stark contrast, others say the indentures were tantamount to slavery.¹⁴ However, slavery could never have been an apt description, for indenture was not heritable, and these men were indentured for a definite period

¹² John Scott, *Pascataway River in New England* (British Library Maps K. Top. 120.27., 1660-1670). Public Domain. <https://www.bl.uk/collection-items/pascataway-river-in-new-england>. Although difficult to see here, the map shows sawmills at the sites described in this monograph.

¹³ Stackpole, *History of Durham*, 76.

¹⁴ Diane Rapaport. “Scottish Slaves in Colonial New England, Parts 1 and 2” *The Highlander*, September/October and November/ December, 2004. Most online references to these articles have been deleted, possibly due to this stance being revisited. Cp. the 2018 blog article of the New England Historical Society and accompanying discussion, *How Scottish POWS Were Sold as Slave Labor in New England*, <https://newenglandhistoricalsociety.com/how-scottish-pows-were-sold-as-slave-labor-in-new-england/>

of time—five to eight years. During the indenture they clearly “belonged” to the person who purchased their rights, but when their indentures ended they were granted land and status as inhabitants. Many of the English settlers in the area had arrived as indentured servants themselves, probably voluntarily, just a decade earlier.¹⁵ So practically everyone in the community was intimately acquainted with indenture and no doubt recognized the value of industrious cohorts to help “civilize” this wild country, which was as yet inhabited by very few people, whether English, Scottish, or Native American.

In 1652 the Town of Dover granted Valentine Hill four acres “for his Scots.”¹⁶ This land lay on the south side of the Oyster River at Durham Falls, abutting the mill pond on the north, Newmarket Road on the east, and John Hudson’s land on the south.¹⁷

The Scots begin to earn their freedom

In 1657 a group of Scots was first taxed at Dover, indicating that their indentures had ended.¹⁸ The following year, eight additional Scots were received as “Inhabitants” of the Town of Dover.¹⁹

William Furbish’s first appearance as a taxpayer - 1659

In 1659, six more Scots appear on the tax list at Dover for the first time.²⁰ One of these is William “Ferbush.” This list offers us several tantalizing clues about Furbish and the possible nature of his indenture.

¹⁵ That group included our ancestor John Hill, who was first taxed at Dover in 1648 and lived on the property abutting Valentine Hill.

¹⁶ Stackpole, *History of Durham*, 76.

¹⁷ About 1663 these four acres were conveyed to Dunbar Scots Henry Brown and James Orr after their indentures had ended. Cf. Stackpole, *History of Durham*, 76.

¹⁸ James Kidd, John Key, Henry Magoon, John Carmichael, James Grant, Patrick the Scot [Jameson], and Robert Junkins. John Scales, editor, *Historical Memoranda Concerning Persons and Places of Old Dover, N.H., Collected by Rev. Dr. Alonzo Hall Quint, and Others, and Published in the Dover Enquirer from 1850 to 1888. Republished, in Part, in the Dover Enquirer from December 10, 1897, to January 5, 1900, Volume 1* (Dover, N. H., March 1900), 355-356.

¹⁹ Henry Brown, Patrick Jameson, Edward Erwin, Walter Jackson, James Murray, Thomas Dowty, James Orr, and James Middleton. Cf. Scales, *Historical Memoranda*, 340. “Inhabitants” had taken the oath of fidelity and were allowed to vote on Selectmen. Cf. Scales, *Historical Memoranda*, 51. The men on this list seem to best approximate the list of Valentine Hill’s “Seven Scots,” although there are eight names here. [Stinson]

²⁰ William Ferbush, Micam [McIntire], Welsh James Grant, Petter Grant, William Smith [Gowen], Niuin the Scot [Agnew], and James Keid. Alonzo H. Quint, *The First Parish in Dover, New Hampshire: Two Hundred and Fiftieth Anniversary* (Dover: Printed for the Parish, 1884), 142-143. The image reproduced below shows only the first page of this tax list. [Stinson]

Importantly, William Furbish is not in Oyster River with Valentine Hill but is listed among a group of people who resided in the Cochecho River area of Dover, raising the possibility that Furbish's indenture was not with Valentine Hill as earlier thought.²¹

II. A Tax List of the Year 1659.*

A Raet mad for m^r Raners Prouietion at 2d in the pound for Douer
the 22 : 9; [16] 59

Great Rate†					Great Rate								
Tho layton	2	11	0	5	2	0	m ^r Iudecues Edlin	0	5	0	0	10	0
John Damm sinyer	1	10	0	3	0	0	James nutt sinyer	0	12	7	1	5	2
John Hall decon	0	18	6	1	17	0	Jeremie Tebutt	0	13	0	1	6	0
will Pomfrett	0	12	0	1	4	0	Henrey Tebutt	0	14	4	1	8	8
m ^r Roberds	0	6	7	0	13	2	Tho nocke	0	8	0	0	16	0
Tho downes	0	9	0	0	18	0	Jonathan Hillton	0	5	0	0	10	0
m ^r Cimball	0	10	0	1	0	0	Isake Stokes	0	5	0	0	10	0
m ^r Edmond Busnall	2	3	4	4	6	8	M ^r Buckner	0	8	4	0	16	8
M ^r Chadwell	0	5	0	0	10	0	Raph ^t Thwamly	0	11	6	1	3	0
moses Chadwell	0	5	0	0	10	0	Thomas Hanson	1	5	4	2	10	8
Benjamin Chadwell	0	5	0	0	10	0	william ferbush	0	5	0	0	10	0
John Stathom	0	5	0	0	10	0	Elder Starbuck	1	13	4	3	6	8
Richard Knight	0	5	0	0	10	0	nathanell Starbuck	0	10	0	1	0	0
m ^r Clemants	0	16	8	1	13	4	Roberd Jones	1	11	8	3	3	4
m ^r Reaner	1	7	4	2	14	8	John ash	0	5	0	0	10	0
Tho Beard	1	12	4	3	14	8	Petter Coffin	1	5	0	2	10	0
william hakett	0	5	0	0	10	0	micam [blank]	0	5	0	0	10	0
william Jones	0	5	0	0	10	0	Cristin Dalak	0	5	0	0	10	0
John Tuttell	0	5	4	0	10	8	welsh Jams Grant	0	8	6	0	17	0
left Hall	0	13	3	1	6	6	Petter Grant	0	5	0	0	10	0
wedoe storey	0	8	3	0	16	6	m ^r Tho wiggin	0	19	2	1	18	4
Elder nutter	1	5	0	2	10	0	Gorge Weden	0	5	0	0	10	0
Tho Caney	1	18	4	3	16	8	Jeremi marcom	0	5	0	0	10	0
Tho Roberds	0	14	8	1	9	4	Phelep Cromwell	0	9	6	0	19	0
John Roberds	1	6	8	2	13	4	Richard Otes	0	19	2	1	18	4

* This list is an exact copy of the original.
† The "great rate" was the general town tax. The first three columns of figures (respectively pounds, shillings and pence) were the tax for the minister's support.

Dover tax list 1659; note "william ferbush" in second column beside Elder Starbuck

²¹ Cp. Scales, *Historical Memoranda*, 362-363, in which the 1658 tax distinguishes "Cochechae" from the rest of Dover, and Scales, *Historical Memoranda*, 363-365, where the 1659 tax sets off Oyster River as a separate tax base. Furbish, Welsh James Grant, and Peter Grant all seem to live at Cochecho; Smith/Gowen, Agnew, and Kidd are listed together, but their precise location in Dover is unclear. Cf. Stinson, *William Furbish*, 10.

Second, excepting Welsh James Grant,²² the other five Scottish men on the 1659 list are in the lowest tax bracket. One tax was collected for the salary and provisioning of the Puritan minister, Mr. John Reyner.²³ The other comprised the general tax.²⁴ Furbish was taxed five shillings for the support of Mr. Reyner and ten shillings for the general tax. Payment could be made in money, beaver, beef, pork, wheat, pease, malt, butter, cheese, or a combination thereof.²⁵ The tax was figured on a rate of two pence per pound, so we can calculate that William Furbish's land was valued at £30. Interestingly, this is precisely the amount we have been told some buyers had paid for the Scottish prisoners in 1650.²⁶

Third, William Furbish is listed alongside Elder Edward Starbuck on the tax list. This raises the possibility that it was Starbuck rather than Valentine Hill who owned the indenture of William Furbish. Starbuck has gained fame in history for being one of the first non-native settlers of Nantucket, which took place late in 1659.²⁷

Starbuck had been in the Dover area by at least 1640.²⁸ By 1646 he was acting as an agent for Valentine Hill.²⁹ In 1648 he formed a partnership with Richard Waldron for lumbering on the Maine side of the Newichawannock River.³⁰ And in July 1650 Starbuck and Thomas Wiggin were granted a sawmill site at the second fall of the Cochecho River.³¹ One can visualize Edward Starbuck, acting as agent for Valentine Hill, picking out several of the young Scottish

²² Welsh James Grant is listed as a "possible" Dunbar prisoner, while the others are all "probable." Gerrard et al, *Lost Lives, New Voices*, 253.

²³ Mr. Reyner came to Dover in 1658. His compensation was £120 yearly, in addition to the Town's house, which they also conveyed to him. Scales, *Historical Memoranda*, 50, 117. The men Valentine Hill employed to build, underpin, and raise the new meeting house in Oyster River might possibly have included William Furbish. Cf. Scales, *Historical Memoranda*, 47.

²⁴ Tax list published 22nd day of ninth month (November) 1659. Quint, *The First Parish in Dover*, 142. Cf. Stackpole, *History of Durham*, 79.

²⁵ Scales, *Historical Memoranda*, 46.

²⁶ Gerrard et al, *Lost Lives, New Voices*, 205.

²⁷ Lydia S. Hinchman, *Early Settlers of Nantucket, Their Associates and Descendants* (Philadelphia: Ferris & Leach, 1901), 17.

²⁸ Sybil Noyes, Charles T. Libby, and Walter G. Davis, *Genealogical Dictionary of Maine and New Hampshire* (Portland, Maine: The Southworth -Anthoensen Press, 1928-1939), 656.

²⁹ Noyes, *Genealogical Dictionary*, 656.

³⁰ Noyes, *Genealogical Dictionary*, 656.

³¹ Hinchman, *Early Settlers of Nantucket*, 19. The second fall, known today as Whittier Falls, is slightly over a mile northwest of downtown Dover.

prisoners from the ketch *Unity* to work Hill's new Oyster River sawmill, along with others destined for Starbuck's own lumbering project in Maine and his sawmill on the Cochecho. Starbuck had been an Elder in the Congregational Church but had fallen out with them over a disagreement about infant baptism. For the Puritans no theological disagreement was minor; in 1648 Elder Starbuck was brought to court for the "great misdemeanor" of espousing Anabaptist leanings.³² So Starbuck, originally a Puritan himself, retained no great affection for them. Nor, we will soon see, did William Furbish.

So far we do not find William Furbish in the records from late 1659 until late 1662. But we do find Edward Starbuck. In October 1659 Starbuck joined Thomas Macy, John Coffin, and Isaac Coleman on their first foray to Nantucket, where they overwintered.³³ In the spring Starbuck returned to Dover for his family.³⁴ On March 9, 1659/60, Starbuck conveyed his house at Cochecho (and his household goods and cattle) to his son-in-law Peter Coffin and settled permanently at Nantucket.³⁵

So in 1659, following his release from indenture, William Furbish seems to have owned a small parcel of land at Cochecho near Edward Starbuck. His time may have been consumed improving that plot of ground or engaging in a trade of some sort. He may have worked at the Cochecho sawmill for pay. And/or he may have worked at lumbering on Starbuck & Waldron's grant on the Maine side, just four miles downriver from the Cochecho sawmill, which would have given him a great look at several unimproved properties along the bank of the Newichawannock. But in the absence of documentation, we can only guess at how he spent those first three years as a free man. William Furbish next appears in the record in Dover in December 1662, about 31 years of age.

Champion of Quakers or scourge of Puritans? (1662)

In 1662 a threat visited Dover in the person of four itinerant Quakers. Their message of an alternative theology and ecclesiology imperiled the entire system of governance and community upon which the Puritans controlled society. Rev. John Reyner, now well entrenched at Dover, engaged the Quakers in a public debate. Various topics were defended with quotations from the Scriptures. But when the Quakers challenged Rev. Reyner to prove the Three Persons in the Trinity by evincing the Scriptures, his position collapsed. The argument hinged on the proper Greek translation of a word in Hebrews 1:3 that could mean "person" but could also mean "character" or "image" or "substance." Stumped, Reyner is said to have mumbled that they were

³² Hinchman, *Early Settlers of Nantucket*, 20.

³³ Hinchman, *Early Settlers of Nantucket*, 17.

³⁴ Hinchman, *Early Settlers of Nantucket*, 20.

³⁵ Noyes, *Genealogical Dictionary*, 657.

three *somethings*, and fled the gathering, mocked by the Quakers.³⁶ The power of their arguments convinced many listeners to take up the Quaker path. During their extended stay they crossed the river to Kittery, Maine, where Major Nicholas Shapleigh provided them lodging and was himself converted.³⁷

In December 1662 three Quaker women returned to Dover. But this time Rev. Reyner was armed with more than his Puritan theology and rhetoric—he brought the force of law. Reyner drew up an arrest warrant for the three—Mary Tomkins, Alice Ambrose, and Ann Coleman. As deputy of the court, Richard Waldron made the arrest, and the women were summarily convicted. For professing doctrine contrary to the Congregational Church they were sentenced to have their hands tied to the tailboard of a horse-drawn cart in the center of town, be stripped to the waist and scourged ten times with a three-corded whip, then dragged through the snow and ice several miles to the center of the next town, where the thrashings were to be repeated, a journey through eleven towns and 80 miles in all. The brutal punishment was of course designed to kill the women.

Accounts report that Rev. Reyner stood by laughing as the women were stripped and flogged. Two men rebuked the pastor, and for their disrespect of authority were themselves put in the stocks.³⁸ One of these two men was our William “Fourbish” of Dover.³⁹ Perhaps, in addition to the cruelty of the local clergy and the bravery he witnessed from the Quaker women, William Furbish also recalled his own 80-mile forced march from Dunbar, Scotland, to Durham, England, just twelve years earlier.

³⁶ George Bishop, *New England Judged by the Spirit of the Lord* (London: T. Sowle, 1703), n231. “Which ‘three somethings’ became a proverb in the country, when they would express something that they could not prove or make out.”

³⁷ D. Hamilton Hurd, *History of Rockingham and Strafford Counties, New Hampshire, with Biographical Sketches of Many of its Pioneers and Prominent Men* (Philadelphia: J. W. Lewis & Co., 1882), 807, 808. Cf. Bishop, *New England Judged*, 229.

³⁸ Hurd, *History of Rockingham*, 808, has him as “William Faurbish.”

³⁹ Richard P. Hallowell, *The Quaker Invasion of Massachusetts* (Boston: Houghton, Mifflin, and Company, 1883), 100. Cf. Scales, *Historical Memoranda*, 171, has him as William “Fourbish.”

Tomkins, and Alice Ambrose, at the instigation of Rev. Mr. Rayner, and by order of deputy magistrate Richard Walden, were stripped naked from the middle upward, tied to a cart, and, though the weather was "bitter cold," were driven through several towns. On arrival at each town they were cruelly whipped. At Dover, while the flogging was being administered, the ~~Rev.~~ Mr. Rayner "stood and looked and laughed at it," whereupon Eliakim Wardwell, who was also present, reproved the reverend gentleman for his brutality, and thereby added one more piece of insolence to the list of Quaker "outrages." For this offensive behavior he was put in the stocks along with William Furbish, who had also manifested irreverence by rebuking the pious Rayner. Soon after this event, Wardwell harbored and entertained his friend Wenlock Christison. Such an offense was too grievous to be overlooked, and the Rev. Seaborn Cotton, with truncheon in hand, headed a party of order-loving citizens, and marched from his own home to the house of Wardwell, some two miles away. Christison received him and asked him "what he did with that club in his hand." Pastor Cotton replied,

The Quaker Invasion of Massachusetts, by Richard P. Hallowell

Despite the protests of Furbish and others, this sorry parade did continue in the bitter cold through two more towns, until at Salisbury the town leaders refused to comply with the order and put a stop to the debacle. The tale of the women's courage in the face of such persecution led to the conversion of many in Dover and across the river in Kittery. Two hundred years later John Greenleaf Whittier immortalized this incident in his poem, "How the Women Went from Dover: 1662." Here are two stanzas from the 29-stanza poem:

"...Bared to the waist, for the north wind's grip
And keener sting of the constable's whip,
The blood that followed each hissing blow
Froze as it sprinkled the winter snow.

Priest and ruler, boy and maid
Followed the dismal cavalcade;
And from door and window, open thrown,
Looked and wondered gaffer and crone..."⁴⁰

⁴⁰ John Greenleaf Whittier, "How the Women Went from Dover: 1662," *The Atlantic Monthly: A Magazine of Literature, Science, Art, and Politics*, Volume 51 (Boston: Houghton, Mifflin and Company, June 1883).

Did William Furbish become a Quaker?

It is certainly possible that William Furbish converted to the Quaker faith. Quaker histories single out only two men who were publicly punished for defending the Quaker women in 1662—William Furbish of Dover, and the notoriously outspoken Quaker Eliakim Wardel of Hampton.⁴¹ Historian Everett Stackpole makes clear that the William Furbish who was sentenced to the stocks in 1662 was “William Furbish, Scotchman, [who] soon afterward settled in what is now Eliot, Maine, and many of his descendants united with the Society of Friends in that place.”⁴²

William and Rebecca did not attend worship with the Puritans, and in the following years were fined several times for their non-attendance (see p. 17). However, “attending a Quaker meeting,” which carried double the penalty of a simple absence, was never listed among William and Rebecca’s offenses. And William’s other behaviors, which we will learn included selling liquor and swearing false witness in court, not to mention Rebecca’s striking the Constable, seem out of character for even the most vociferous proponents of Quakerism of the day.

Whether he actually converted to this new religion or not, William Furbish had ample reason to chafe against the men who ruled Dover. He paid tax so the Town could pay Rev. Reyner a salary and provisioning. The Town Treasurer who collected the tax was Major Richard Waldron,⁴³ the same man who administered the beatings to the Quaker women and ordered Furbish to be locked in the stocks. Waldron also owned a sawmill at Cochecho⁴⁴ and was partner with Edward Starbuck in the lumbering operation across the river in Maine.⁴⁵ So William Furbish would have been well acquainted with Richard Waldron.

William Furbish homesteads in Maine (1664)

Three or four years of freedom as a tax-paying citizen of Dover provided William Furbish ample experience of living stripped bare under a system where the Puritans controlled not only every person’s behavior but their speech as well. Tantalizingly, untamed Maine beckoned just across the river. Large tracts of inexpensive land promised a new freedom for enterprising and hard-working settlers. The accompanying burdens may have seemed relatively light in comparison.

⁴¹ Cf. Noyes, *Genealogical Dictionary*, 719.

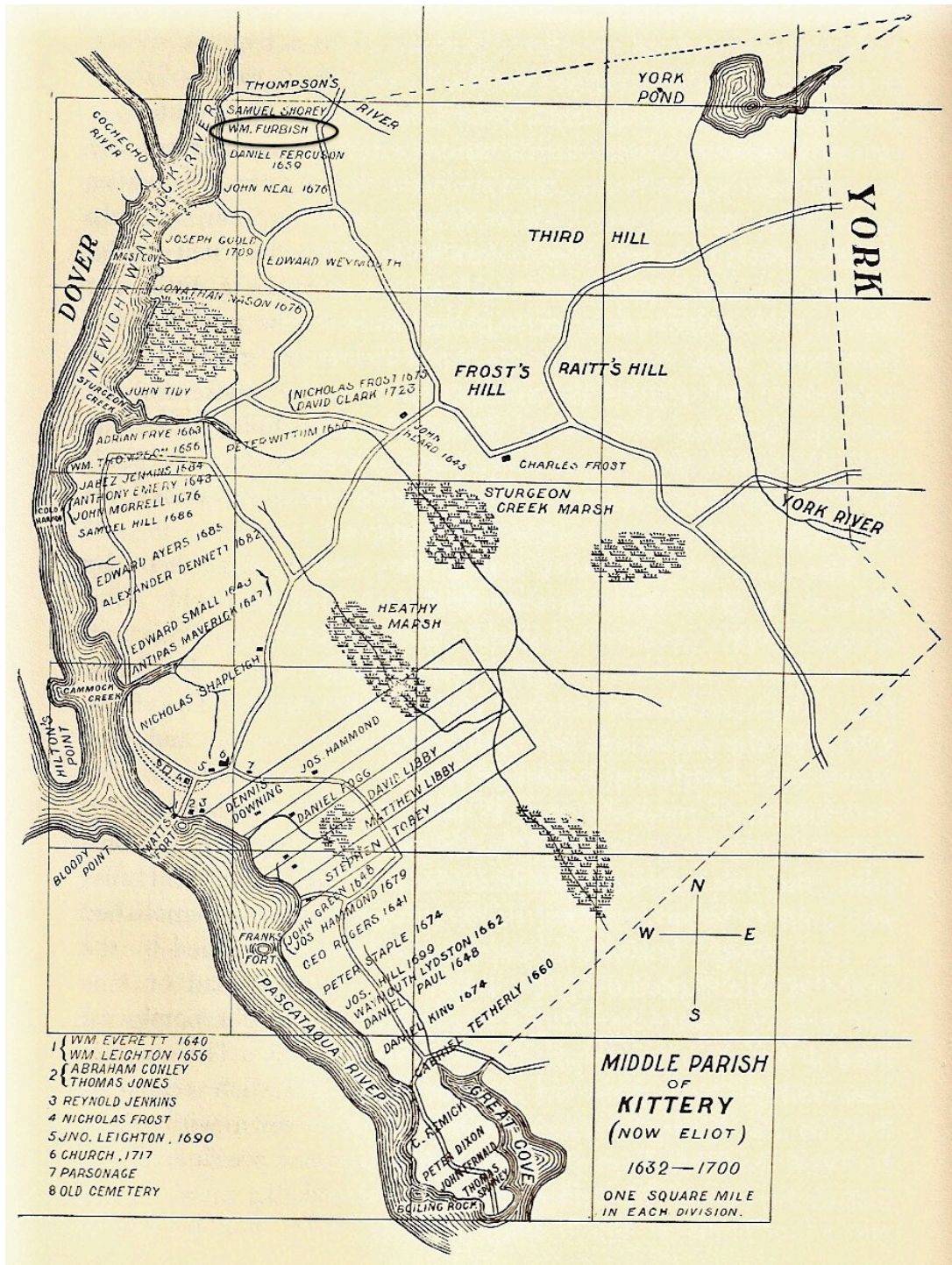
⁴² Everett S. Stackpole, *History of New Hampshire, Volume 1* (New York: The American Historical Society, 1916), 68.

⁴³ Scales, *Historical Memoranda*, 48.

⁴⁴ Waldron had a mill on the north side of the second falls at Cochecho in 1652. Richard M. Candee, “Merchant and Millwright: Water Powered Sawmills on the Piscataqua,” *Old-Time New England, Volume 60, Number 220, Spring 1970* (Boston: Society for the Preservation of New England Antiquities, 1970), 146.

⁴⁵ Noyes, *Genealogical Dictionary*, 656.

Scots began to settle along the Maine side of the Newichawannock River (Abenaki for “River with Many Falls”).



William Furbish homestead, top left of map⁴⁶

⁴⁶ Stackpole, *Old Kittery*, 106.

By the summer of 1664 William Furbish had established what became the family homestead on a beautiful 80-acre tract of land on the Newichawannock, just above where it meets the Cochecho.⁴⁷ This property was just three miles upriver from Major Nicholas Shapleigh.⁴⁸ Furbish's land was 40 rods (660 feet) of riverfront and reached back a full mile from the river.⁴⁹ William built his house about 30 or 40 rods inland from the riverbank.⁵⁰ Given the small amount of land a second or third son in Scotland was apt to inherit, this wonderful spread of beautiful Maine wilderness must have seemed a dream.

In addition to its beauty, Furbish may have chosen this tract due to its strategic location and for the large timber that likely remained on the property. Ship mast-quality trees might bring a small fortune.⁵¹ We learn in *Lost Lives, New Voices*, "...of particular relevance to the Dunbar Scots, heavy masts of white pine or spruce were transported aboard large ships from the Piscataqua region at the confluence of the Salmon Falls River [Newichawannock] and Cocheco River... As many as ten of these huge vessels of 400 tons or more sailed for England every year..."⁵²

Owning an acreage brought with it a heavy workload. Much of the land along the river was deeply wooded. The homesteader would clear a spot and erect a dwelling. Trees were an important resource for construction and for fuel and an impediment to cultivating the land. Beautiful old-growth trees must have seemed unlimited in quantity. Fencing even a few acres was a laborious task, but the settlers gradually fenced their property as they cleared it, which stood as a testament to their industriousness and their ability to "domesticate" this untamed land. Plowing and hauling required oxen, an important early addition to a settler's possessions. Farm animals provided food for the family and various products for barter. The animals required

⁴⁷ *York Deeds Book 2* (Portland: John T. Hull and B Thurston & Co., 1887), Folio 100, dated 27 June 1664, describes a property as bounding William Furbush's land.

⁴⁸ Shapleigh, a major entrepreneur who constructed and operated sawmills and other enterprises in the area, had recently converted to the Quaker faith. Cf. William Sewell, *The History of the Rise, Increase, and Progress of the Christian People Called Quakers: Intermixed with Several Remarkable Occurrences* (London: J. Sowle, 1725), 330.

⁴⁹ Noyes, *Genealogical Dictionary*, 251. 40 rods x 320 rods (1 mile) = 80 acres. [Stinson]

⁵⁰ A 1732 deed describes the cellar hole "where an Old House formerly stood." This must be the site of the original home. That cellar hole was still obvious in the 1890's. In the intervening years at least three houses have occupied this spot, one of which was built about 1840. J. L. M. Willis, *Old Eliot, Book One 1897-1899, Volume 3* (Somersworth: New England History Press, 1985), 2-3.

⁵¹ According to C. F. Carroll, a large pine mast was worth almost £150. C. F. Carroll, *The Timber Economy of Puritan New England* (Providence: Brown University Press, 1973). Cf. Gerrard et al, *Lost Lives, New Voices*, 321 (footnote 7:168).

⁵² Gerrard et al, *Lost Lives, New Voices*, 200. This is precisely the location of William Furbish's homestead, although the Newichawannock is here known as the Salmon Falls River.

shelter, so the settlers also constructed wooden sheds and barns on the homestead.⁵³ The local economy ran on exchanges of products and labor. Each person kept an account of what was owed them. When Oyster River resident Alexander Mackdouel/McDaniel drowned in January 1663, one of the bills due to his estate was from William Furbish.⁵⁴

William marries Rebecca (about 1664)

Now in his early 30's, in about 1664 William married a woman named Rebeccah.⁵⁵ We do not know who her parents were. She may have been a newcomer or perhaps came from an humble background. Soon she was the heart of the household. Their son Daniel was born about 1665.⁵⁶

The Furbish's new land lay immediately north of the homestead of Daniel Ferguson, who had been established there for about five years.⁵⁷ Ferguson may or may not have been a former Dunbar prisoner himself.⁵⁸

Land grants and purchases (1667, 1668, 1673)

Over the next few years Furbish increased his holdings through purchases and grants. First he and his neighbor Daniel Ferguson jointly purchased 150 acres that adjoined them on the east. The land, purchased from James and Elizabeth Emery (1667), lay on the north side of Little Hill Marsh and included pasture, commons, woods, and underwoods.⁵⁹

The new property doubled the size of the Furbish and the Ferguson holdings. This property remained in the family for several generations; in 1726, William Furbish's son-in-law Andrew Neal (1664-1739) willed a portion of that marsh to his son Andrew (1701-1757).⁶⁰

⁵³ Charles Thornton Libby, editor, *Province and Court Records of Maine, Volume 2: York County Court Records, Colony of Massachusetts Bay* (Portland: Maine Historical Society, 1931), 331-332.

⁵⁴ William "ffurbush." Stackpole, *History of Durham*, 82.

⁵⁵ Her name appears as Rebeccah Furbush in a 1679 court case. Cf. Libby, *Province and Court Records of Maine*, 355.

⁵⁶ Noyes, *Genealogical Dictionary*, 251.

⁵⁷ Stackpole, *Old Kittery*, 373.

⁵⁸ Although he clearly had business dealings with *Unity Scots* James Barry and William Furbish, recent research brings into question whether Daniel Ferguson was himself a Dunbar prisoner. A Daniel Ferguson is documented in South Berwick by 1650, which is too early for him to be part of this group. Cf. Gerrard et al, *Lost Lives, New Voices*, 253.

⁵⁹ February 28, 1667; *York Deeds Book 2*, Folio 141-143. Cf. Willis, *Old Eliot, Book One, Volume 3*, 47-48. Cf. Daniel Ferguson inventory, Libby, *Province and Court Records of Maine*, 331-332.

⁶⁰ Willis, *Old Eliot, Book One, Volume 3*, 20-23.

In 1668, William Furbish received a grant of 10 acres.⁶¹ In 1673 he received an additional grant of 50 acres near Spruce Creek, which lay about two miles downriver from the Furbish homestead.⁶² There may have been a third 50-acre grant in 1671.⁶³

A look inside their neighbor's home (1676)

When Daniel Ferguson died in 1676 leaving a widow and nine children⁶⁴ his estate was inventoried in detail. As William Furbish's closest neighbor and business partner we can imagine that the possessions of the two men may have been similar.

Ferguson's homestead was 60 acres, eight of which were fenced. Inside the fence, five acres were improved and three unimproved. Ferguson used the five acres of improved land to raise corn and grain. At the time of his death he was letting out half of this field for £3. Dunbar Scot James Barrow/Barry rented out the unimproved three acres and kept his bull there over the winter. Ferguson and his neighbor William Furbish also jointly owned the 150 acres of woods, marsh, and upland that they had purchased nine years earlier.

Besides his land, dwelling house, and out buildings, Ferguson's other possessions included (in descending value) two labor oxen, a cow and heifer, six swine and a shoat, five sheep and two lambs, and four dunghill fowls. His meager farm implements included one plow, one saw, two axes, a drawing knife, and four hoes. The only household items of listed value were a small number of pewter dishes, two iron pots, his bedding, and his wearing clothes.⁶⁵

At home in 1676

The picture may have been similar for William Furbish. In 1676, William was about 45 years old. His indenture had ended 17 years previously and he had been homesteading in Maine for about 12 years.

⁶¹ October 21, 1668. J. L. M. Willis, *Old Eliot, Book Two 1901-1903, Volume 4* (Somersworth: New England History Press, 1985), 131. When this land was laid out to Daniel Furbush in 1736, it was described as lying "above Beach Ridge." Cf. Stackpole, *Old Kittery*, 437.

⁶² Willis, *Old Eliot, Book Two, Volume 4*, 131. When this land was laid out to Enoch Hutchins on June 29, 1694, it was described as lying "by his land." The location is further described in the 1701 agreement among William Furbish's heirs, as lying "at Spruce Creek."

⁶³ Willis, *Old Eliot, Book Two, Volume 4*, 167, states that Furbish had grants of land in 1668 and 1671 amounting to 60 acres. We have already examined the 10 acre grant from 1668 and a 50 acre grant from 1673. Willis' statement here comes with no further description and seems to be the sole reference to a grant in 1671.

⁶⁴ Noyes, *Genealogical Dictionary*, 230.

⁶⁵ Libby, *Province and Court Records of Maine* [4:2:97], 331-332. The total assessed value of Daniel Ferguson's estate was £103:01:06. Cf. Gerrard et al, *Lost Lives, New Voices*, 248, regarding James Barry.

We can trace the outline of the Furbish homestead, fronting the river for 660 feet and ranging back a mile into the woods. The house was in a clearing about 500 feet from the river. Several acres of the property had been cleared of trees and fenced; he had plowed some of it for cultivation. In addition there was the marshland further afield, and other acreage granted by the Town of Kittery. These additional grants suggest that William may have demonstrated initiative by clearing and fencing more land than his neighbor had done. We know that William also owned a horse, which his neighbor did not. So Furbish had more property and more possessions than did his neighbor Daniel Ferguson.



Shorey's Brook as it appeared in the winter of 2020. The view is looking west.
William Furbish's homestead would have been to the left of the image.⁶⁶

In 1676, four Furbish children lived in the home with their parents—the boys Daniel (11) and John (about 8), and the younger girls Hopewell and Katherine. Later there would be three more children—Sarah, Bethiah, and William.⁶⁷

⁶⁶ Wendy Pirsig, compiler, *Some Old Families of Shorey's Brook* (Old Berwick Historical Society, December 2020 update) <https://www.oldberwick.org/history-articles/people/17th-century/some-old-families-of-shoreys-brook.html>.

⁶⁷ Although we do not know the exact dates of birth of the seven children, we do know their names, their birth order, and their spouses. All seven lived to adulthood. See Appendix C.

William and Rebecca fined for not attending worship (1670, 1671, 1675)

The Furbishes did not attend worship with the Puritans, which resulted in regular fines in court (1670,⁶⁸ 1671,⁶⁹ 1675⁷⁰).

Conflicts with various neighbors (1671-1673)

There were squabbles with neighbors. John Roberts successfully sued William Furbish and Daniel Ferguson for trespassing on the marsh (1671).⁷¹

There was a kerfuffle with neighbor Edward Weymouth (1671). Furbish seems to have been the informer, in which Weymouth was charged with swearing, with breach of the Sabbath, with “multiplying oaths,”⁷² and with striking someone (probably William Furbish).⁷³

While it seems ironic that William Furbish would tattle on his neighbor for essentially the same behaviors that Furbish himself exhibited, there might be more here than at first meets the eye. Weymouth was noted for being an especially ruthless persecutor of Quakers.⁷⁴ Since we know of Furbish’s past defense of the Quakers, this conflict may have been driven by marked differences in the world views of the two men. As has been noted, more than one source has speculated that Furbish might have been a Quaker himself.⁷⁵ In any case, the fine line between adjoining properties is often a ripe breeding ground where minor irritation can blossom into full-grown feud.

In the end Weymouth was fined for several of these grievances, but the court also bound both Weymouth and Furbish to a bond of £10 that they would be of good behavior towards all men,

⁶⁸ Libby, *Province and Court Records of Maine*: [2:252], 198.

⁶⁹ Libby, *Province and Court Records of Maine* [2:277], 226.

⁷⁰ Libby, *Province and Court Records of Maine* [4:2:69], 306.

⁷¹ Libby, *Province and Court Records of Maine*: [2:262], 209.

⁷² Under Puritan law, one of the many things that was illegal was to “Swear rashly or vainly by the Holy Name of God,” which resulted in a fine of 10 shillings or 1 to 3 hours in the stocks. “Multiplying oaths was defined thusly, “...if any person shall swear more Oaths then one at a time, before he remove out of the Room or Company where the person so Swears more Oaths then one, he shall then pay twenty shillings.” Edward Rawson, secretary, *The General Lawes And Liberties of the Massachusetts Colony: Revised and Reprinted* (Cambridge: Printed by Samuel Green, for John Usher of Boston, 1672), 144-145.

⁷³ Libby, *Province and Court Records of Maine* [4:99], 436.

⁷⁴ Hurd, *History of Rockingham*, 810.

⁷⁵ Hurd, *History of Rockingham*, 808.

towards all good and wholesome laws, and towards one another until the next session of the County Court.⁷⁶

In 1672 William suffered a loss by fire and the York County Court remitted his outstanding fine.⁷⁷ We do not know whether the fire was in Furbish's home or was elsewhere, but it seems that his loss was serious enough that the Court felt the need to offer him a break.

He had trouble with a man about a horse. William Furbish accused Edward Taylor of taking his horse without permission (1673). Furbish was not able prove that it was his horse that Taylor had taken, and so was ordered to pay 10 shillings plus the costs for the witnesses and the Constable. However, the evidence had made clear that Taylor did take up and ride *some* other man's horse without permission, so without proof whose horse it was, Taylor was fined 5 shillings plus court costs and the costs for witnesses—another win for the court.⁷⁸

Furbish and his Native American neighbors (1675)

In June 1675, William Furbish was fined in New Hampshire for giving Indians strong liquor. The case stated that Furbish had in his possession half a pint of liquor. He drank a dram and gave Richard the Indian a dram, too. Meanwhile, Harry the Indian also appeared on the scene, and Furbish offered him a dram as well. How could this simple act of hospitality result in a fine of 10 shillings? Because throughout the Massachusetts Colony, laws were gradually strangling any kind of relations with the neighboring Native Americans, including the sharing or selling of alcohol. The laws were intended to bring the Indians to "civility," which of course meant that they would take up Puritan Christianity and the Puritan way of living.

Here is the part of the 1657 law relating to alcoholic beverages:

“This Court doth order, That no person of what quality or condition soever, shall henceforth sell, truck, barter, or give, any strong liquors to any Indian, directly or indirectly, whether known by the name of rum, strong waters, wines, strong beer, brandy, cyder, perry, or any other strong liquors, going under any other name whatsoever, under the penalty of forty shillings for one pint; and so proportionably for greater or lesser quantities, so sold, bartered, or given, directly or indirectly, as aforesaid...*And for the better effecting of this order, it is declared that one-third part of the penalty shall be granted to the informer.*”⁷⁹ Thus tattling became profitable.

Even with this incentive, the practice continued. So a new law in 1666 placed the onus on the Native Americans, making possession of alcohol by an Indian illegal. The fine was 10 shillings

⁷⁶ Libby, *Province and Court Records of Maine* [4:99], 436.

⁷⁷ Libby, *Province and Court Records of Maine* [4:114], 450.

⁷⁸ Libby, *Province and Court Records of Maine* [4:146], 482-483.

⁷⁹ Rawson, *The General Laws*, 75-76. Italics added.

or 10 lashes. Any convicted Native Americans who refused to tell where they had obtained the liquor were to be jailed until they confessed their source.⁸⁰

So on June 29, 1675, we see William Furbish offering liquor to two Native American men, contrary to law. He was found guilty in a New Hampshire court and fined 10 shillings plus court costs.⁸¹ This act just might have saved his life.

Indian attacks (1675)

In the fall of 1675, formerly-peaceful Wampanoag Indians attacked the settlements on the Maine side of the Newichawannock River in what became known as King Philip's War. On October 16, Wampanoag ambushed and killed 70-year-old Roger Plaisted and two of his grown sons at his home in Quamphegan, two miles upriver from William Furbish. The assailants moved downriver, striking isolated homes, killing whom they could and burning what they could. We know the assaults continued past William Furbish's house, as far as Sturgeon Creek. By the time winter set in, eighty settlers had been killed.⁸² We are unsure how William and Rebecca Furbish and their four young children avoided becoming numbered among the casualties. Perhaps, as some have suggested, they had temporarily relocated four miles back across the river to Dover, New Hampshire. Or perhaps a small act of hospitality to Richard and Harry in April 1675 had spared the Furbish family. Or perhaps William Furbish regularly traded with Native Americans, contrary to law, and they turned a kinder eye toward him and his family. Whatever the true reason, the Furbish household seems not to have been attacked.

In September 1676 the settlers offered a truce, and some four hundred Native Americans responded to an invitation to Major Richard Waldron's residence at Cochecho. When they laid down their arms the English soldiers slaughtered them. Thus treachery on the part of both parties, now magnified, was never forgotten.⁸³

William and Rebecca's fifth child, Sarah, was born about 1677.

William and Rebecca Furbish abuse the Constable (1679)

In a rare four-year stretch, William Furbish was not involved in a court case. Then, in 1679, both he and his wife Rebecca were involved in a physical confrontation with the Constable, who had

⁸⁰ Rawson, *The General Laws*, 77-78.

⁸¹ Hammond, *New Hampshire Court Records 1640-1692*, 322.

⁸² J. L. M. Willis, *Old Eliot, Book One, Volume 1* (Somersworth: New England History Press, 1985), 9-10.

⁸³ Stackpole, *History of New Hampshire*, 92-95. Cp. Scales, *Historical Memoranda*, 208-209.

come to seize their property. A series of disputes in 1678-1680 concerning land patents and previous land ownership may lie behind this confrontation.⁸⁴

Here is the complaint, in the language of the day, along with the finding of the court:

"1 July 1679, Wee present William Furbush for abuseing of the Constable & sleighting of his pouer & sayd hee could not answeare what hee did in his office & the sayd Furbush tooke up a dreadfull weapon & sayd that hee would dy before his Goods should bee Carried away. Jury. The person presented fined for his Delinquency 40s & fees of Court 5s.

Rebeccah Furbush presented for strikeing the Constable. Jury. The offender fined tenn shillings & Cost of Court 5s."⁸⁵

William and Rebecca's sixth child, Bethiah, was born about 1680, so Rebecca might possibly have been pregnant during the ordeal with the Constable.

Fined for distribution of liquor (1680, 1682)

Over the next few years Furbish more than once found himself in court on charges related to alcohol distribution. The most informative charge may be from April 1680, in which "several" of his neighbors brought complaints of Furbish's "daily disorders" in making Indians drunk. This implies that William Furbish had access to larger quantities of spirits, and that it was his regular practice to sell it to Native Americans who stopped by the Furbish home. It seems that Furbish either traded regularly for wholesale quantities of liquor and then retailed it in smaller amounts, or he distilled and sold his own. The fine was steep—£8 and 10s in all.⁸⁶

A later charge in 1682 suggests that his operation had expanded from previous years. Now not only was he fined for selling liquor to the Indians,⁸⁷ but also for retailing "Rumme" by the pint and half-pint to the English. John Forgisson was one of the complainants.⁸⁸

Not surprisingly, his fine for selling alcohol to Native Americans (£10) was double the fine for selling the same product to the English (£5). The court ruled that, provided Furbish maintained

⁸⁴ Cf. James Phinney Baxter, *Documentary History of the State of Maine, Volume 4* (Portland, Maine: Brown Thurston & Company, 1889) 386-396. Cf. Scales, *Historical Memoranda*, 215-219.

⁸⁵ Libby, *Province and Court Records of Maine* [4:2:133], 355.

⁸⁶ Robert E. Moody, editor, *Province and Court Records of Maine, Volume 3: Province of Maine Records 1680-1692* (Portland: Maine Historical Society, 1947), [5:90], 136. As a reminder, 12d (pence) = 1 shilling. 20 shillings = £1.

⁸⁷ Moody, *Province and Court Records of Maine* [5:56], 88.

⁸⁸ Moody, *Province and Court Records of Maine* [5:60], 95. The amount of the fine implies that Furbish had distributed some five pints of alcohol to his Native American customers.

good behavior, his fine for retailing liquor to the English would be suspended. But the fine for selling spirits to the Indians was not negotiable.⁸⁹

Settling a boundary

William Furbish and this neighbor Mary Ferguson (Daniel Ferguson's widow) had an ongoing dispute regarding the boundary between their two properties. In April 1680 they agreed to abide by the decision of four referees they had chosen to run a new survey—John Wincoll, Capt. Charles Frost, James Emery, and William Gowen/Smith.⁹⁰

Furbish testifies against Richard Waldron (1681)

While William Furbish was outspoken in his contempt of English authority, he was not one to pass up an opportunity to even the score with an old enemy. Like a single vermilion thread, Richard Waldron is woven into the fabric of the life of William Furbish. The 19-year-old indentured Scottish servant may first have met 37-year-old sawmill owner Richard Waldron in Cochecho in 1651. In 1659 taxpayer Furbish paid his first tax at Dover to Richard Waldron the Treasurer. William Furbish the onlooker witnessed Richard Waldron the Deputy scourging the Quaker women one bitter winter day in 1662. Deputy Waldron locked Furbish in the stocks that December day for his protest of that sorry event. Perhaps Waldron's position of Puritan power in New Hampshire drove Furbish to find a new homestead in Maine about 1664. And in 1676, everyone in the country knew Captain Richard Waldron's role in deceiving, enslaving, and murdering hundreds of peaceful Native Americans at Cochecho.

On May 8, 1681, Major Richard Waldron, now elevated even further, was in court for voicing disrespect for the English authorities who were attempting to negate the property rights of Waldron and the current citizenry. William Forbes of Newichewanock, yeoman, testified to what he heard Waldron say:

"about Two years since he being at the house of Joseph Hammond in the towne of Kittery in the province of Main, Major Waldern, now one of the Councill, took out of his pockett a paper which he read, being in derision of the government of England, and after some discourse, said these words, There was no more a king in England then thou Richard Nason, unto whom he then Spake."

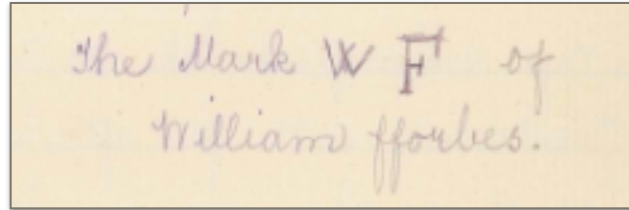
Witnessing Furbish's statement were Nicholas Shapleigh and Robert Mason.⁹¹

⁸⁹ According to Noyes, *Genealogical Dictionary*, 251, Furbish was in court in Maine once again in 1686 for getting Indians drunk. I cannot find a primary source for this claim, but have no reason to doubt it.

⁹⁰ *York Deeds. Book 4* (Portland: John T. Hull and B. Thurston & Co., 1888), Folio 35, 36.

⁹¹ Colonial Papers, Volume 46, Number 134, *New-Hampshire Documents in the British Archives 1620-1716 (16 volumes)*. Manuscript copy, New Hampshire Historical Society, call number 977.8 N533d. Cp. Stackpole, *History of New Hampshire, Volume 1*, 109-110.

In this court action we also receive a bonus—William Furbish added his mark to a transcript of his oral testimony. While our copy comes from a transcript and not from Furbish’s own hand, the copyist attempted to render his mark as it appeared on the original.⁹²



The mark of William fforbes, May 8, 1681

Costly feud with John Forgisson (1682-1683)

In 1682 at Wells, William Furbish initiated a court action that eventually proved personally costly. Initially, Furbish brought a complaint that one John Forgisson⁹³ had not paid a debt which was now overdue.⁹⁴

Forgisson countersued, claiming that Furbish owed for not helping make a parcel of staves as promised. Furbish withdrew his original charge and was fined court costs of 12s 6d.

John Forgisson then sued William Furbish for slander and defamation. The jury found for the plaintiff, and Furbish was offered two choices—to pay a fine of £10 or to offer two public apologies, one before the Court (“which was accordingly done”) and the other at the next Town Meeting at Barwicke. Furbish was also ordered to pay court costs of £01:12:6.⁹⁵

But there was more. Forgisson and others charged William Furbish with “pernicious lying”—doing subtle but deep, irreparable damage by his words. Furbish was found guilty and fined 10 shillings in silver.⁹⁶

⁹² Colonial Papers, Volume 46, Number 134, New Hampshire Historical Society, call no. 977.8 N533d.

⁹³ Correctly identifying John Forgisson is problematic. It seems likely that he was a relative of Daniel Forgisson/Ferguson—some claim John was Daniel’s oldest son. Several sources show John Ferguson’s date of birth as 1655. But if Daniel Ferguson was a Dunbar prisoner it is highly unlikely that he would have had a sanctioned child while still under indenture. Hopefully, others can sort out the seemingly-contradictory information.

⁹⁴ Moody, *Province and Court Records of Maine* [5:53], 83.

⁹⁵ Moody, *Province and Court Records of Maine* [5:54], 84.

⁹⁶ Moody, *Province and Court Records of Maine* [5:60], 95.

The Forgisson/Furbish feud may have simmered for the next ten months. Then the court ordered that William Furbish and John Forgisson appear in court for the session beginning on March 20—Furbish to be brought to court by special warrant to the Constable at Kittery.⁹⁷

Meanwhile, John Forgisson had been sentenced to stand in the stocks for an hour's time. Thomas Cole freed him, but was himself brought before the court for contempt of authority. Cole was ordered to stand in the stocks for an hour as well.⁹⁸

When the Court of Sessions convened at York on March 20, 1682/3, William Furbish raised the stakes even higher, charging Forgisson with speaking treasonous words against Royal Governor Cranfield of New Hampshire. Cranfield had been sent by the King to re-introduce Robert Mason's land patent claims against the current land owners, and was almost universally hated by the common people. Edward Gove, incensed by this intrusion, raised a rabble of about a dozen men, several of whom had been drinking, to challenge the Royal Governor. The rebels were so inept that they were arrested by the Hampton militia before their cause ever took flight.⁹⁹ William Furbish accused Forgisson of speaking treasonously against Governor Cranfield, and of supporting Gove's rebellion. Issues of independence—from Massachusetts, from the King's wealthy appointees, from the Puritans, from local enforcers—were complicated. While one would guess that Furbish's primary loyalty in 1683 would lie with his property and his family, this testimony suggests that William Furbish was still a Royalist. It also seems to have been an attempt to damage John Forgisson, which it did.

Forgisson was convicted of speaking abusively and was sentenced to receive nine stripes at the post upon his bare skin. He appealed and provided his estate as surety.¹⁰⁰

Still the case was not at an end. William and Rebecca Furbish were charged with what amounts to perjury—while under oath in court, instead of telling what we would call “the whole truth,” they had left out some material in their testimony in order to gain advantage over Forgisson. Further, both Furbish and his wife had offered similarly flawed sworn testimony in the past. The court had heard enough. “[F]rom hence forward & ever hereafter sd Furbush & his wife are altogether disinabled from giveing any testimony upon there oaths in any Case or Cases whatsoever.”

And that's not all. Because Furbish had called the authorities of the province “Divells and Hell hounds,” Furbish was sentenced to be stripped to the waist, tied to the post, and whipped with 21 lashes on his bare skin. John Smyth Senior, the executioner, administered the punishment.

⁹⁷ Moody, *Province and Court Records of Maine* [5:116], 175-176.

⁹⁸ Moody, *Province and Court Records of Maine* [5:117], 176.

⁹⁹ Scales, *Historical Memoranda*, 217-218.

¹⁰⁰ Moody, *Province and Court Records of Maine* [5:118], 178-179.

Furthermore, Furbish was required to give a bond of £20 that he would be of good aberrance and behavior toward all his Majesty's subjects, and more especially towards his Majesty's authority of this Province. And finally, Furbish was to pay all court charges, amounting to £2:09:11 besides the keeper's charge.¹⁰¹

A promise of good spring beaver (1681, 1684)

Amidst all his consternation in court, William Furbish brought us at least one unique pledge—a promise of good spring beaver. In January 1681, William and his neighbor Thomas Rhodes signed a promissory note with merchant Joseph Raines of Great Island, pledging that for an advance of just over £16, they would provide Raines with an equal value in good spring beaver pelts by May 1.

“Receiued January 18th 1681: of Joseph Rajne of the Great ysland M'rchant Goods to the ualew of sixteen pounds one shilling, seaven peence, which sayd some of sixteen pounds one shilling & 7d Wee both Joyntly & seuerally, whose names are here subscribed, do promiss & oblidge, to pay unto the sd Joseph Rajne or order, the ualew of the sd sume of sixteen pounds one shilling & 7d in good spring beauer, at or before the first day of May next Insewing, at seauen shillings p ld.

William ffurbush
his marke
Thomas Rodes

Witness James Harbert
Elizabeth Cranch¹⁰²

Thomas Rhodes' property adjoined Furbish on the north and took in what is known today as Shorey's Brook (“Thompson's River” at the top of the map on p. 12). They may have been attempting to rid the brook of beaver dams while simultaneously turning a profit in pelts. Unfortunately they were unable to make good on their promise.¹⁰³ Three years later, in March 1684, Raines sued them for the return of his investment. The court found for Raines in the full amount, plus 55 shillings damages, plus court costs.¹⁰⁴

¹⁰¹ Moody, *Province and Court Records of Maine* [5:119], 179-180.

¹⁰² *York Deeds. Book 4*, Folio 6. Cf. Willis, *Old Eliot, Book One, Volume 2* (Somersworth: New England History Press, 1985), 138-139.

¹⁰³ Since it was illegal for individuals to trade for pelts with the Indians, surely Furbish and Rhodes intended to trap the animals themselves! Cf. Rawson, *The General Lawes*, 75, for laws regarding “the Trade of Furrs with the Indians.”

¹⁰⁴ Moody, *Province and Court Records of Maine* [5:128], 191.

Still not attending worship—and also not attending court (1685)

And just to be clear that he had not changed his mind about the Puritans, William Furbish was fined again in 1685 for failing to attend public worship on the Lord's days. He also failed to appear in court to hear the charge.¹⁰⁵

William and Rebecca's seventh and last child, William, was born about 1683.

Rebecca Furbish, a formidable force, dies (about 1686)

Rebecca seems to have died in about 1686. She left a three-year-old and six other children ranging up to age 21. In her lifetime Rebecca Furbish was fined at least four times—twice for refusing to attend Sabbath services, once for striking the Constable, and once for perjuring herself which led to her being permanently banned from offering testimony in court. She seems to have been a perfect partner for William Furbish.



Old William Furbush Cemetery¹⁰⁶

¹⁰⁵ Moody, *Province and Court Records of Maine* [5:81], 127.

¹⁰⁶ Old William Furbush Cemetery, <https://www.findagrave.com/cemetery/2701962/old-william-furbush-cemetery>.

Rebecca was probably the first to be buried in what became the family burying ground, located a few rods south of the house. Eventually it was populated with about 30 graves marked with field stones.¹⁰⁷ This must be the final resting place of some of the first five generations of our Furbish ancestors, possibly including William Furbish himself.¹⁰⁸

Two final land purchases (1687, 1687/8)

February 20, 1687, William Furbish, husbandman, of Kittery, purchased from William Wittum 25 acres of land that adjoined him on the north. The cost was “Nine pounds Lawfull paymt in New England in hand.”¹⁰⁹ A year later, February 7, 1687/8, Furbish purchased an additional 25 acres from Peter Wittam, Sr., for four pounds in current money of New England.¹¹⁰

Widower William Furbish marries Christian (about 1688)

William seems to have married a second time, about 1688. His new wife was named Christian. She was born about 1652, and so was about 36 when she married 57-year-old William Furbish.¹¹¹

William and Christian Furbish relocate to New Castle, New Hampshire (about 1690)

On March 19, 1689/90, the Abenaki struck suddenly at Salmon Falls in the first move of what came to be called “King William’s War.” That day the Abenaki killed 35 settlers and abducted another 54 who were sold in Canada. A separate attack at Cochecho on June 28, 1689, resulted in a particularly horrifying end for Major Richard Waldron.¹¹²

The attacks continued off and on with regularity until 1697. But William Furbish had had enough of the raids, especially in a conflict that in all actuality pitted the English against the French. Accounts say that “[i]n the second war he withdrew to Newcastle.”¹¹³ This is New Castle, New Hampshire, (originally “Great Island”), a few miles downriver at the mouth of the Piscataqua, and not Newcastle, Maine, which was destroyed in 1689 by Indian raids. Perhaps

¹⁰⁷ Willis, *Old Eliot, Book One, Volume 3, 2*.

¹⁰⁸ Noyes, *Genealogical Dictionary*, 251. This seems to be the burial ground now known as Old William Furbush Cemetery, located in Eliot, York County, Maine (findagrave.com Cemetery ID 2701962). I believe the correct GPS coordinates for the Furbish burial ground are 43.176389, -70.820556.

¹⁰⁹ *York Deeds, Book 7* (Portland: Brown Thurston Company, 1892), Folio 20.

¹¹⁰ *York Deeds, Book 7*, Folio 20.

¹¹¹ Noyes, *Genealogical Dictionary*, 251, cites a 1695 subpoena in which the widow Christian Furbush stated that she was +/- 43 years old.

¹¹² One of many accounts can be found in Stackpole, *History of New Hampshire*, 171-174. Cf. Noyes, *Genealogical Dictionary*, 711.

¹¹³ Noyes, *Genealogical Dictionary*, 251.

wife Christian was from New Castle, for she appears to have remained there after William's death. As of this writing, this is the only information we have about Christian: "In 1695 the wid. Christian Furbush, +/- 43, was subp. as wit. with others of Newcastle, she had watched in Robt. White's sickness."¹¹⁴ So far nothing further has turned up in the records of the Great Island Historical Society. We hope a future researcher will be able to uncover more about her life.

Son Daniel becomes the homestead's caretaker (about 1690)

As the oldest son, Daniel was to inherit the homestead. He married Dorothy Pray about 1688; she gave birth to their first son in 1690. Daniel took full-time oversight of the property when his father William removed to New Castle with new wife Christian. The next son in line, John, was a mariner, and single. Hopewell and Katherine married in 1693 and 1694, both to local young men, so they may have remained on the Furbish homestead with their brother Daniel in the early 1690's. Sarah (13), Bethiah (10), and William (7) may have gone to New Castle with their father and new step-mother.

William Furbish dies (1694)

Some sources claim that William Furbish died in 1701.¹¹⁵ But there is ample evidence that he died in the winter of 1694/1695. It is well documented that he wrote his last will and testament on August 27, 1694.¹¹⁶ In 1695, Christian Furbush of Newcastle was referred to as a widow.¹¹⁷ The romantic ending would have William's body returned the ten or so miles upriver to be buried on his homestead. But it is also possible that he died and was buried in New Castle.¹¹⁸

The last will and testament of William Furbish was missing for several years. On March 21, 1701, in the absence of the original will, the children of William "Furbush" formally settled their father's estate and signed an agreement.¹¹⁹

¹¹⁴ Noyes, *Genealogical Dictionary*, 251.

¹¹⁵ Willis, *Old Eliot, Book One, Volume 3, 2*.

¹¹⁶ Noyes, *Genealogical Dictionary*, 251. Cf. Willis, *Old Eliot, Book One, Volume 3, 2*.

¹¹⁷ Noyes, *Genealogical Dictionary*, 251.

¹¹⁸ Edith Bartlett Sumner, *Descendants of Thomas Farr of Harpswell, Maine and Ninety Allied Families* (Los Angeles: American Offset Printers, 1959), 154.

¹¹⁹ *York County, Maine, Probate Records, Volume 1, 1687-1707*, 73. Accessed via familysearch.org, film # 007600380. Cf. freepages.rootsweb.com/~mainegenie/genealogy/FURBISH.htm.

This Indenture made the twenty first day of March In the Year of our Lord One thousand Seven hundred and one, witnesseth an agreement betwene us the Subscribers (the Children of William Furbush of Barwick in Hittingy Deced) to be as followeth: Imprimis, That Daniel Furbush have the house and homestead, of sd William Furbush Decceased, the same, to have and to hold, as his proper and whole portion, of our Fathers Estate, Secondly that Daniel Furbush pay all debts in any wife contracted by our father and also any thirds that may appear due from the whole, or any part of our fathers Estate; Thirdly, That if that part of our fathers homestead that was bought of Peter Withum Decceased, be legally Recovered from Daniel Furbush by William Withum, then wee the Subscribers shall be all Equally Charged in the payment of four pound the first cost thereof, Fourthly that Bethiah Furbush shall have her portion paid by Daniel out of his owne proper Estate; Fifthly, that Enock Hutchins have the land he now enjoye at Spruce = Creek the same to have and to hold as his proper and whole portion, by vertue of his wife - Sixthly, That Andrew Neale, Thomas Thompson, or their wives, accounts, and John Furbush, & William Furbush in their own names, shall have all our fathers outland Mot above mentioned, as their proper and whole portion of our Fathers Estate to be divided or disposed of as they shall agree amongst themselves -

Anno
1701

The agreement
of the
Children
of
Wm Furbush

One of several copies of the 1701 agreement or "indenture" made by the heirs of William Furbush¹²⁰

In the distribution, eldest son Daniel received the house and homestead "as his proper and whole portion of our Father's Estate." Daniel was also to pay any debts and "any thirds that may appear due."

¹²⁰ freepages.rootsweb.com/~mainegenie/genealogy/FURBISH.htm.

Bethia Furbush, at that time still unmarried, was to receive her portion of her deceased father's estate from brother Daniel. Bethiah Furbish married Joseph Goold in 1705; his land was about ½ mile downriver from the Furbish homestead.

Enoch Hutchins, husband of Hopewell Furbush, was to have the land at Spruce Creek that was already in their possession. This 50 acres had originally been granted to William Furbush in 1673 (June 24), and was laid out to Enoch Hutchins on June 29, 1694.¹²¹

The outlands of Furbish's estate were to be divided among Andrew Neal, (Katherine's husband), Thomas Thompson (Sarah's husband), John Furbush (unmarried; he died at sea within months of this settlement), and William Furbush, who was not yet of legal age and was to have brother John as his guardian.

Even though the heirs' agreement made provision for "any thirds that may appear due," no specific inheritance is spelled out for the widow Christian; she may have had means of her own.

There was some question about the 25 acres that Peter Wittum had sold their father in 1688; the settlement specified that if Wittum should prevail in any future claim, all the Furbish siblings would share the loss equally.

To solemnize their unity, the siblings then agreed that any future dispute among them regarding this distribution would be accompanied by a forfeiture of £50.¹²²

This 1701 indenture is probably the source of the supposition that William Furbish died in 1701.

The original will was discovered and brought to court on August 2, 1722, but it was declared null since the estate had already been distributed by agreement of the heirs in 1701.¹²³

¹²¹ Willis, *Old Eliot, Book Two, Volume 4*, 131. Just four years after this formal property division, on May 4, 1705, the Enoch Hutchins house at Spruce Creek was attacked. Hopewell, pregnant with her fourth child, was abducted along with her three young sons and sold to the French in Sorel, Canada, some 300 miles distant. The baby Mary Katherine was born in captivity there. Hopewell's husband, Enoch Hutchins, Jr., was killed by Indians April 3, 1706, before any of his family members were redeemed. He followed his own father's unfortunate footsteps, as Enoch Hutchins, Sr., had been killed by Indians in May 1698.

¹²² *York County, Maine Probate Records, Volume 1, 1687-1707*, 73-74. Accessed via <https://www.familysearch.org/ark:/61903/3:1:3QS7-89JS-L9Z8-R?i=82>.

¹²³ Noyes, *Genealogical Dictionary*, 251.

The end of the beginning

When William Forbes was born about 1631 in Aberdeenshire, Scotland, if his mother even had time to imagine the future of this little boy, she could not have guessed what actually came to be. At Dunbar he fought in a losing battle against the English, with many slain by his side. He watched surviving comrades fall by the wayside on the long march to Durham. In the early winter, he survived more than 40 days and nights crammed into the hold of a ketch with dozens of other young prisoners of war as it lurched its way across the Atlantic. In the new world, he served eight years of indenture surrounded by new masters who ruled their communities with a rigid religious intolerance. Upon earning his freedom he chose his own place to live, chose his own wife, and made his own alliances and his own enemies. He owned land and pristine forests in quantities that would never have been his at home in Scotland. He was friend to the outsiders, both Quaker and Native American, and was a constant gadfly to the wealthy and the powerful. He was combative throughout his life, becoming estranged from some of his neighbors and eventually from the entire court system of justice.

His seven children lived the next chapter of the adventure and spread the Furbish name. Eldest son Daniel inherited the homestead and raised 11 children. Son John died at sea, unmarried. Daughter Hopewell was abducted by Native Americans as a young mother and sold to the French in Canada, where she gave birth to a child before being redeemed. Daughters Sarah and Bethiah married and remained in the area. Son William found his way to Craven County, North Carolina. And daughter Katherine, our own family line, married neighbor Andrew Neal, son of Dunbar Scot John Neal, and remained near her old home. Her parents would have been proud to know that when newly married, Katherine got into trouble with the Puritans for sewing a shirt on the last day of thanksgiving.

Katherine and Andrew had servants, and not just indentured servants. In his will, Andrew Neal left to his wife Katherine two negro slaves— a girl named Dillo and a man named Quash— although Quash died before the second version of the will was drawn up. Having fathers who had lived as indentured servants did not serve to make their children abolitionists; rather, these New England residents were early adopters of slavery.

Katherine and Andrew's's daughter Mary Sarah Neal grew up to marry my Hill ancestor Benjamin Hill (1703-1788) in 1726. So in this way William Furbish and John Neal, both prisoners from the Battle of Dunbar, became my 9th-great grandfathers. Their misfortune in battle brought Scottish blood into my English family. And the bitter warring between these English and Scottish rivals was finally tempered by the mutual attraction of their children's children.

-Stinson
August 9, 2023

Appendix A

Where was William Furbish's original New Hampshire land (1659)?

William Furbish was first taxed at Dover in 1659, on the 22nd day of the ninth month (November). His land lay within the Township of Dover, but not in Oyster River, which had recently been granted permission for a separate meeting house, and whose inhabitants were taxed separately.

Unity Scots on the Oyster River tax roll included Robert Junkins, Henry Brown, Thomas Dowty, James Orr, James Middleton, and Edward Erwin, and *John & Sara* Scots Walter Jackson and Patrick Jameson. These seem to be the core of Valentine Hill's "Seven Scots."

On a separate tax roll for Dover are six different *Unity* Scots, each taxed at the lowest rate. Three are clearly at Cochecho—William Furbish, Micum McIntire, and Peter Grant. Three others (William Gowen/Smith, Niven Agnew, and James Kidd) are listed side by side, although it is not clear exactly where in Dover they reside.

On the 1659 tax roll the name of William "Ferbush" appears immediately above that of Elder [Edward] Starbuck, which suggests the intriguing possibility that Starbuck might have been the person who purchased the indenture of William Furbish.

Starbuck had been in the Dover area since at least 1642.¹²⁴ By 1646 he was acting as an agent for Mr. Valentine Hill.¹²⁵ In 1648 he was partner with Richard Waldron in a grant to harvest lumber on the Maine side of the Newichawannock River.¹²⁶ In 1650, Starbuck was granted a mill site at the second fall of the Cochecho River.¹²⁷

When the ketch *Unity* arrived in Boston harbor in late 1650 bearing a shipload of young men, we know that Valentine Hill, Nicholas Lissen, and Richard and George Leader purchased the indentures of young Scots to work their sawmills. Surely Edward Starbuck, an agent for Valentine Hill who owned interests in sawmills himself, took advantage of this windfall of cheap labor. Perhaps it was Edward Starbuck who purchased the indenture of William Furbish.

In 1648 Elder Starbuck, after a religious revelation, had refused to participate in an infant baptism, which rite he had come to believe was not backed up by the Scriptures. He was accused

¹²⁴ In 1642, Starbuck received a 20-acre grant (lot #14) on the west side of the Back River. Scales, *Historical Memoranda*, 349-350.

¹²⁵ Noyes, *Genealogical Dictionary*, 656.

¹²⁶ Noyes, *Genealogical Dictionary*, 656.

¹²⁷ Hinchman, *Early Settlers of Nantucket*, 19. This mill was taxed by February 1651. Cf. Scales, *Historical Memoranda*, 346. The second fall is known today as Whittier Falls. GPS 43.2046, -70.8929.

of disturbing the peace of the church and was remanded to the Court of Assistants in Boston to be tried on the “great misdemeanor” of espousing Anabaptist leanings.¹²⁸

Whether this breach with the Church affected his standing in the community we cannot say for sure. But setting up at the second falls of the Cochecho would have given Starbuck at least a small buffer from the rest of Dover town. We know he had a house at Cochecho.¹²⁹ In 1653 he sold half his share of the Cochecho mill to his son-in-law Peter Coffin.¹³⁰ In 1657, when he sold another quarter to Thomas Broughton, it is described as “the mill above Capt. Waldron’s mill at Cochecho.”¹³¹ The location is less than five miles upriver from the spot William Furbish soon homesteaded in Maine, at the confluence of the Cochecho and the Newichawannock Rivers.

In 1659 Edward Starbuck left Cochecho and settled on Nantucket. There he had a reputation as a great friend to the Indians.¹³²

Was William Furbish’s original land at Cochecho? Unfortunately, at this writing the only documentation we have linking William Furbish and Edward Starbuck is the 1659 tax list, where their names appear in sequence. Perhaps this tenuous clue will provide a lead for a future researcher.

¹²⁸ Scales, *Historical Memoranda*, 36. Cf. Hinchman, *Early Settlers of Nantucket*, 20.

¹²⁹ On March 9, 1659/60, Starbuck conveyed his house at Cochecho (and his household goods and cattle) to his son-in-law Peter Coffin and settled permanently at Nantucket. Cf. Noyes, *Genealogical Dictionary*, 657.

¹³⁰ Noyes, *Genealogical Dictionary*, 656.

¹³¹ Noyes, *Genealogical Dictionary*, 656.

¹³² Alexander Starbuck, *The History of Nantucket: County, Island and Town, Including Genealogies of First Settlers* (Boston: C. E. Goodspeed & Co., 1924), 658.

Appendix B

Transcript of the formal agreement made by William Furbish's heirs (1701)

York County Maine Probate Records Volume 1, 1687-1707¹³³

This Indenture made the twenty first day of March In the Year of our Lord One thousand Seaven hundred and One.

Witnesseth an agreement betwene us the Subscribers (the children of William Furbush of Barwick in Kittery Deceased) to be as followers:

Imprimis that Daniel Furbush have the house and homestead of sd William Furbush Deceased. The Same, to have and to hold, as his proper and whole portion.. of our Fathers Estate,

Secondly, that Daniel Furbush pay all debts in any wise contracted by our father and also any Thirds that may appear due from the whole or any part of our fathers Estate;

Thirdly, That If that part of our fathers homestead that was bought of Peter Wittum deceased, be Legally Recovered from Daniel Furbush by William Wittum, then wee the Subscribers shall all be Equally Charged in the payment of four pound the first cost thereof;

Fourthly That Bethiah Furbush shall have her portion paid by Daniel out of his owne proper Estate.

Fifthly, that Enoch Hutchins have the land he now Enjoyes at Spruise Creek the same to have and to hold as his proper and whole portion by vertue of his wife—

Sixthly, that Andrew Neale, Thomas Thompson, on their wives, accounts, and John Furbush & William Furbush in their own names, Shall have all our fathers outland Not above mentioned as their proper and whole Portion of our Fathers Estate to be divided or disposed of as they shall agree amongst themselves—

To all the above written articles we Joyntly and Severally agree, and do bind ourselves in the Sum of fifty pound to be paid my any one of us that shall hereafter apparently violate this agreement or any article thereof to the others by these presents:

In Wittness whereof we have Set to our hands and seals the day and year above Sd.

Signed Sealed & DD in presents of us

¹³³ *York County, Maine, Probate Records, Volume 1, 1687-1707, 73-74.* Accessed via familysearch.org, film # 007600380. Cf. freepages.rootsweb.com/~mainegenie/genealogy/FURBISH.htm.

[signatories: Dan:ll Furbush (his marke) and seal, John Furbush (seal), W:m Furbush (his marke) and seal, Bethiah Furbush (her marke) and seal, Andrew Neale (his marke) and seal, Enoch Hutchins (seal), Tho:m Thompson (seal)]

[witnesses: Charles ffrost, Edw: Andrews, Samuel Fernald]

Yorke:

At a Court of Probate held at Kittery March the 21th 1700/1, before the Hon:ble Joseph Hammond Esq & Judg of Probate of Wills &c. within Sd. County— Daniel Furbush, John Furbush, William Furbush, Bethiah Furbush, Andrew Neale, Enoch Hutchins and Thomas Thompson appeared before me ye Subscriber and acknowledged the within written Instrument to be their free Act and Deed, and the abovesd William Furbush did Chose his brother John Furbush to be his Guardian and the Sd John Furbush did except thereof, and I approve and allow of it, and the within written agreement likewise;

Jos: Hammond

A true Copie of the original agrement with the Acknowledgment on the back side of it.

Transcribed and Compared this 21th Aprill 1701.

Charles ffrost, Registr

Appendix C

The children of William and Rebecca Furbish (1665-1683)

Note: In the 2016 version of this narrative I gave exact dates of birth for several of the Furbish children. In examining the research for this 2023 rewrite, I have not found trustworthy documentation for those dates, so I am removing them here. We do know the birth order of the seven children and the approximate date of birth for Daniel, the oldest.¹³⁴

1. Daniel, born about 1665;¹³⁵ married Dorothy Pray about 1688; he inherited his father's homestead and house. Eleven children; died January 1745 in Lebanon, York County, Maine.

2. John, born about 1667; mariner. Inherited eighty acres of land (his part of the Round Marsh land), and part of 10 acres of swamp lying near the bay. On March 21, 1701, John formally agreed to be the guardian of his youngest brother William. Died in 1701, probably at sea, after March 21 and before November 24. He never married. The inventory of John Furbush's possessions provides a fascinating glimpse into how little this second son of our ancestor owned by the time he reached his mid-30's. See Appendix D: Inventory of the possessions of John Furbish (1701).

3. Hopewell, born about 1670; married Enoch Hutchins, Jr., May 12, 1693.¹³⁶ She inherited the 50 acres of her father's land at Spruce Creek, where she and her husband Enoch Hutchins lived. Three Hutchins children.¹³⁷ She was abducted by Indians May 4, 1705. Her daughter Mary Katherine was born while she was in captivity in Canada.¹³⁸ Enoch was killed by Indians April 3, 1706. Hopewell eventually returned, and married William Wilson on April 25, 1711.¹³⁹

¹³⁴ Willis, *Old Eliot, Book One, Volume 3*, 2. Cf. Noyes, *Genealogical Dictionary*, 251. Cf. John Scales, editor, *Piscataqua Pioneers 1623-1775: Register of Members and Ancestors* (Dover, NH: Press of C. H. Whitehouse, May 1919), 80.

¹³⁵ Noyes, *Genealogical Dictionary*, 251.

¹³⁶ Noyes, *Genealogical Dictionary*, 251.

¹³⁷ Willis, *Old Eliot, Book Two 1901-1903, Volume 5* (Somersworth, New Hampshire: New England History Press, 1985), 57.

¹³⁸ Willis, *Old Eliot, Book Two, Volume 5*, 12.

¹³⁹ Emma Lewis Coleman, *New England Captives Carried to Canada Between 1677 and 1760 During the French and Indian Wars, Volume 1* (Portland, Maine: The Southworth Press, 1925), 391-393. Cf. Fred A. Wilson, *The Early History of the Wilson Family of Kittery, Maine*. (Lynn, MA: John McFarlane & Co., 1898), 84-86.

4. Katherine, born about 1673; married Andrew Neal about 1694;¹⁴⁰ seven children; died 1755 at Kittery, York County, Maine. See Appendix E: Katherine Furbish Neal (about 1673-1755).

5. Sarah, born about 1677; married Thomas Thompson about 1698¹⁴¹ in York County, Maine.

6. Bethiah, born about 1680; married Joseph Goold in 1705¹⁴² in York County, Maine. Goold was a near neighbor of the Furbishes.

7. William, born about 1683; removed to Craven County, South Carolina, where he died November 20, 1724.¹⁴³

¹⁴⁰ Noyes, *Genealogical Dictionary*, 251.

¹⁴¹ Noyes, *Genealogical Dictionary*, 251.

¹⁴² Noyes, *Genealogical Dictionary*, 251.

¹⁴³ Noyes, *Genealogical Dictionary*, 251.

Appendix D

Inventory of the possessions of John Furbish (1701)

John Furbish, the second son of William Furbish, was born about 1667. He became a mariner and worked for William Pepperell. In March 1701, John, who was unmarried, formally agreed to be the legal guardian of his youngest brother, William.

John Furbish died between March and December 1701, probably at sea. He would have been about 34 years old. Every item of his possessions was inventoried; the total value came to just over £60. As one would expect, his most valuable possession was an 80-acre tract of land he had inherited from his father (£40). Unlike most others of his day, his next most valuable possession was his wearing clothes (£10). He also had a pair of silver buckles to dress up his older shoes. He must have been a finely-dressed figure whenever he was not at sea. At the time of his death, John Furbish owned a gun and a small powder flask, a small gilt trunk, a few coins, one knife and fork, an inkhorn, a comb, a small brush, a pipe case, a bit of earthenware, a few glass bottles, and an old chest, which could have easily held all his household possessions. (His brother Daniel no doubt saw to John's sow and pig.)

Below is the complete list of what John Furbish had accumulated in his lifetime:¹⁴⁴

	£: s: d
His wearing clothes	10: 12: 00
Eighty acres of land (his part of the Round Marsh land), at 10 shillings per acre	40: 00: 00
His part of 10 acres of swamp lying near the bay (which had been a grant to his father)	02: 00: 00
Old chest and old bedding	00: 10: 00
One gun (30 shillings), small gilt trunk (6 shillings)	01: 16: 00
One sow and pig	00: 12: 00
Cash—One Guinea, One English Crown and half-Crown, one Piece of Eight	01: 19: 00
A shirt cloth	00: 09: 00
One pair of old shoes and buckles	00: 04: 06
One pair of silver shoe buckles	00: 07: 00
Wages due from Mr. William Pepperill	01: 01: 04
Glass bottles (4s), earthenware (3s 4d), one knife and fork (1s 4d), one inkhorn and comb (10d), one small brush (4d), one small powder flask (6d), and one pipe case.	00: 10: 05

¹⁴⁴ Willis, *Old Eliot, Book One, Volume 3*, 28. Cf. *York County, Maine, Probate Records, Volume 1, 1687-1707*, 81. Accessed via familysearch.org, film # 007600380. An image of a slightly different early copy can be seen on the website of David Baker Furbish, Sr., "Furbish Family Genealogy," at <http://www.eehealy.com/furbish/john-inventory.html>.

Appendix E

Katherine Furbish Neal (about 1673-1755)

Our family line descended from Katherine, the fourth of seven children of William and Rebecca Furbish. Born about 1673, she had two older brothers, Daniel and John, and a sister Hopewell. Two younger sisters (Sarah and Bethiah) and a little brother (William) arrived later. Most of her growing up years were probably dedicated to learning household tasks alongside her mother and sisters.

The family did not attend worship with the Puritans, so her socializing would have been with other Scottish families at events when all the neighbors pitched in on a large project, or when her mother or father took her along with them on a journey up or down the river. In fact, so many *Unity* Scots had homesteaded along this stretch of the Newichawannock that the place came to be known as the Parish of Unity.¹⁴⁵

In 1676 a Dunbar Scot named John Neal, who had been living a few miles to the north, was deeded 24 rods of riverfront land just south of Furbish neighbor Daniel Ferguson. The Furbish family lived immediately north of the Fergusons. John Neal brought his family—wife Joanna (Searle) and children Andrew (11), Mary (10), James (8), and Amy (6).

Like the Furbishes, the Neals were frequently fined for being absent from Puritan worship; Neal was probably a Quaker.

About 1694, Katherine Furbish (21) married Andrew Neal (29). It didn't take long for Katherine to get into trouble with the authorities on her own—she was brought to court on July 7, 1696, “for doing seruire work, to say making a shirt upon ye last day to thanksgiving.¹⁴⁶ On October 6 her husband Andrew (who was actually a member of the Grand Jury) appeared in court and pleaded ignorance on her behalf; she was acquitted and paid court costs of 4 shillings and 6 pence.¹⁴⁷

Andrew and Katherine Neal also owned negro slaves. Their man named Quash died before Andrew did, but their Black girl named Dillo legally passed from Andrew to his wife Katherine at the time of his death. Even though their fathers had been indentured servants, these New England residents were early adopters of slavery.

In 1726 Andrew and Katherine's daughter Mary Sarah Neal married Benjamin Hill (1703-1788), and her Scottish blood now mixed with his English blood, in life.

¹⁴⁵ Stackpole, *Old Kittery*, 123.

¹⁴⁶ William M. Sargent, editor. *York Deeds, Book 5* (Portland: Brown Thurston & Company, 1889), Part 2, Folio 89. Cf. Willis, *Old Eliot, Book One, Volume 2*, 31.

¹⁴⁷ Sargent, *York Deeds, Book 5*, Part 2, Folio 92.

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