THOMAS BURNHAM

HARTFORD, WINDSOR AND PODUNK, CONNECTICUT · ABOUT 1617–1688

On Deeds, Coats, Courtrooms and Such

I am an American. I was born and reared in Hartford, in the State of Connecticut—anyway, just over the river, in the country. So I am a Yankee of the Yankees—and practical; yes, and nearly barren of sentiment, I suppose—or poetry, in other words.

MARK TWAIN, A CONNECTICUT YANKEE IN KING ARTHUR'S COURT

THIS CHAPTER GOES BACK FURTHER than any other in this book. Its subject is Thomas Burnham, of the Burnhams on Daniel's mother's side, whom Daniel called "most likely" Erasthus Burnham's ancestor and "the first American ancestor," a man with "good information about him." Daniel had ordered a book about him, and he said plainly which part of the story was still "open." Thomas Burnham, it turns out, left a great deal of paper behind him, and a remarkable share of it was written in courtrooms. This chapter tells his life in order from those records, and sets Daniel's account beside them where the two meet.

The story begins on the Connecticut River, a generation before Thomas Burnham reached it. The first English settlement on the river came in 1633, when men from Plymouth Colony sailed upstream past a Dutch trading post, where today's Hartford stands, and put up a trading house of their own at Windsor. The Dutch had two big guns at their post. The Plymouth men's leader, William Holmes, sailed past them anyway, as a local historian put it, "with his house aboard." The next English came for the grass.

In 1634 the congregation of the Reverend Thomas Hooker, at Newtown in Massachusetts, asked leave to move to Connecticut, and the first of their reasons was "their want of accommodation for their cattle." An English guidebook published that same year described these same people as "very rich, and well stored with Cattell of all sorts," which was rather the problem. In 1636 most of them went overland to the place that would be called Hartford.

A Massachusetts man explained the attraction in 1654: "a very fertill place upon the River of Canectico, low Land, and well stored with Meddow, which is greatly in esteeme with the people of New England, by reason the Winters are very

THE LINE OF DESCENT, AS THE 1884 GENEALOGY GIVES IT

Thomas Burnham (about 1617–1688) = Anna (Wright?)
↓
Thomas Burnham (1646–1726) = Naomi Hull
↓
Charles Burnham (1690–1779) = Lydia Williams
↓
Eleazur Burnham (1729–1815) = Tryphenia King
↓
Phineas Burnham (1783–1830) = Abigail Huntley
↓
Erastus Williams Burnham (1810–1854) = Emeline Parsons
↓
Erasthus (Erastus W.) Burnham Jr. (1834–1921) = Mary Devine
↓
and so to Daniel: see the next chapter



THE EAST SIDE OF THE GREAT RIVER (ILLUSTRATION)

long." Meadow meant hay, and hay meant cattle, and cattle, he added, "were then at eight and twenty pound a Cow, or neare upon."

The land across the river from Hartford already belonged to someone. The Podunk people held what is now East Hartford and South Windsor, with a village near the mouth of the little river that still carries their name, a summer home by the water and a winter one a mile and a half east on the high ground. How many there were, nobody wrote down with any confidence; estimates of their fighting men ran "from sixty to two hundred bowmen." They had already had a hard decade.

Smallpox struck in the spring of 1634, and the river sachem Natawanute "and almost all his band were swept away." East Hartford's historian names the Podunk sachems as Waginacut and Arramamet. Later came Tantonimo, who, the family genealogy says, had one eye. The English, meanwhile, multiplied. By a modern reckoning there were about 1,500 of them in the Connecticut colony in 1640 and about 4,100 in 1650. By 1690 there would be more than 21,000.

In the autumn of 1635, a Thomas Burnham, aged eighteen, was entered on a ship's list at Gravesend, on the Thames below London. The clerk headed it, on November 20, with the names of people "to be transported to the Barbadoes" aboard the ship *Expedition*. The men on it had taken the oaths of allegiance and supremacy and been examined by the town's minister "touching their Conformitie" to the Church of England. Most of them were young; the commonest ages on the list are eighteen and nineteen.

Partway down comes "Tho: Burnham 18." Two and a half centuries later the family's genealogist found that line, decided it was "undoubtedly" his man, and so arrived at a birth year of 1617. He placed the family's origins at Hatfield, in Herefordshire, on the strength of help from the vicar there and what he called "the English lady's letter." It may all be so. Nothing proves it, and modern genealogists have argued both for a different baptism, in Buckinghamshire in 1619, and against the Gravesend boy altogether. Daniel had his own figures. He had Thomas Burnham born in England "in the 1630s," he said, and then, further on in the same answer, "let's say 1610."

If the boy on the *Expedition* was he, he went first to an island where, as a man who lived there a decade later wrote, there were "three sorts of men, viz. Masters, Servants, and slaves," and the servants, bound for five years, had "the worser lives." Where Thomas Burnham actually spent the next thirteen years, and how he got from

Barbados (if it was Barbados) to the Connecticut River, no surviving record says. Thirteen years is a long time to leave blank, but the paper simply is not there.

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In the winter of 1648, Thomas Burnham was in Hartford, and the first thing the record shows him doing is standing surety for somebody else. At the Particular Court of December 7, 1648, one Mathias Trott was bound in twenty pounds, "and Thomas Burnham in a Recogniscance of 10l," that Trott would appear at the next court. It was a busy session. The same magistrates found a woman named Mary Johnson guilty, "by her owne Confession," of "familliarity with the Deuill," and freed one John Betts from a bond for good behavior.

The General Court that week had ordered the constables to secure corn owed for the toll at Saybrook fort, because people were shipping it "out of the Riuer" before paying, and had set a day of humiliation "to seeke the face of the Lord." It was not, on the whole, a festive December.

The colony he had joined ran on corn. Its wages were still fixed by law: a carpenter or a smith could take no more than twenty pence for a summer day of eleven hours. Not until March 1650 did the court repeal the wage order and the price of corn together, settling what a bushel was worth when nobody had agreed otherwise: wheat at four shillings, peas at three, Indian corn at half a crown. Debts were paid in it. Hogs were banished from the east side of the river, "For the better preseruing corne and meadow" there, at two shillings a head for every offence. Even tobacco was regulated. No one under twenty might take it without "a Certificat" from someone skilled in physic, and no one at all might smoke "publicquely in the street," and in the fields or woods only on a journey of "at lest 10 myles," or at dinner, or once a day at most, and then "not in company w^{h} any other." Smoking, in other words, was for travelers and the solitary.

In September 1649 he was back in court, this time putting up ten pounds that "Rushmore, his man," would appear and "carry good behauior." The record explains why. A Thomas Wilkinson had been sent to prison "for disorderly carriage in the meeting-howse, vppon the Saboath day," and "Thomas Rushmore, for the same crime, is committed allso with the former." So the first servant of Thomas Burnham's on record went to jail for misbehaving in church. His master, meanwhile, was suing. That autumn a jury gave him one pound eighteen shillings and twopence against John Bennett for debt, and in 1651 the court awarded him nine shillings and fourpence against Thomas Newell.

He had a house by then, in the middle of everything. Hartford's land book, in an entry headed 1650, records "Land in Harttford vp on the Riuer of Coneckticott Belonging To Thomas Burnam & to his hiers for euer": first, the parcel "on which his dwelling house now Standeth," half an acre that had once been part of the meetinghouse lot, with the meetinghouse lot on the south. In another entry, his land and the prison yard are named together as the south bounds of a neighbor's lot.

Over the next dozen years he added meadow and woodland a few acres at a time, bought from neighbors. He married a woman named Anna (the genealogist thought her surname was Wright, and put a question mark after it), and they had nine children: Elizabeth, Mary, Anna, Thomas, John, Samuel, William, Richard and Rebecca.

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In the spring of 1653, Thomas Burnham was living on the west bank, in Hartford, and the far side of the river had settlers of its own. England and Holland were at war, the colony was in "a general alarm," and that May the General Court let the men "of the East side of the greate Riuer" stop crossing to drill with the town and "traine their together" on their own side.

Those east-side meadows had been divided among Hartford's proprietors about 1640, and their hay and grain, as East Hartford's historian put it, were "drawn across the river at times of low water." The next March Governor John Haynes died in his sleep, "without being sick," as Increase Mather noted of him and of New Haven's governor alike, and in April the court seized the Dutch trading post at Hartford, "the Dutch howse the Hope," in the name of the Commonwealth of

England. The Dutch post, there since 1633, was disposed of in a single entry in the minutes.

The river's older neighbors had their own quarrels, and in May 1656 one of them came into the General Court at Hartford. A murderer had fled to the Podunk, and the Mohegan sachem Uncas, with his allies, demanded satisfaction: first ten lives, then six. The Podunk sachems offered wampum, which was refused. The court, tired of the speeches, pressed Tantonimo to give the man up, which he promised to do, "but priuately stole out of the Court & went w^{h} the rest of the Sachems to Potunk forte." The magistrates gave up on peace and settled for a warning: whatever the two sides did to each other, they were not to do it on the Hartford side of the river, or to the English houses on the other.

That year and the next show Thomas Burnham settling into the town's offices. In December 1656 he sued William Kelsey for "wronging of hoggs with hunting of them," damages twelve shillings. In February 1657 the town chose him a "chimney looker" for the north side, a fire inspector in a town that would soon let its chimney viewers "destrain" the goods of those who kept no ladders to their chimneys. In March he was sworn one of Hartford's two constables, and in May he was "made free," a freeman of the colony with a vote.

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In the autumn of 1658, Thomas Burnham was arguing other people's cases. Daniel called him "a lawyer who came over to Connecticut," and the genealogy agrees: "the records show him to have been educated, to have practiced as a lawyer, and to have been of a very determined character." It is worth knowing what a lawyer was in Hartford in the 1650s, which is to say, very nearly nothing. When the colony framed its government in 1639 it had one trained lawyer, Roger Ludlow of Windsor, and it did not hold itself bound by the common law of England.

Everyone else who spoke for a neighbor in court was an "attorney in fact," a person "usually without legal training," allowed to speak "by special permission." Connecticut did not license a single attorney at law until 1708.

On October 5, 1658, he appeared "as Attourney to Jer: Adams" in a suit against Samuel Wright Jr., of Northampton, for "deteining a parcel of Land," damages a hundred pounds. Wright's attorney was a man named Edward Elmer. The magistrates thought the matter might belong to the commissioners of the United Colonies, but both parties wanted a jury, and the jury, having heard it all, said "they find not evidence to determine the case" and handed it back to the bench.

At the same court Wright sued Burnham himself, for a hundred pounds, "for vniust molesting him in his Journey." Not every case went his way. In 1659 the magistrates found against him in a trespass suit; in 1660 a jury not only found against him in a suit over unpaid rent but made him pay the defendant's damages, two pounds nine shillings. In October 1659 the General Court summoned him "to answ for his former cariage complayned of," with a Lieutenant Bull to prosecute.

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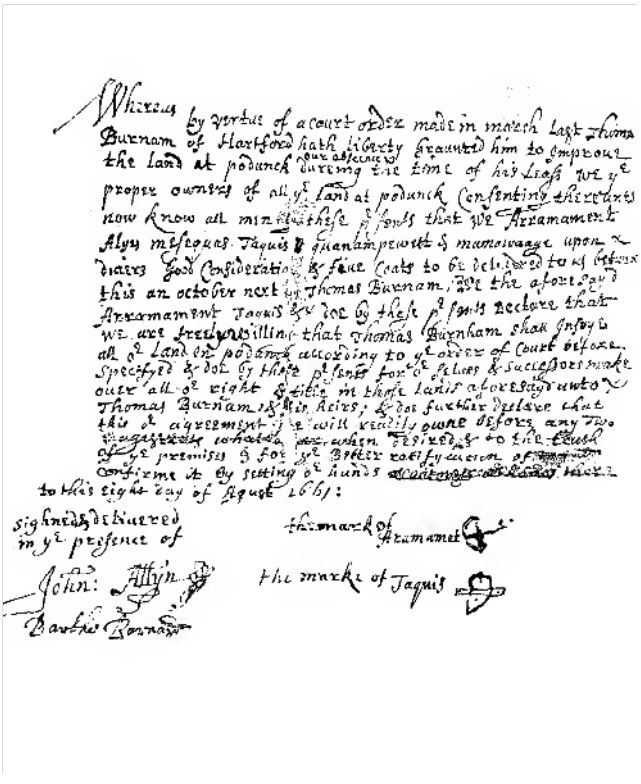
In the autumn of 1659, the commissioners of the United Colonies met at Hartford, and the Podunk were before them again. The Podunk had been away from their land, and two years earlier the commissioners had ordered that Uncas permit them to "Returne to theire dwellings and there to abide in peace," free of any molestation from him or his. That same year the missionary John Eliot had preached to the Podunk leaders at Hartford. Their answer, as it was handed down, was: "No; you have taken away our lands, and now want to make us your servants." Now the commissioners told Connecticut to remove "all such vnderhand dealing either by English or Indians" as kept the Podunk from their "Just rights."

Thomas Burnham had business of his own across the river by then, or soon after. In 1658 or 1659 (the sources differ by a year, and one says 1660) he and a partner, Jacob Mygatt, made a bargain with Tantonimo for land at Podunk, "a tract of land now covered by the towns of South Windsor and East Hartford," as the genealogy has it. Daniel's version was simpler: he "bought a huge piece of land from the local Indians." No record gives the price, which is a pity, since

the price is usually the most interesting part of a bargain.

In February 1660, five months after the commissioners' order, the General Court ordered that "all the Podunk Indians shal peaceably enioy al their lands at Podunk," citing the commissioners' orders of '58 and '59 as its authority, and sent a committee to work out which land was Tantonimo's own to part with. Whatever that proved to be, the court would confirm "to Thom[s] Burnam and his partners." That April the committee found that part of the land belonged to the successors of another sachem, Foxen, and Burnham was left with only what was Tantonimo's own. A year later, in March 1661, the court gave him leave to farm the Podunk land while the Podunk were away from it, with their consent, and he undertook that whenever they wished to come back and plant it themselves, he would "freely, readily, and without any trouble, surrender the possession unto the Indians agayne." In the court's eyes, as the genealogist read them, his original bargain had been no more than a lease.

So he went to the people the court said owned it. On August 8, 1661, six Podunk men, Arramament, Alyes, Mesequas, Taquis, Quanainpeweth and Mamowaage, "proper owners of all ye lands at Podunk," declared themselves "fully willing that Thomas Burnham shall enjoy all o[r] land in Podunk," and made over their right and title to "Thomas Burnam & his heirs," for "divers good Considerations & five Coats to be delivered to us between this and October next." The deed gives no acreage and no bounds. It is in Thomas Burnham's own handwriting, except for the marks of the sellers and the names of the two witnesses. Arramamet signed with a bow and arrow. One witness was John Allyn, who would later be the colony's secretary. The other was a Hartford man named Bartholomew Barnard, which will matter in a few years. What the coats were made of, the deed does not say; in a Hartford inventory of 1647 a man's wearing coat was valued at one pound five shillings and a coat of raccoon skins at ten.



FIVE COATS: THE DEED OF 1661

The book Daniel had ordered prints this deed and the other Podunk papers in facsimile. It shows, he said, "all the treaties even with the Indian signatures, their signs." He had his own word for how the land changed hands: the papers showed, he said, "how he wheedled these Indians to give him rights to that land." The two sides may not have meant the same thing by such papers. Writing of an earlier Connecticut deed, of 1639, one historian notes how the sachems "managed to protect essential hunting rights," and how the colonists later "transformed" the paper into proof of English ownership. The Podunk deed itself speaks of Burnham's right to use the land "during our absence."

Other people's property passed through his hands too. In 1661 the town recorded that Richard Lord had received "of Tho: Burnam" two hundred and eighteen pounds of the town's lead, and in 1662 he was named one of three overseers of the estate of Matthias Treat of Wethersfield. The court records' modern index takes this Treat for the "Mathias Trott" whose appearance Burnham had guaranteed in 1648, his first day in the records.

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In the late winter of 1662, Thomas Burnham may have been in trouble with the General Court for the first time. That March the court fined a Mr. John Blackleach thirty pounds for "contemptuous expressions" against "severall psons in authority," then, later in the same session, let him off. It found "too much appearance of preiudice in ye testimonies," noted that the evidence had been got "by lying in wait," and added that there was "reason to suspect that both Loveridge and Burnam are guilty of ye crime they testifie against Mr. Blackleich." The record gives this Burnam no first name, and the chapter cannot supply one.

It was an anxious year in Hartford. There was a drought, and a sickness in the colony. A young woman named Ann Cole, "living in her father's house," was taken with fits in which, said the Boston minister Increase Mather, "her tongue was improved by a daemon," and the voices named names. Two of the accused were tied hand and foot and thrown into the water to see whether they would float. They "apparently swam after the manner of a buoy."

A bystander, supposing that anyone tied up that way would float, offered to try it himself, and "immediately sunk right down." The two suspects, Mather reports, "very fairly took their flight." Others were not so lucky; a Hartford householder named Nathaniel Greensmith and his wife were hanged for witchcraft that winter. In October the colony's new charter from King Charles was read out to the freemen at Hartford, and a day of thanksgiving was set for the charter, for "sending raine," and for the "abatement of ye sicknes."

That autumn the record finds him already farming across the river. In October the town gave a neighbor, William Williams, land at Podunk bounded by ground "now In ye management of Thom: Burnam: wher ye fort Stood." In November the town of Windsor, into whose bounds the Podunk land ran, agreed that "Thos. Burnham, of Hartford" might buy Podunk land on conditions: that he not prejudice the Indians' rights, that he not "molest the Indians" in their living, and that if he made a bargain with them he build his house inside Windsor, where his estate could be taxed.

Windsor's historian, two centuries later, could still point to where the Podunk fort had been: a rise "of some twenty-five feet, and about half an acre in extent," just north of the Podunk stream where the road to Hartford crosses it, in the southwest corner of what is now South Windsor. South of the stream, beyond the swamp, was the Podunk burying ground. Whether that was the fort of the 1662 grant, or the "Potunk forte" to which Tantonimo had slipped away from the court in 1656, the records do not say.

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In the late winter of 1663, Thomas Burnham's habit of speaking for other people caught up with him. A Wethersfield woman, Abigail Betts, the daughter of John Elderkin and the wife of John Betts, had said, in the court's words, "Christ was a Bastard and she could proue it by scripture." (A John Betts had been freed from a bond on Burnham's first day in the records; whether it was the same man, no record says.) Under the colony's

laws, blasphemy that was "direct, expres," or "high-handed" was punishable by death. Burnham took up her cause, and took a bond from her for it. At the Quarter Court of March 5, the colony's marshal, Jonathan Gilbert, complained "of Thomas Burnam for abusiue carriages towards him in reference to Abigail Bets." The magistrates found his conduct "very Scandalous lascivious and pernicious." A fuller charge, laid "Before the General Court" and printed by the genealogist, said the evidence showed his undertaking "to save her neck," that he had "actually seperated Husband and wife," and that his carriage had been "Lascivious, Vile and abominable below and beyond all moderation of manhood." His answer, as the clerk set it down: "Thomas Burnam returnes he hath noe more to Say he hath made his answer already in his pap[er]."

A further plea of his survives, in the genealogy's printing. In it he insisted that the court had granted him an indictment and must hold to it, "For if this Ancor fail me I shall cast out noe other of Human help whethersoever my Distressed Bark bee driven," and closed, "I crave Justice according to Law," signing himself "a Subject and Denason of England." The court sent him to the prison keeper, took away his freedom of the colony, and forbade him from then on to plead "any causes or cases in this Civil Court except his owne."

A Jonathan Deming, "for his miscarriage in accompanying Thomas Burnam in his evil practices," was bound in ten pounds. John Betts lost his own freedom and was fined thirty shillings "for severall lies spoken by him," and the bond Abigail had given Burnham was to be returned. Abigail herself was to be guarded "as a Malefactor to ye place of Execution wearing a rope about her neck and to ascend vp the ladder at ye Gallowes to ye open veiw of Spectators that all Israill may hear and feare," and then handed over to her father's "tuition and Gouerment." It was a shaming, not a hanging.

Burnham appealed at once to the General Court, which allowed a Mr. Pitkin to plead for him. The hearing had a moment of its own: Mr. Pitkin announced that if he could not make a new plea he "wil throw vp the case," then recalled his words, "and ye Court passeth them by." The Assembly upheld the sentence and saw "noe cause to make any alteration thereof." Two months later the court ordered the Wethersfield recorder to cancel John Betts's deed of gift to his wife of half his estate. A later genealogist recorded that the Bettses were divorced in 1672.

[[BRIDGE: Daniel never mentioned the Betts case. Still, it is hard not to notice that the first Burnham in the records spent a good part of his life arguing with the authorities, and insisting on the law's own terms while he did it.]]

None of it slowed his dealings at Podunk. In April 1663, a month after the sentence, he exchanged a parcel of land with "arramamat & podunk Indians," giving one in Hartford's bounds for one in Windsor's that ran down to the Podunk River, marked off by "meer stones and Seuerall marked Trees between the Sd Thomas burnham & ye Indians Land." The new parcel lay in Windsor's bounds, in what is now South Windsor. Two years later, at the election court of May 11, 1665, the record notes in a single line: "Thomas Burnam is re-admitted to his freedom."

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In the spring of 1666, Thomas Burnham had a new fight on his hands. Jacob Mygatt, his old partner in the Tantonimo bargain, sold his half to William Pitkin and Bartholomew Barnard, the same Barnard who had witnessed the deed of 1661, and they asked for the land to be divided. Burnham would not give up possession. At one point, by the genealogy's account, his wife, "with a company of men and women," drove Barnard and Pitkin's workmen off the land. In October 1666 a jury found for Pitkin and Barnard, "a devision of land according to disbursm[ts]." Burnham asked for a review, and in March 1667 the second jury found "neither for Pltf. nor Defendt.," which the General Court decided did not undo the first. That year the court also ordered that anyone who spoke for a person on trial, except on a point of law and with leave, should pay ten shillings, "or sit in ye stocks one hour, for every such offence."

The end came in May 1668. Pitkin and Barnard were to "stand quiatly possessed of the sayd land, against any clayme or pretence of claime from Thomas Burnam for the future; only Thomas

Burnam is to haue liberty to reap that wheat that is groweing on the land, and to have the pease, he payeing rent for the pease after eight shillings per the acre." The court called this "a finall issue of the controuersy about the Podunk lands." That October Burnham petitioned to be heard again. The court declined, "because that matter had received a finall issue in the Gen[l] Court, May last."

In the autumn of 1669, Thomas Burnham was a Windsor man. When the colony counted its freemen that year, he was listed not at Hartford but among the 113 "freemen that liue within the limits of Windsor," which was where Windsor had told him, in 1662, to build his house if he bought at Podunk. On the same list was Edward Elmer, his opponent's attorney of 1658, who had come back from Northampton to a large tract at Podunk and was the only freeman of his name in the town.

The river was still the road, and not a safe one. In January 1670 three Windsor wives who had crossed the river "upon a necessary and neighbourly account" were coming home by canoe when the upper ice came down on them "near the middle of the river" and broke the canoe to pieces; all were brought off alive, one of them, Mather noted, "big with child." In 1670 the east-side farmers of Windsor, Hartford and Wethersfield asked to be excused from fencing their land, after "the blasting the corne the harvest past" and a winter so "unseasonable" that they could not get their fencing done.

That February, after years of quarrel, thirty-one members of Hartford's church and their families left to form a Second Church; no other town in New England except Boston yet had more than one. Which church, if either, the Burnhams kept to, no record gathered here says.

His children were marrying. On June 28, 1671, by the Windsor return, "William sonn of Thomas Burnam" married Elizabeth, daughter of Nathaniel Loomis. He kept buying land too, now from English neighbors: seventy-two acres from John Marsh "on the wilderness on the East," twelve from Thomas Blachley and sixty from John Church, recorded in 1674. That year Hartford made its school free to the town's children, and the next spring, when the Windsor line moved, lot-holders on the east side were compensated from the triangle of land "between Windsor Bownds & Thomas Burnams lott." His lot had become a landmark.

In the summer of 1675, Thomas Burnham's lands lay on the east side of the river, which was about to become the wrong side of it. The war that the English called King Philip's War broke out across New England, and the Podunk joined Philip. In July a minister at Norwich passed on a warning from Uncas: "you haue many Narragansetts living some at Potunk & some at Hokkanum &c. and they will proove false to you." On October 5, at Springfield, up the river, thirty-two houses were burned.

That same day the Council at Hartford ordered the people of Windsor, Hartford and Wethersfield to bring in their corn from the east side of the river under arms, "this being a time for all priuat interest to be layd aside to preserue the pub: good," and to name places "where the women and children are to be" at an alarm. His son Richard, by the genealogy, served that winter in the Narragansett expedition.

In February 1676 the Council ordered everyone on the east side of the river to gather, with their cattle and hay, into a few fortified houses, "provided in every garrison there be six men at least," and that no other place on that side "doe remayn inhabited." One of the houses named was "Tho: Burnham's." In March a war party "burned great part of Simsbury." In June 1676 Edward Elmer, his old courtroom opponent and fellow Windsor freeman, was killed by Indians, "probably at Podunk."

When a captive was examined that August, the colony's secretary wrote down the question and the answer: "Who killd G: Elmore at Podunck? He was one of them himselfe; there was 9 in company." For the Podunk, as East Hartford's historian put it, few survived the war, "and it was virtually their end as a nation."

Land came to him by another road as well. Joshua, a son of Uncas, had married Arramamet's daughter and been given his father-in-law's lands at Podunk, and in his will he left a great tract



THE GARRISON AT PODUNK (ILLUSTRATION)

east of Hartford to a number of English heirs, Thomas Burnham among them. In Hartford, the town's ordinary business went on. In December 1676 it hired a man to sweep the meetinghouse, dig graves, and ring the bell on the Sabbath, for town meetings, "& at Nine of the clock at nights," for seven pounds a year.

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In the winter of 1677, his eldest son, Thomas, married Naomi Hull of Killingworth, and on April 16, 1678, at Windsor, their son Thomas was born. The Podunk land was being parcelled out around him. Arramamet was dead by October 1677, when the Assembly set a committee to decide which planting lands at Podunk "shall belong to Aramamet his heires, and what shall belong to the other Indians," and another to run the line between Burnham's upland and Joseph Fitch's.

In May 1678 Burnham complained of "some wrong done him by the serving of an execution vpon his land at Podunck"; the court had the land measured, heard him and Barnard, and saw "no cause to make any alteration." In 1679 he bought two more acres at Podunk, "in Indian Meadow," from Shebosman and Noames for six pounds, and settled a quarrel with William Williams by arbitration, which gave him, among other things, a strip of land six rods wide and three miles long.

In July 1680 the colony described itself to the Lords of Trade in London, and the answers give a rare picture of the world he farmed in. Labor was dear, two shillings "and somtimes 2sh. 6d. a day, for a day labourer," and provisions cheap: wheat four shillings a bushel, peas three, butter sixpence a pound. Ships of fifty or sixty tons, "sometimes 80 tun," could go sixty miles up the river to Hartford, which owned exactly one ship, of ninety tons.

The colony's wheat had been "much blasted" and its "pease spoyled with wormes for sundry years past," which hurt its trade. What it had to sell was "Wheat, Peas, Ry, Barly, Indian Corn, and Porck, Beif," with wool, cider, tar, pipe staves and horses, most of it "transported to Boston, and there bartered for cloathing," and a little to Barbados and Jamaica for "suger, cotton wool and rumme." Wheat and peas, it will be remembered, were the two crops the court had let him keep in 1668.

The same answers were careful to add that there were "but fewe servants amongst us, and less slaves, not above 30," and that beggars and vagabonds were "not suffered." That December the town gave his son Richard land "to build an house and shopp on."

He was still pushing at the lines. In 1682 a warrant required that Burnham be warned "to forbarre any further meddling with any of the land at Podunke that lyes abov the line" laid out by the Hartford and Windsor men. "Burnham," his town's historian observed two centuries later, "was not a man to acquiesce with the decision of any court." That spring Hartford at last set up a proper ferry, with "a suffitiant Boate ffor the passaige of Horse and man" and a canoe for single passengers: a penny in silver for a townsman on foot, threepence with a horse, and more after dark.

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In the summer of 1683, the river came over its banks twice. "In the spring time, the great river at Connecticut useth to overflow," Mather wrote, "but this year it did so after Midsummer, and that twice." The second flood, on August 13, rose twenty-six feet above the usual marks and carried away "the grass in the meadows, also the English grain," and Windsor and Hartford were among the "extream sufferers": "some who had hundreds of bushels of corn in the morning, at night had not one peck left for their families to live upon."

That same August a "malignant feaver" was "very severe thro this Colony"; in Windsor alone, fifteen deaths were recorded that month. Mather also reported, from about the same time, the case of a Hartford man named Nicholas Desborough, who after a quarrel "about a chest of clothes" was pelted by stones and "cobs of Indian corn" until arbiters ordered him to give the clothes back. Hartford, more practically, paid twelve shillings a head for wolves.

The Podunk were still asking for what was theirs. In October 1686, "In answer to the petition of the Podunck Indians," the court set a committee to examine "the rights of the land at Podunck, to whom it doth belong," and meanwhile to stop all sales of it. The same session ordered the proprietors of the east-side meadow in Windsor to dig a drain "from Podunck River throughout the whole feild." In February 1687 Burnham bought thirty-one acres from Richard Risley.

That October Sir Edmund Andros arrived to take over the government of Connecticut for King James, crossed at the Wethersfield ferry, and "came to Hartford, where he was received with all respect." (The story that the charter was spirited away that night and hidden in a hollow tree came later; what is certain is that the charter was never surrendered.)

In May 1688 a Hartford town meeting was still appointing a committee "to treat with Thomas Burnham, senior, upon his claim to the lands on the East side the Great River." He died a month later, on June 24, 1688, by the probate record.

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Shortly before he died, Thomas Burnham sent for Colonel John Allyn and for Caleb Stanly, and asked Allyn to write his will. (A John Allyn had witnessed the deed of 1661.) He gave his house and home lot to his youngest daughter, Rebecca; "his plowing Land in Podunk Meadow" to his sons Thomas, John and Samuel, "to be equally divided among them"; land near Podunk Brook to his daughter Mary Morton, and the Risley land to his daughter Anna Gaines for her life, then to one of her sons; to a grandson, Thomas Gaines, "all his right in the Land he had in Partnership" with a Mr. Lord "at the saw Mill"; and "some small Legacies to his sons Richard & William." His wife, Ann, was to be executrix. His inventory came to sixty-nine pounds, six shillings and sixpence. Other land he had already made over to his children by deed of gift.

Then the will disappeared. In June 1690 Rebecca's husband, William Mann, complained that it had never been exhibited, and the court sent warrants. Anna, ill and, by her own account, lame, answered with a letter to Allyn, signed with her mark. "Thes ffew Lines are to Lett you understand my Ssorrowffull Condishon," it begins. "I have bene weke and Lame a long time," and her son-in-law "did make so much trobell by ye athority in Sending up ye marshall, and by Souerving Warnts on all my Children."

As for the will: "Ye writin which my son Will man took, I know not what was in it, for I never heard it read. My son Will man asked me to se ye writing. I told him he mit. So when he had it he took it and put it in his pocit with out my Lev-

effe." The court found that "the Will could not be found," and accepted instead the inventory and Caleb Stanly's testimony to what it had provided. No other words of hers appear in the records gathered here. She died on August 5, 1703.

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The land, at least, he had tied to the family. The genealogist printed the proviso from his deeds of gift to his children, binding each "not to make any sale or other alienation of ye above sd land except it be to some of his own brothers or their children." Daniel said much the same in his own way: the land "still stayed in the family all those years," he said, though it "was parceled to different sons and daughters." The records bear him out.

In 1707 Hartford empowered a committee "To Treat with the Burnhams" over their claim to five miles of land on the east side of the river, and in 1719, when the Windsor line was finally settled, the heirs of Thomas Burnham and William Williams were given three hundred acres to make up for what the line had cut off. When his son John made his will in 1721, he left one son "10 acres of meadow land ... the east end to be at the upland, the west end at Podunk River," and the rest of his Podunk Meadow to three more.

The eldest son, Thomas, made his in 1726, leaving his wife Naomi "my red cow," and to his son Charles, the next link in the line, "all my shop tools," his carts and plows and all his "horse kind."

Daniel described the purchase as "almost the whole town of South Windsor." The towns came later: East Windsor was set off from Windsor in 1768, East Hartford from Hartford in 1783, and South Windsor from East Windsor in 1845, after a town meeting voted 138 to 32 to split. By then what the family held was smaller than the old claim, but it was still there. In 1884 the genealogist described Burnham Meadow, "200 acres, more or less," lying across the line between East Hartford and South Windsor, and said that much of this part of the estate had stayed with Thomas Burnham's descendants "through seven and eight generations." The old Podunk burying ground lay on a Burnham farm.

Daniel's own tie to that land ran through his grandfather, William Krug, and through Krug's grandfather, Erasthus Burnham. When Krug was young and Erasthus was in his sixties and seventies, Daniel said, the two spent a lot of time together, at Erasthus's beach property in Old Lyme and at "his farm in South Windsor," and "he'd hear these stories." Relatives later gave Erasthus's letters to a museum, and with them some five hundred objects which, as Daniel told it, "went back to the days when his family had traded and bought the property," the land in South Windsor that the family had from the Podunk.

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Daniel could place the later Burnhams in South Windsor himself. Erasthus Burnham Jr. was born in 1834, and South Windsor, he said, was "where he and his father were"; the father "was born there in 1810." What he could not show was the thread back. "So what is open is the connection between the ancestor Thomas, who was born in England," he said, and the South Windsor Burnhams. He thought he knew the answer; Thomas "has to be the direct ancestor," he said, because "there's no other way that could have happened with the Burnham," and later, "I think we're directly related."

Still, it was he who called the link open. He had ordered the genealogy, and he thought it could be found online as well, as a PDF, "but it's harder to read." Thomas Burnham, he said, was "a noteworthy relative and everybody wants to see if they're related to him." The 1884 book does print the line, father to son, from Thomas down to an Erastus W. Burnham of South Windsor, born April 15, 1810, and to his son Erastus, born April 28, 1834. The wills prove its first two links. For the rest, the book is the only authority found.

[[BRIDGE: The Burnham line was the one he could not close himself.]] There was another he could. On his wife Regina's side, Daniel said, there were "two ancestors there that are directly traceable" to the Mayflower, so that his grandchildren qualified as sons or daughters of the Mayflower "two times over." He spoke of a direct descent from "the spiritual head of the pilgrims," and of a forebear whose house "still stands," right next to Miles Standish's. People in Regina's family

had done the work, especially her grandmother, who was so interested in genealogies, he said, "that we have it all pinned down."

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What Thomas Burnham left behind, in the end, was paper: a bond for a servant who misbehaved in church, a deed in his own hand with a bow and arrow on it, the minutes of his lawsuits, won and lost, a plea to his judges for justice according to law, and a will that vanished into a son-in-law's pocket. His widow signed with a mark; his son's will left a red cow.

In 1884 a descendant gathered what he could of it into a book, with the deed reproduced in facsimile, and a copy of that book was on its way to Daniel when he told this story. The meadow was still in the family when it was printed. Whether the line of fathers and sons in it runs true all the way down to Erasthus, the records gathered here can prove only for its first steps. Daniel thought it "has to be" so, and he was also the one who called it "open." For now, that is where it stands: a good deal of paper, a meadow, and one honest question.

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