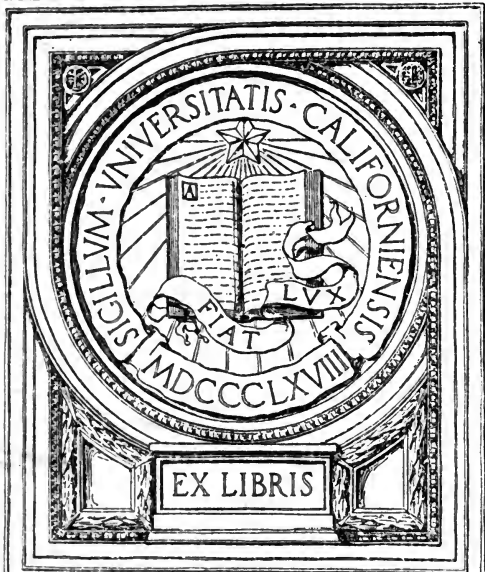
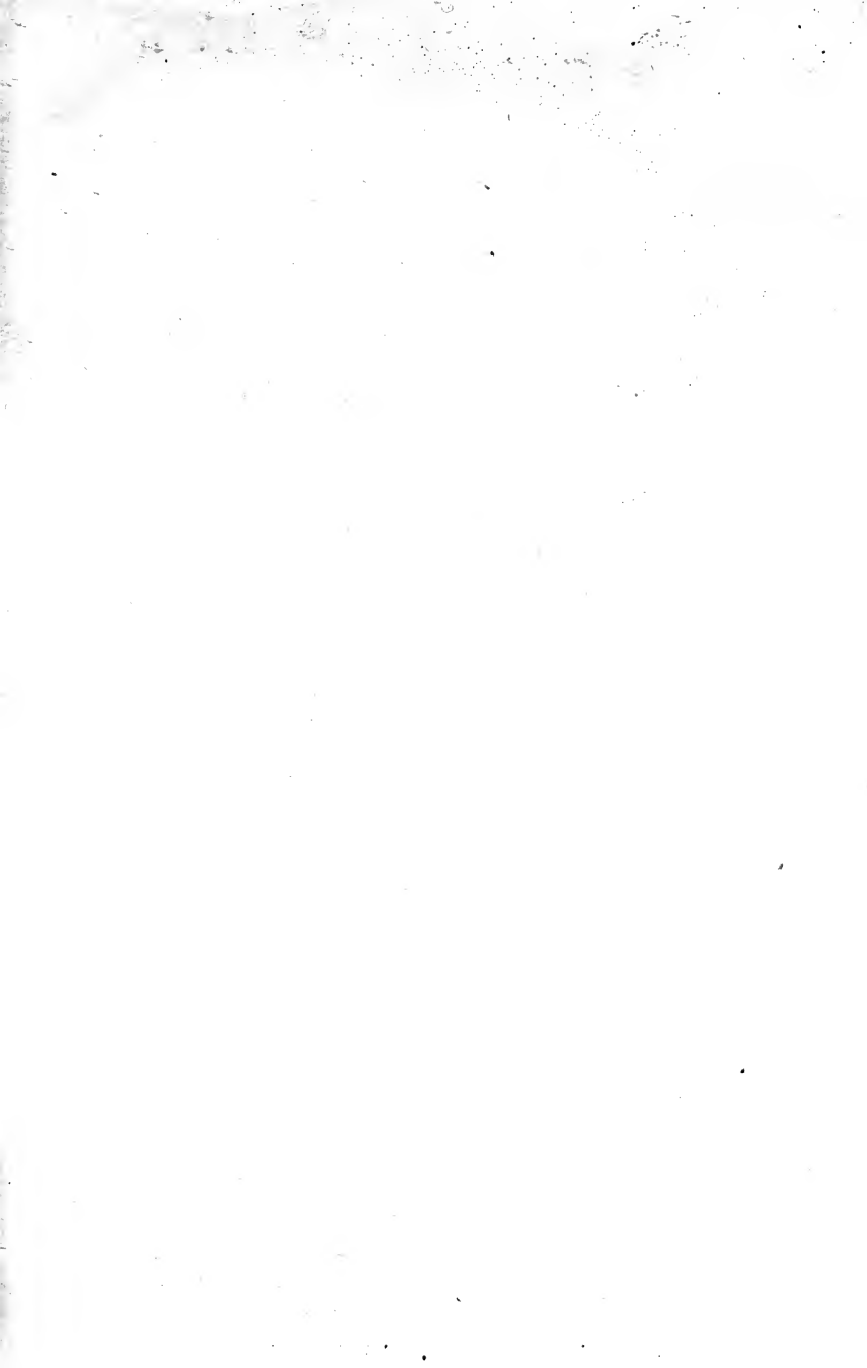


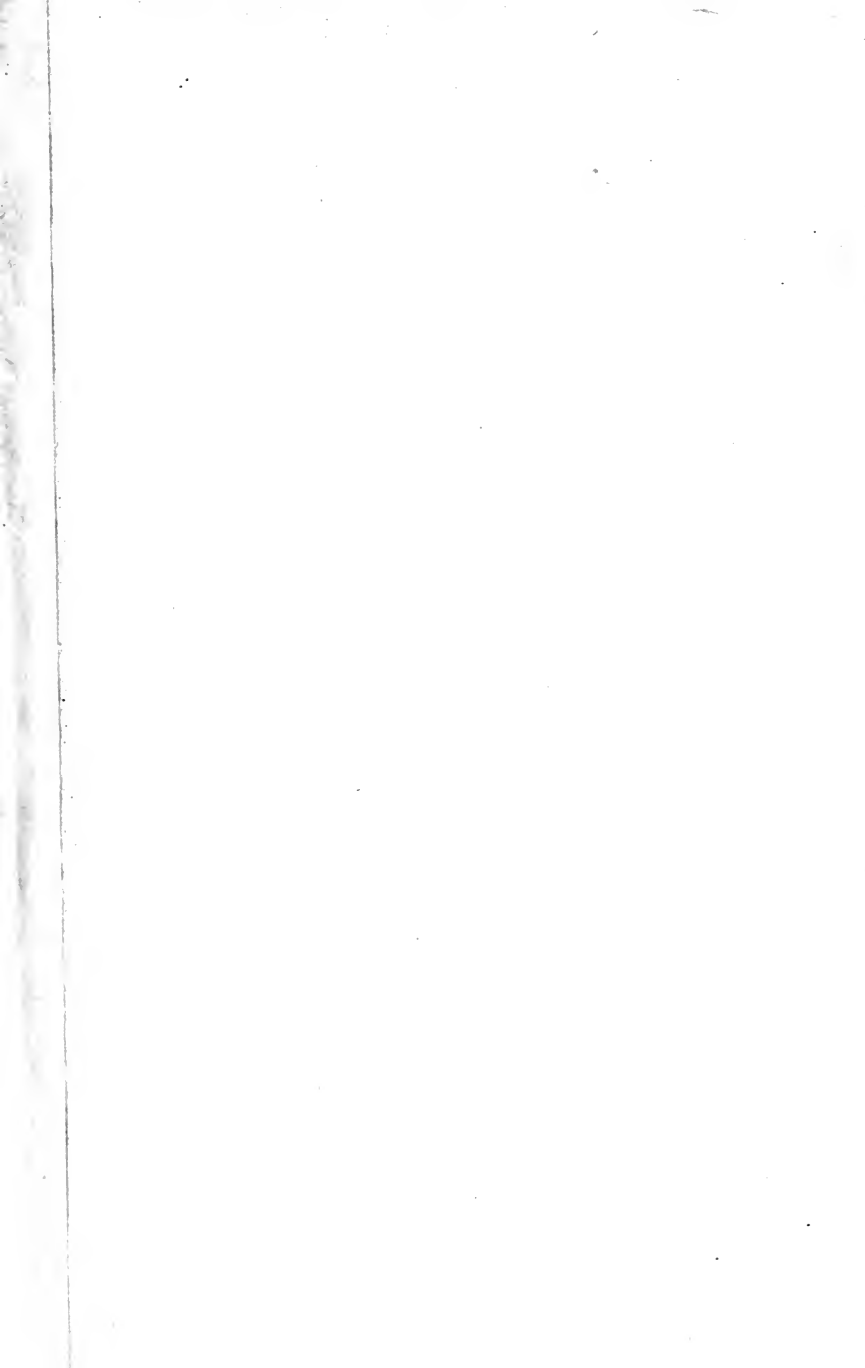


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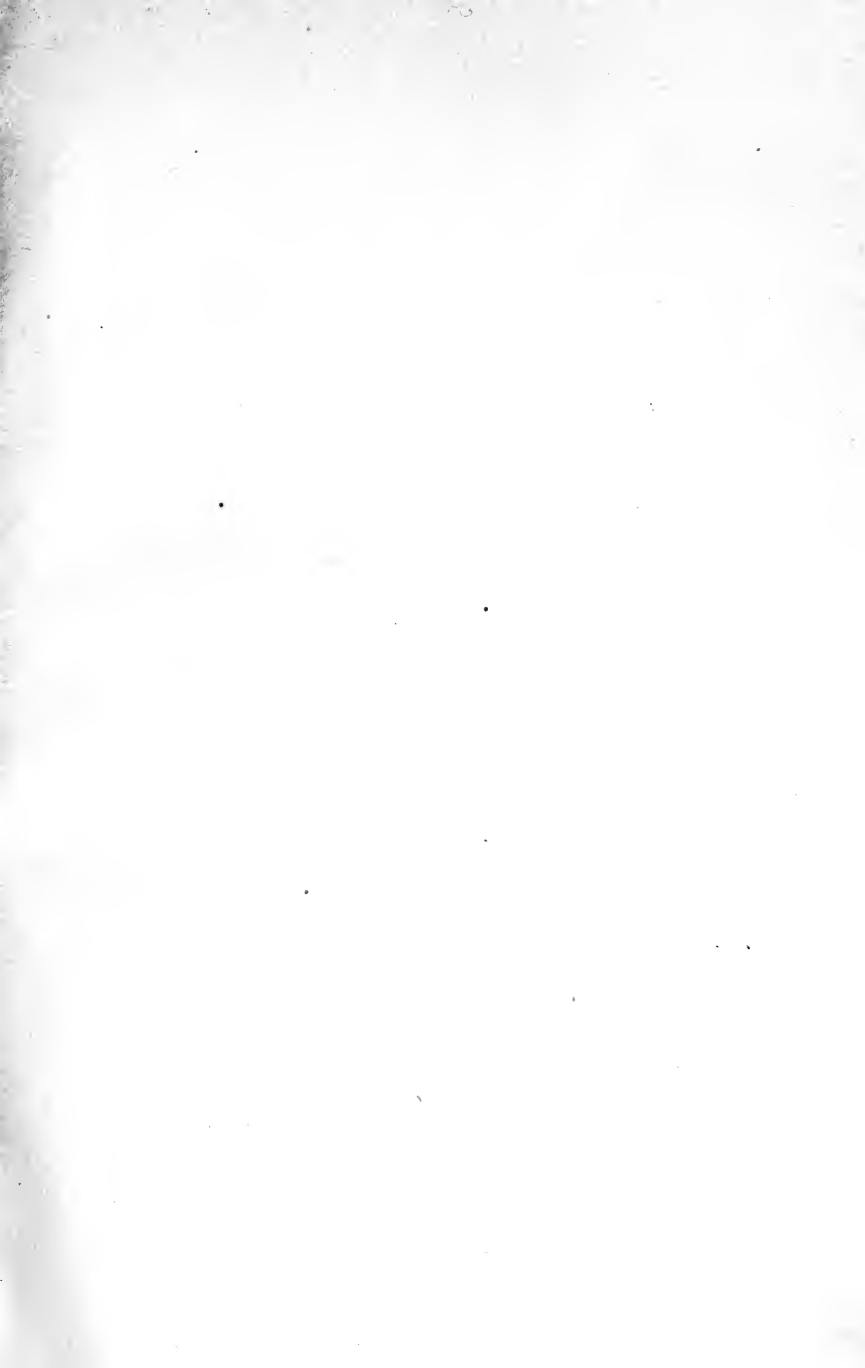














THE  
HISTORY OF NORTH AMERICA

*Guy Carleton Lee, Ph. D.*

*of*

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The Victor of Lousoy 1702



LIEUTENANT-GENERAL SIR WILLIAM  
PEPPERRELL, BART.

The victor at Louisbourg, A. D. 1745.

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*From the original painting, now hanging in the Essex Institute,  
Salem, Massachusetts.*



THE HISTORY OF NORTH AMERICA  
VOLUME FIVE *THE COLONIZATION OF  
NEW ENGLAND*

BY

BARTLETT BURLEIGH JAMES, PH. D.

PROFESSOR OF PHILOSOPHY IN WESTERN MARYLAND COLLEGE

Author of: *The Law of Diminishing Returns and Ecclesiastical  
Development; The Labadist Colony in Maryland.* Editor of  
McSherry's *History of Maryland*, etc., etc.



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## EDITOR'S INTRODUCTION

THE subject of the colonization of North America by Europeans has in the present history of the continent received careful and comprehensive treatment. The subject has been considered from many points of view and in many different phases. Of these phases we find ten of sufficient importance to deserve mention in this introduction to the concluding volume of the three exclusively devoted to the period of colonization.

The earliest of the phases embraces the myths and legends concerning Japanese, Chinese, Welsh, and Irish voyagers, and is considered in the volume entitled *Discovery and Exploration*. In the same volume is presented the second phase, the first of those that may be called historical. This is the compound movement that settled Iceland and Greenland, and this movement includes the descents of the Norsemen, whether for permanent occupation or temporary sojourn, upon the shores of America.

The third phase, that of the colonization of the countries lying south of the Rio Grande and north of the Rio Atrato,—a somewhat extended southern limit of North America, made necessary by the present connection of Panama with the United States,—will have place in the volume devoted to *Mexico, Central America, and the Southwest*.

The fourth phase will be found described in the volume entitled *The Colonization of the South*; the fifth, in *The Colonization of the Middle States and Maryland*; and the sixth phase, in *The Colonization of New England*. The seventh phase is that of the settlement of that vast territory

known as the British Possessions in America, and is considered in the volume entitled *Canada and British North America*. The eighth phase, that of the Russian occupation of the territory known as Alaska and of the district lying to the northwest of it, is set forth in the volume entitled *The Pacific Slope and Alaska*, which volume also contains an account of the ninth phase, that of the Spanish colonization of California, which movement belongs to and completes that whose force was spent in Texas, Arizona, and New Mexico, and which is described in *Mexico, Central America, and the Southwest*. The tenth phase, which might well be extended to include the settlement of the interior of the territory now known as the United States, is treated in the volume entitled *The Louisiana Purchase and the Westward Movement*. If these classifications seem to the reader to be insufficiently inclusive, he will find, by reference to the general index of THE HISTORY OF NORTH AMERICA, that even the minute divisions of the subject of colonization have not been neglected.

The present volume is entitled *The Colonization of New England*, and there is no need to apologize for devoting to this subject an entire volume. True, New England in areal extent is not to be compared with the vast territory whose settlement is described under the general head of *The Colonization of the South*, nor, for that matter, can it in territory compare with the Middle colonies. Nevertheless, the importance of New England in the development of the life of the nation is such that we justly assign to it as large a space as to her sister sections. Its importance, as we have stated in an earlier volume of this work, is impressed upon the mind more deeply than that of the history of the colonization of any other section of the British colonies in America.

Its importance appeals to the student with unexampled force because of the material for institutional study that is offered by the history of the early years of New England's development. Well may the history of New England's beginnings make strong appeal! New England was the hot-bed—we might say the cold frame—of institutions, it was

the propagating house of ideas. A study of her history throws light upon the most pressing and the most difficult problems that confront the historical student. These problems are as diverse in nature as they are complex in character. They concern such matters as governmental institutions, social conventions, economic impulses, theological disputations, and sectarian contentions. New England was not only the media through which European institutions became American institutions, but she originated ideas that have had lasting impress upon the development of the United States. The scholar finds in New England a combination of Old World conveniences with New World necessities, a complex survival of European beginnings with American developments. In the history of New England he may discover institutions whose origins may well have antedated the hoariest oak of the Teutoburg Forest, or which may have been in force when there was a fertile plain in place of the bed of that portion of the North Sea which now rolls between the Britannic isles and the home of those bold adventurers who, tradition says, came at the call of Vortigern to free England from the wild tribes of what are now Scotland and Ireland. Cheek by jowl with such ancient institutions, the student will discover those far younger, as young perhaps as the days when the reincarnate spirit of Wyclif gave to kingless England the rule of the people by the grace of God, or of still later days when the survivals of Witan and Curia Regis became present-day constitutional institutions.

Whether the interest of the reader be political, social, economic, or theological, he will find in the history of New England a fruitful source of profitable study. The interest of the student in the history of New England is deep and narrow, that of the general reader broad and superficial. It is the interest of the general reader that we believe deserves the first consideration. The student has many books, and to him particularly belongs the source material that in the case of New England is especially plentiful; the general reader has

few works of value and readability. The popular interest in New England history must therefore be regarded in the formation of any plan for a history of North America, and particularly must it be regarded in those parts of that history which deal with the settlement of the States of Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, and Connecticut. Therefore, the present volume, though constructed from sources and the comments of the leading authorities upon them, nevertheless deals with the history of New England from the standpoint of the general reader of cultured tastes rather than from that of the student who requires an apparatus which has no place in a history of the scope of the present work.

Professor Bartlett B. James, to whom the work of preparing the volume on New England was intrusted, has produced a work that is at the same time scholarly and readable. Dr. James has written in a manner that is wholly sympathetic. He has thoroughly appreciated the share of New England in the upbuilding of the nation. He has been wholly conscious of the rich contribution she has made to political as well as to material progress. He is deeply convinced that in New England were laid the foundations of many of the more stable of our institutions. But he has wisely eschewed the narrowness of view with which New England has been regarded by those who have loved her most. He has not regarded her as something distinct from the United States, as a peculiar country with a peculiar people, but rather has he considered her as an integral portion of the country for which she has done so much. He has judged the period of her colonization as a phase of the nation's beginning rather than as that of the creation of a distinct colony. In no other way can be rightly judged either the New England people or their institutions, and in this way alone can be appreciated their mighty influence upon the country of which they have been and are so important a part.

GUY CARLETON LEE.

*Johns Hopkins University.*

## AUTHOR'S PREFACE

THE "Land of the Puritans" has possessed a fascination for the pens of American historians which is attributable to reasons that may be clearly perceived. The settlement of New England was not a sporadic but a premeditated effort at colonization, and the growth of New England communities followed a fixed scheme into which the adventitious element entered but slightly.

Not the spirit of adventure, although truly adventurous were the serious-minded men who freighted the *Mayflower* with a weight of germinal principles whose vitality was too little understood to be appreciated by an age of superficiality; not the spirit of gain, although the Pilgrim and the Puritan when they set forth on their long journey after the Scriptural method of "by twos" did not leave their slender purses behind; but the spirit of those who "endure as seeing the invisible" prompted, or rather impelled, the plain men of austere mould who thought it braver to live for the truth than to die in its service to set sail for the rugged shores of the American wilderness.

They came bringing with them a thirst for religious prerogative rather than for religious liberty. Liberty could mean to them but license; the very name was not compatible with their uncompromising adherence to the stern doctrine of God's sovereignty. Until the fires of religious controversy and conflict should heat their Calvinistic spirit to the point of malleability they might not entertain any other than the doctrine of Divine election. They believed that it was by God's election that they were chosen as the

vessels of his truth to carry to the New World the principles of simple living and sincere worship. Being chosen vessels, their prerogatives might not be controverted.

Curiously, and yet not inexplicably, were brought together in the New England colonies the spirit of religious narrowness—whose inhospitality was made to be felt not only by the Puritan's trinity of antagonists, Atheists, Romanists, and Prelatists, but by all those who dissented from the practices of the ruling element—and the liberal polity of the churches. The development of Independency from a fact of ecclesiastical polity to a motive of civic aspiration forms a most interesting phase of the study of New England's early history.

The tracing of the progress of civic life under the forms and influence of Congregationalism as expressed by its two cardinal tenets, Independency and Fellowship, the latter a word of increasing significance as the necessities of the communities drew them together for frequent deliberation upon matters pertaining to their common religious interests, is not likely to prove an unproductive method of inquiry into the nature of the forces which were operative in New England beginnings. Indeed, this must necessarily be the reasonable and most fruitful approach to the subject. Not Germanic derivity, but ecclesiastical polity, not political ideals, but economic motives, must furnish the key to the enviable distinction gained by New England in the history of the construction of the United States.

The word "Independence" characterizes the spirit of the colonists, while the word "Fellowship" just as truly reveals the nature of the civic tie which bound together the several units until the larger merging in the form of the New England confederation, which furnished the pattern for a new republic. The associational element in colonial life is to be sought as well in the economic as in the religious facts of the colonists' lives. Behind the religious was the economic motive, unexpressed but potential, in the initial resolves of the founders of New England; the men of New



England were not visionaries, but men of a strong practical type; they sought not to found a New Jerusalem, but a Christian commonwealth.

Political exigency broadened the religious spirit of the colonists and this in turn reacted upon their civic conceptions. As their jealousy of religious prerogative yielded to a better apprehension of the nature of civil administration, civic motives came to have a preponderance over religious motives; faith came to be a function of the individual conscience rather than of the common consciousness.

It has been the aim of the author to tell anew the story of New England settlement as an account of the relative influence of religious and economic motives in their action and interaction upon political happenings. The final triumph of economic influences as furnishing the worthiest ideal for colonies with such broad aspirations as those entertained by the incipient States of New England was, after all, the triumph, through civic forms, of the old religious notion of Fellowship, and was the preparation of the New England consciousness for the interpretation of the kindred tenet of Independency in terms of civil liberty.

BARTLETT BURLEIGH JAMES.

*Western Maryland College.*



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*THE COLONIZATION*  
*OF*  
*NEW ENGLAND*

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JAMES .





## CHAPTER I

### *PURITANISM AND SEPARATISM*

THE settlement of New England marks one of the last of the great world movements of which religion was the inspiring cause. As such it forms a stage of the transition from the dominance of the religious idea to the rule of economic motives in human society. A combination of both these influences led the little band of hardy adventurers to depart from Leyden upon that hazardous voyage to the bleak shores of an unknown land, and, after their arrival, to bear with fortitude the rigors of the climate, the havoc of disease, and the terrors of Indian attack. With calmness and dignity, and, withal, a degree of self-consciousness perilous to the free operation of those immutable and underlying principles to which, rather than to the definite purpose of the actors in the great dramas of human history, must be ascribed the success of all noteworthy accomplishments, they proceeded to lay the foundations of an American commonwealth.

Had the religious purpose continued to be the more influential motive of their action, there would then have been perpetuated in the New World the same bigotry that had blighted the Old World, and New England would never have risen above insignificance. There was enough of bigotry, as it was, in the early period of the colonies; but it was a bigotry based upon a civic principle, and as this broadened, the covering of religious prejudice became too tenuous to restrain the exuberant life of New England, and the people emerged from their religious narrowness, sobered and

disciplined for the stern duties of State. The indirect effect of the natural conditions of the New England wilderness was to enlarge the Puritanical spirit and to make it hospitable toward opinions which were regarded at first by the Puritans as intolerable. The very freedom under which they themselves lived rebuked the policy of restricting the benefits of their settlements to those who could with unctious affirm the tenets of Separatism. Yet, although neither in the Pilgrim settlement of Plymouth nor in the Puritan colony of Massachusetts Bay was there ever any disposition to question the right of individual beliefs, there was a timorousness bred of their experience of ecclesiastical proscriptions which made the settlers hedge themselves about with a set of shibboleths no less destructive of liberty of conscience than the Test Acts which drove them as exiles from their native land. In this there was no element of inconsistency, nor was there an arrogant assumption of the infallibility of their own opinions. As they never questioned the right of individual belief, neither did they affirm such right; it was not a question with the Puritans of the rights of men as such, but rather a question of what rights they could secure for themselves. This was not strange, as the principle of religious liberty was not then thought of. Liberty of conscience was not exalted as a distinguishing tenet, but was simply claimed as a personal privilege by the nonconforming bodies of England. To the fact that the spirit of tolerance was wrought out in New England simultaneously with the development of democratic ideals is to be attributed the real worth of the contribution of that section to the religious liberty of America. Coming thus, it had the approval of experience, and was in accord with the economic tendencies of the times which bred the kindred spirit of civil independence.

It is not strange, nor is it without parallel in history, that there should have been a wrench experienced during the transition from the reign of religiosity to the dominance of economic ideas and activities, or that the narrow spirit



of the New England colonists, as it sought to fill the large range of life, should have accepted religious liberty only after a severe spasm of intolerance. To condemn some of their practices, it is not necessary to repudiate the principles of the Puritans; the particular acts of cruelty and of wrong and the splenetic and cowardly spirit which was sometimes manifested toward adversaries are deserving of as severe strictures as impartial historians are wont to pronounce upon them. These, however, were interpretations of the Puritan spirit and were not inherent in its character nor by any means its best expression.

The circumstances which led to the emigration of a group of English Independents to Leyden, and their later departure for America, are as much a part of the history of this country as they are a part of the religious history of England. There is also about the story a full measure of the human interest which attaches to the records of all migrations or movements of peoples.

When history first discovers the obscure characters who were to become the vanguard of a great nation, England is seen to be in a state of unrest because of the conflict of religious parties and partisans. The contest—which was a legacy of the Reformation—was being waged between Conformist and Nonconformist with all the inflexible determination of the English spirit. Henry VIII. was an opportunist. In dictating secession from the Roman pontiff, the king took advantage of the drift of religious sentiment, thereby reaping the fruition of the spirit which had ripened from seed long sown in the conscience of the English people. That unspiritual monarch, however, failed to realize that the reforming spirit among his people had for its basis something more than resentment against papal authority. This, in a measure, accounts for the fact that the Reformation under his rule went no further than it did. That it was not more thoroughgoing gave occasion for the rise of Puritanism as a protest against a programme of reform that hardly touched the matter of life and did not go

far into that of worship. Puritanism was the Reformation carried by enthusiasm to a point further than the policy of Henry VIII. deemed expedient. He stood for conciliation with Rome, if the monarchical headship of the English Church might be maintained; the Puritan stood for uncompromising opposition, not only to the Papacy and to the prelatical government of the Church, but to the prevailing looseness of manners. The tide of reform would have receded before it reached the flood if it had not been for the Puritan. The Protestantism of the English people could not subsist upon the mere fact of a change of spiritual heads; and had the matter rested there, the historic head of the Church would have won back the allegiance of a people who must soon have felt that they had deluded themselves by following after strange gods.

The Puritan movement marked as great an advance in morals as it did a radical departure in church polity. It was this virile quality of the Puritan programme that most strongly recommended it to the affections of the English people. It supplied that which had been conspicuously lacking in the English Reformation. In its social character it represented a reaction of public sentiment against the broad license which had characterized society for so long a time. In spite of the widespread viciousness and coarseness of the age, there was a large element of the English people who were concerned about the deeper things of life, and who rallied to the movement against the Established Church not so much because of opposition to its formalism as because it did not give to society the moral security which was desired. The Puritan morality was largely the morality of the middle classes, the same section of the people that gave to Lollardism its strength.

In one respect the Puritan and the Prelatist were in agreement—the Papist was to both a detested foe. This feeling, however, was historical and not sentimental; it had nothing in it to harmonize the differences or to mollify the antipathies of those who entertained it. In fact, the Papist was

not regarded by either with greater repugnance than that mutually entertained by the Puritans and the Prelatists. Not that the Puritans were in opposition to the Establishment, for a State church appealed as strongly to them as it did to their prelatical adversaries, though it was impossible that this agreement should remain unaffected by the persecutions to which they were subjected by the Church party. Never were the Puritans in opposition to the Establishment because of its relation to the State. The Separatists, who comprised the extreme wing of that party, were distinguished, not by revolt against the Established Church in the important matter of doctrine, but by a demand that the English Church should purge itself from Roman Catholic usages. They also added to their demand the divorce of Church and State.

It is the Separatist branch of the Nonconformist party to which the history of the beginnings of New England reverts. The organization of the first Nonconformist congregation was the embryonic movement of a new commonwealth. Just when that occurred is too obscure a matter to discover. As early as 1567, assemblies of ministers were held and rules for guidance in worship framed outside the authority of the Church. Two eminent divines, Cartwright and Travers, were the leaders in this movement; they contrived an ingenious system by which they hoped to develop a voluntary discipline alongside that of the Established Church; a system complete in theory, but the practice of which was prevented by the close espionage under which the Puritans were held. Such a duality—a church within a church—could not be favorable to the propagation of the Puritan principles and remain unopposed by the Church party. The first endeavors to express in organization the principles for which the Puritans stood were made during the reign of Queen Mary. On the coming of Elizabeth to the throne, the movement in this direction had assumed such proportions as to call forth various disabling acts, the aim of which was to check the progress of the

Puritan movement. By this means many clergymen were deprived of their livings, and many others suffered even greater penalties, because they refused to conform to the Established Church. The Nonconformists led a fugitive existence in their endeavor to maintain their organization and to practise their peculiar forms of worship in defiance of the laws of the realm. But the penalties prescribed for their offences, many and severe as they were, did not prevent the Puritans from rapidly increasing in numbers. When they were arrested, they almost invariably displayed such resolution as to leave no room for the mitigation of the severities of the law. Nor was there usually a disposition on the part of the Church authorities to temper justice with mercy, it being believed that the preservation of uniformity in religion was one of the securities of the realm, and that the obdurate Nonconformist deserved only to be harried out of the kingdom. The death penalty for breaches of the religious statutes, however, was seldom imposed, the authorities having little relish for that sort of work.

In considering some of the more prominent of the persons who, directly or indirectly, affected the fortunes of the pilgrim band of colonists that first set foot upon the coasts of New England, a diversity of views even among the Separatists themselves is discoverable. The two great leaders of the Separatists, Brown and Barrowe, whose impress, more than that of others, gave form to the polity of the churches which came to be known as Congregational, were widely diverse in character. Whatever may be said of the conduct of Brown, who later abjured the principles which he had so well formulated, the fact remains that he was the first Englishman to put into clear and convincing form the principles of the separation of Church and State, and the autonomy of the individual congregations. These views he circulated from a safe retreat in Holland. So ingenious and forcible were his statements of the contentions of the Congregational churches, that Queen Elizabeth was led to issue a special proclamation against his tracts as seditious

publications and detrimental to the security of the realm. The proclamations described them as "sundry seditious, schismatical and erroneous printed Bookes and libelles tending to the depraving of the Ecclesiastical government established within this Realme." The publications which called forth royal condemnation were received with the greatest joy by the scattered congregations of Separatists throughout England. Although not strictly the founder of the system of Independency, Brown's superior formulation of its principles was regarded as its best expression, and won for him a commanding place in the esteem of the friends of Separatism. The term "Brownists" did not have about it the odium which later made it offensive to all Congregationalists. When the man who was esteemed by both the friends and the enemies of Separatism to be its leading spirit lapsed from his principles and returned to his former connection with the Established Church, the more charitable judgment of his coreligionists whom he thus brought into contempt and ridicule attributed his defection to mental breakdown, following the disappointments and the imprisonments he had suffered, rather than to a real change in his convictions.

Henry Barrowe, who died a martyr to the cause which Brown abjured, was a man of excellent scholarship, who, after the close of his student days, came to London and took up the study of law. He had a violent temper and lived an immoral life, until he happened to come under the influence of a sermon which changed the course of his conduct. From that time he became fervently religious. He associated himself with the Puritans and was led eventually to adopt the views of thoroughgoing Separatism. This proved more compatible with his independent temperament. In his new connection he rose rapidly to a position of leadership. The type of Congregationalism which he represented differed from that of Brown in the degree of liberty it gave to the body of the church membership. In the system of Brown the Church was a pure democracy; but in that of Barrowe the execution of the government of the

Church was given over to its officers, while to the generality of the congregation fell the duty of being "a most humble, meek, obedient, faithful, and loving people." The difference between the two forms of Congregational polity is noteworthy because of the fact that it was the type that Barrowe represented which was brought over to New England by the Pilgrim Fathers. It was this that made possible the practical dictatorship in opinion of the group of clerical and lay leaders about whose personality so much of interest in New England history centres. This, however, was not the form of Congregationalism which became permanent in the New World; the after development of the Church placed the seal of approval upon the system of Brown.

The temperament of Barrowe was such as to make him scorn the counsels of prudence in the exercise and the dissemination of his views; so that the authorities took severe cognizance of his violent attacks upon the prelatical position, his open and avowed advocacy of Independency, and his success in the propagation of his opinions. Along with his fellows, Popham and Greenwood, he was arrested, and the trio were put to death on April 6, 1593. The specific charge under which they were condemned was the violation of the law of the twenty-third year of Elizabeth, which made it a capital offence to write any book maliciously attacking the authority of the queen or inciting to rebellion. Their execution was followed by that of John Penry, a youth of singular transparency and purity of character, whose rearing had been in the Roman Catholic faith. These executions were regarded with disapproval by very many in England who had no sympathy with the views for which the men suffered. The government accordingly adopted a more successful and less distasteful policy of suppression. This was to imprison the leaders of the sect and trust to the effect of the consequent disintegration which would result among the obscure members thus deprived of the inspiration and counsel of those upon whom they were accustomed to depend. These persons, who

were for the most part poor artisans, made their way to Amsterdam; in this manner the London church became divided, its leaders in prison and its members in exile in a foreign land. At Amsterdam the struggling church received an important accession in the person of Henry Ainsworth, of whose life prior to his connection with the Separatist congregation at the Dutch capital little is known. He became celebrated as one of the leading Hebraists of his time, although it is not probable that he had the advantage of a university education. Under the leadership of this gifted man, the congregation came into greater prominence than it otherwise would have attained. The division of the London church was terminated by the act of the English government in granting leave to the imprisoned leaders, with few exceptions, to join their exiled brethren. The coming together of the divided congregation, however, did not result in the furtherance of unity, for the spirit of division was fomented by the petty strife which broke out among them. Secure from further persecutions, but amid a strange people, without opportunity to extend their faith, the zeal which had formerly characterized them failed for lack of fuel. Having no longer large concerns upon which to fix their convictions and with which to whet their consciences, the little band fell into rancorous controversies over trivial matters of discipline.

To John Smyth belongs the credit of being the founder upon a permanent basis of the first Separatist church. Although a man of temperament entirely unsuited for the work of effecting a permanent organization, he nevertheless founded in the north of England the historic church of Gainsborough—a name which shares with Scrooby the veneration of all persons who revere New England beginnings. This church extended its influence throughout the region where Nottinghamshire, Lincolnshire, and Yorkshire adjoin. About this little congregation centres the interest which the names of Brewster, Bradford, and Robinson evoke. It was either in 1605 or 1606 that the

congregation divided for reasons of convenience and in furtherance of their safety. The withdrawing members went to Scrooby, where they were ministered to by John Robinson and the venerable Richard Clifton. It was probably in 1606 that Smyth, with the Gainsborough congregation, emigrated to Holland, impelled to exile by the same reasons which had prompted the departure of the London church. As the Second Church at Amsterdam, they established themselves and sought relations of comity with their brethren of the London church. But they were soon drawn into difficulties with the older congregation, whose members had never lived in peace among themselves; and it was not long before Smyth and Ainsworth were in a heated controversy regarding their diverse church practices.

This was the state of affairs—internal quarrels in the churches and controversies between them—when their contentious existence was varied by the further arrival of still another congregation: this was the Scrooby flock. The transfer of the Scrooby congregation under John Robinson was the first of the migrations to Amsterdam which did not dissipate its high purpose in deplorable strife. On their arrival at the Dutch capital, in 1607 and 1608, they were grieved to find the state of discord into which their fellow churches had fallen, and wisely decided, lest they too should be drawn into the question at issue, to remove to Leyden, which they accordingly did; here they dwelt and worshipped in peace. Some of the members became apprenticed to trade, and others worked in the various capacities for which they were fitted. The scholarly Brewster published books and tracts for the dissemination of their views, and the church grew rapidly, but it was seen that it was futile to expect it to take deep root in foreign soil. Many of the persons who were prominent among the band of Plymouth pilgrims, among whom was Edward Winslow, were added to the church at Leyden. The members realized, however, that the principles for which they stood could not prevail in the city of their exile; they saw before them the sure prospect



of absorption into a foreign population; the moral life of the gay city was also unfavorable to the religious rearing of their children. It was clear to them that Leyden was but a tarrying place in their God-appointed pilgrimage. After casting their eyes about them, their hope fixed itself upon the New World as offering the opportunity, not only to worship in the manner that pleased them, but also to ensure permanence to Separatist principles.

The rise of Arminianism in England had been further complicated by the disagreement between the Puritans and the Establishment. The English Church had become strongly tinctured with this more liberal theology, so that the defence of the tenets of Calvinism fell to the Puritans.

They regarded the Arminian predilections of the Anglicans as a further indication of the latitudinarianism of the Church of England. Formerly, the protest of the Puritans against liturgical practices had been based upon their derivation from the Roman Catholic Church; now, they had come to the more radical position that such practices in themselves were destructive of the spirit of vital religion. To the uniformity of worship required by the Anglicans the Puritans opposed the counter demand of uniformity of belief.

Such was the situation of religious affairs in England when there came to the throne the man whose vacillations and disingenuousness were so greatly to irritate the increasingly austere and determined spirit of the English masses as to lead them to effect their reforms in civil administration, as well as in religious practices, by resort to arms. When Charles I. acceded, he found an able and earnest supporter of the Church in William Laud, a man who had risen through the ranks of prelatical preferment until by appointment of Charles he became Archbishop of Canterbury and Primate of England. In this extreme Sacramentarian the Puritans found a spirit that could not brook compromise in matters affecting the questions at issue between them and the Establishment. Laud was believed both by the Puritans and the Catholics to be contemplating

a reconciliation of the English nation with Rome. But it is probable that nothing was further from the mind of the man whose sincerest article of belief was the autonomy of the English Church, and to whom Catholic supremacy was but a circumstance in the history of British Christianity. The persecutions suffered by the Puritans under the ecclesiastical administration of this most advanced partisan of the English Church led many of the sect to consider emigration as the only feasible solution of their difficulties. Their eyes turned with longing to the New World, from whence had come favorable reports of the Pilgrim settlement, which had survived the initial difficulties of colonization. As a refuge from persecution, the coasts of New England appeared to many Puritans quite deserving of the appellation given them by the Pilgrim settlers—"a New England Canaan."

We may now return to the Scrooby-Leyden congregation of Separatists, who, as we have seen, had come to the determination to embark their fortunes and their faith in a hazardous attempt to further the one and to establish the other in the New World. Economic motives and religious conviction, with a dash of missionary spirit, were at the root of their determination to emigrate. The Virginia settlements had demonstrated the feasibility of colonization in the American wilderness; but at this time the project seemed to be of a magnitude beyond possible comprehension to-day. The Virginia Company, having headquarters in London and at Plymouth, was industriously exploiting the advantages of its territorial concessions and seeking to induce emigration. This Company was ready enough to avail itself of such eminently fit material for colonization as the members of the Leyden church. These, however, felt that, before they committed themselves to emigration, security in the possession of the religious rights the claim to which had made them exiles should be obtained by sufficient act of the king. Accordingly, Robinson and Brewster drew up for the commissioners sent by the church to the

English authorities a statement of the position of the Leyden church. This document went to the limit of concession in matters deemed by its authors most important. The authority of the king and his right to appoint bishops, and his supremacy over all causes and over all persons, were acknowledged. The Separatists were careful, however, though recognizing the bishops as royal representatives, not to concede to them spiritual authority. In a word, the Leyden congregation preserved their original contention of Nonconformity, while conceding full tolerance to the English Establishment. The utmost guarantee they secured from the king was that so long as they behaved themselves they would be unmolested in their new home. The church was sufficiently encouraged by this promise to secure from the Company a patent.

While the negotiations for the transportation of the exiles dragged, another project loomed up, which, had it been carried out, would have had wide-reaching effect upon American history. Negotiations were begun by the Separatists with merchants of Amsterdam looking toward the acceptance by the latter of the responsibility and profit of transporting the former to America under Dutch auspices, and their settlement in New Amsterdam. But the London merchants of the Virginia Company, whom the exiles had approached, consummated arrangements for their passage as well as for the other details of their colonization. The agreement between the Company and the colonists provided that the labor of each person for seven years should be regarded as equal to £10 of stock contributed by the merchants. The labor and trade of the first seven years were to go to the common stock, from which the clothing, food, and tools of the colonists should come. At the end of the seven years all the property should be divided among the stockholders. The meagreness of the funds of the little company and the constancy of their purpose are shown in their acquiescence in the terms of a bargain that set so low a valuation upon their services. Not all the members of the church could be

included in the colonization venture; the majority had to suffer disappointment. Among those who had, perforce, to remain behind was John Robinson. It was no part of the plans of the financial partners to have the enterprise partake to any greater extent than they could prevent of the character of a religious movement. Thus the man who, above all others, represented the real spirit of the migratory movement, had to content himself with bestowing upon the departing portion of his flock words of eloquence whose wisdom and foresight rank them as almost prophetic. After the delivery of his address, in which he counselled them against narrowness and exhorted them to preserve open minds for the further truth which God would reveal from his Word, the departing company embarked upon the *Speedwell*. Elder William Brewster became leader of the company and shared with John Robinson the pastoral headship of the divided church; for in theory, although the congregation was to be separated by the width of the sea, it was still to be one flock. From Delfhaven the *Speedwell* made her way to Southampton, England, where she was to be joined by the *Mayflower*, bearing other colonists, drawn from English sources. On August 15, 1620, the two vessels set sail. Twice the *Speedwell* had to put back into harbor for repairs, to the discouragement of the passengers, who became alarmed at her apparent unseaworthiness. The Pilgrims later concluded that the captain and crew had repented of their bargain and, to avoid making the voyage, purposely fostered a belief in the unfitness of the ship.

The port of Plymouth was repaired to after the second mishap to the *Speedwell*. Here the ship was abandoned and a portion of her passengers transferred to the *Mayflower*. When this ship, which was to make the voyage alone to the New World, set sail September 16, 1620, from the English Plymouth for the stretch of New England coast to which that name was to be transferred, she had on board, besides the crew, one hundred and twenty-four souls, twenty-two of whom were servants and the rest colonists.

A glance at the personnel of the company who thus adventured their lives and their fortunes reveals a general uniformity of social status. There were no decayed gentlemen or roistering cavaliers, nor even any persons of wealth, in the earnest party. However, a remarkably high grade of character and personal probity characterized its members. These plain men and women, strong in convictions, determined in purpose, steadfast in suffering, and triumphant in accomplishment, contained the best elements of colonial enterprise that had been found in any of the bands of adventurous spirits which had as yet sought to carry English civilization to and plant English institutions in the New World. Across the watery waste, however, the Pilgrims carried not English institutions alone, but also the narrow spirit of the age, rendered more narrow by the lack of intellectual breadth and the intensity of the religious convictions of the Separatists. In transit with them were influences of that mediæval superstition which was to imbrue New England's soil with the blood of the innocent. But with the passing of bigotry and the dissipating of the miasma of witchcraft, the wisdom of conservatism, as represented in that little company, was to be made clear.

In the meanwhile, events in England were shaping themselves to further the fortunes of another band of religionists to whom their native land had become increasingly inhospitable. In less than ten years after the Pilgrims had landed at Plymouth, there came to Massachusetts Bay the several bands of Puritans whose arrival gave assurance to the weak endeavors of the Pilgrims to wrest the bleak New England coast from the dominance of savage nature and rear upon it the cities and towns of a great commonwealth. It is now necessary to notice the nature of the causes which served to lead the Puritan to the New World in the wake of the Pilgrim. The Puritans had not abated their reverence and regard for the Church of England as a true church. It needed only to be purged of certain Roman Catholic usages in order to become entirely agreeable to their ideas.

They were not without reason in indulging the hope that their propaganda of education and agitation might work out to a successful issue the principles for which they stood. This was the situation at the time of the accession of James I. to the throne. The reigns of Edward VI., Mary, and Elizabeth had seen momentous changes in the religious tone of the country; and the Puritans thought, with a large degree of assurance, that a monarch who had received Presbyterian training, and was well known to be a Calvinist, could not fail to sympathize with the opinions of his Puritan subjects. Accordingly, as the king was on his way to London to occupy the throne made vacant by the death of Elizabeth, there was handed to him the so-called Millenary Petition, which bore the signatures of seven hundred and fifty Puritan ministers of the Church of England. The petitioners were modest in their prayer, craving only the abolition of the surplice, the sign of the cross, and such like ceremonials of worship, the abuses of non-resident clergymen, pluralities, and other administrative faults. As a result of this petition, there was convoked in 1604 a conference which has become famous in English history as the Hampton Court Conference. There the king, amid the exultation of the clergy of the Established Church, sounded the death knell of the hopes which the Puritans had centred about the royal person. James, to the great gratification of the English clergy and to the dismay of the Puritans, committed himself unequivocally to the prelatical position; he expressed himself in the sententious remark: "No Bishop, no King"; and declared of the Puritans: "I shall make them conform themselves or I will harrie them out of the land." So pleasing to the assembled bishops was this threat that they announced themselves as convinced that his majesty spoke by the "instinct of the spirite of God." The triumph of the prelatical party was complete, and the Puritans felt that they had nothing to hope from the man who sat upon the throne of England.

The roster of the more eminent of the Pilgrims cannot be called without awakening images of strong personalities as developed by the trials of the American wilderness. It is impossible to abstract from the aggregate of their qualities all save those which were theirs when they set sail upon the *Mayflower*. The aureole with which they have become surrounded prevents the picture of the plain men unversed in large affairs from taking definite and clear outline. How little is our knowledge of these men furthered by reciting the statement of their professions and attainments! It is not until the men of Old England become the men of New England that history throws the light of its revelation upon them. Then, simple John Carver is seen as the wise, firm, and able, though briefly ruling, colonial governor. The obscure deacon of the church, Dr. Samuel Fuller, appears as the man who harmonized the settlers of Plymouth and of Massachusetts Bay, and by so doing gave the first instance in the New World of the reconciliation of religious differences. Quiet Edward Winslow stands out as the able man of affairs. Isaac Allerton is found to be the agent intrusted with commissions to England that required the astuteness of a trained diplomat. John Alden, the plain cooper of the Company, refuses to appear to the imagination other than as he is represented in the romances with which his name has become interwoven. Brusque, and not over brilliant, Miles Standish, whose head and heart were given to the enterprise, although the tenets of Separatism halted upon his tongue, must always be thought of in his character of captain of the military forces of the colony.

Bradford and Brewster, members of the original Scrooby congregation, challenge more extended notice. William Brewster was a ruling elder in the Scrooby church and a worthy member of the triumvirate of which Robinson and Bradford were the other two. He was a man of wide experience, education, and refinement, as well as of recognized social position. He had filled positions of importance, among which was that of postmaster of Scrooby at a time

when that position included wider and more responsible duties than now appertain to postmasterships of that grade. His large residence furnished a place of meeting for the Scrooby congregation. He had become thoroughly imbued with the spirit of John Robinson, a man so removed from all bitterness of feeling toward his religious antagonists that he sedulously endeavored to prevent his associates from assuming an attitude of hostility toward the Established Church. His admonition was: never to assert separation from one of the churches of Christ until they were assured that Christ himself had separated from it. His polemical writings were so sweet in spirit that they commanded the respect of his adversaries. Not only Brewster, but Bradford and Winslow also carried to the New World a spirit similar to that of the one who above all others gave to Separatism its spiritual character. To Robinson's influence must be attributed the justice and leniency which characterized the relations of the Plymouth settlers with their neighbors, white and Indian, during the early years of the colony, and it also accounts for the absence of theological controversy.

William Bradford, the third member of the notable personages who directed so wisely the movements of the nucleus of a new commonwealth, stands out more prominently than do any of his associates upon the pages of New England history. While Brewster was in his prime at the time of the removal to Holland, Bradford was but a youth of seventeen years; yet the second year after the removal to New England he was elected to the office of governor of the colony, and continued to fill that position, with but a lapse of five years, for the remainder of his life.

The spirit and character of the man can best be seen in their unfolding during the course of the history of the New England settlement.

Such were the company and the leaders who set sail from Plymouth for the New World, their enterprise big with the fate of an unborn commonwealth.



## CHAPTER II

### *THE PILGRIMS AT PLYMOUTH*

ON November 19, 1620 (N. S.), sixty-four days after they had set sail from the English port of Plymouth, the eyes of the *Mayflower* pilgrims were gladdened by the sight of the white sands of Cape Cod. Veering from their course, they turned the prow of their vessel toward the mouth of Hudson River, with the intention of effecting their settlement at that place of vantage for the fishing, which formed an important part of the economic motives for their location upon the northern coast. Whether, as was asserted at a later time, the treachery of the master of the ship, Captain Jones, was responsible for their putting back again to Cape Cod, or whether that action was taken simply because of the headwinds and treacherous shoals which threatened with destruction their enterprise, may not be certainly known; but history is inclined to give to the master of the *Mayflower* the benefit of the doubt, and to regard as the product of after animadversion toward the Dutch the finely wrought theory that it was to prevent the settlement of the English where they would be dangerous rivals in the valuable Hudson fisheries that Captain Jones, under the potent influence of a Dutch bribe, led them to believe that to carry the ship further in that direction would be to court disaster. Whatever may have been the shaping destiny, upon the 19th of November, 1620, they anchored near the present site of Provincetown, in the ample harbor formed by a bend in the

extremity of the angular peninsula of Cape Cod. After having piously returned thanks for Divine guidance, they proceeded to arrange the terms of the civil agreement under which they were to live, and determined to make their permanent home in the region whither they had been led.

The need of an immediate formal agreement as to the civil forms under which they were to live was made evident by a spirit of discontent which had been manifested in grumblings upon shipboard, and which broke out into protests when it was decided to abandon the original project to settle in the vicinity of the Hudson. Although the disaffection was probably confined to that portion of the immigrants who joined the company at the English port, it yet served to show at the outset that something more than religious fellowship must be the basis of their settled association. Whatever laxity in the way of constitutional direction of the colony might have been manifested to its later detriment was made impossible by the fact that there were some among the colonists who did not share the religious opinions of most of the company. Fortunately for New England, a religious community pure and simple was seen to be an impossibility. However harsh to their religious sensibilities was the feeling that some among them were not in full accordance with the religious ideals of the majority, this fact ensured a degree of practicalness to the settlement.

It was quite natural, however, that the civil compact into which the colonists entered should take largely the form of their religious covenants; for they had not lost any of their ecclesiastical consciousness by crossing the waters: they still regarded themselves as a congregation. The purpose of their civil engagement was not to abrogate or in any way weaken the effectiveness of their religious obligations; it was intended to supplement these by providing for conditions which, in the circumstances, they could not sufficiently cover. Perhaps it would not be straining the case to say that the constitution of Plymouth, unwritten indeed,

was its congregational covenant; its by-laws, the civil compact the colonists framed. The instrument they adopted had the merit of simplicity and adaptation to their initial needs. It was as follows: "In the name of God, amen, We, whose names are underwritten, the loyal subjects of our dread sovereign lord, King James, by the grace of God, of Great Britain, France, and Ireland, King, Defender of the Faith, &c.; having undertaken, for the glory of God, and the advancement of the Christian faith, and honor of our king and country, a voyage to plant the first colony in Virginia, do by these presents, solemnly and mutually, in the presence of God and one another, covenant and combine ourselves together into a civil body politic, for our better ordering and preservation, and furtherance of the ends aforesaid; and by virtue hereof to enact, constitute, and frame such just and equal laws, ordinances, acts, constitutions, and offices, from time to time, as shall be thought most meet and convenient for the general good of the colony; unto which we promise all due submission and obedience. In witness whereof we have hereunder subscribed our names at Cape Cod, the eleventh of November, in the year of the reign of our sovereign lord, King James, of England, France, and Ireland, the eighteenth, and of Scotland the fifty-fourth, Anno Domini, 1620." Such was the simple declaration upon which the colony of Plymouth was constituted a civil commonwealth. The same spirit of simplicity and sincerity which breathes in this document continued to actuate the colony throughout the period of its separate existence. The details of the government provided for the participation in its affairs of the community as a whole, with a governor at its head. John Carver, a man of whose antecedents little is known beyond the fact of his activity in the negotiations at Leyden which led to the emigration to the New World, was chosen as the first governor of the colony. He was a man of sterling character, excellent parts, and a deacon in the church. The members of the colony were too few and their plane too

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near to equality for the office of governor to separate its incumbent from the people.

The serious disposition of the colonists is shown by their scant reference to the natural beauties of their surroundings. The æsthetic element was to await expression in New England's life until, by reason of a more settled order of living, greater security, and more comfortable circumstances, its residents should have stimulated those faculties which are responsive to inspiration. For the present, the coast of New England was but a haven of refuge from persecution, and in the sense of security which it afforded it lost all other appeals. Such notices as the Pilgrims give in their writings of the natural features of the country are for the most part in the way of observations upon its configuration or its products, and are always followed by remarks of a provident and practical nature. None of the Muses presided at the birth of New England; the notes of the late songsters, which had not yet taken flight to more southern climes, awakened in the breast of the settler no answering song; the neutral tints of the autumn landscape, although they accorded well with his temper, brought forth no artistic response. Poetry and music essayed no higher flights than the singing of a psalm of thanksgiving. Temperament and the stern duty which had brought him to the wilderness of America, and the difficulties confronting him, unfitted the settler for practising the gentler arts of life. His was the work of the pioneer to clear the virgin soil of its age-grown timber, to ford the rivers, to snare the fish which disported themselves in great schools along the coast, and to trap the animals whose fur was to be a leading article of his commerce. The immediate needs of the community had to be met; houses were to be built; stores of corn secured for their winter use; and the plantation stockaded against possible Indian attack. It was to be many years before the New England temper would become sufficiently smoothed of its austerities and angularities to allow the strength and sincerity of the New England character to

express itself in the flowers of fancy and the language of philosophy. Art had to await the ripening of strength and purpose into broad accomplishment before the perspective became sufficiently clear to give setting to American ideals.

The arrival of the *Mayflower* pilgrims was at a time when nature had already been shorn of verdure. The bleakness of the coast, the tingle of the frosty air, and the leaden skies, gave to the immigrants an impression of desolateness. But men and women who, in the Old World, had staked their lives upon their convictions were willing, in the New, to stake their futures upon the maintenance of them. They asked of the New World none of its hidden mineral treasures, but were content to take opportunity as their inspiration and to leave all else to be added in its pursuit. Indeed, the very sternness of the country was frequently made an argument to induce settlers to come to its shores. Ten years after the settlement was made, there was published in England *The Planter's Plea*, in which occurred the following reasons for emigration: "That New England is a fit country for the seating of a colonie for the propagation of religion. . . . If men desire people to degenerate speedily, and to corrupt their minds and bodies too, and besides to *tole in* thieves and spoilers from abroad, let them seek a rich soil, which brings in much with little labor; but if they desire that piety and godliness shall prosper, accompanied with sobriety, justice, and love, let them choose a country such as this—which may yield sufficiently with hard labor and industry." Here is plainly indicated one of the sources of New England's future greatness: men who did not shrink from hardships, but realized that in such conditions are the best prospects for attaining ideals higher than the awards of creature comforts, and who had in them the stuff out of which sober and permanent States are built.

The colonists, arriving in their new home on the edge of winter, were anxious to make without delay all needful explorations in order to fix upon the best location for their settlement and to prepare for winter. They accordingly

sent out a party under the lead of Miles Standish, whose adventurous career as a soldier of fortune fitted him for the hazards of such an undertaking. He was accompanied by fifteen others. Springs of water were found and stores of Indian corn, to which they helped themselves with the determination, saving to their consciences, of returning it or paying for it when they ascertained its rightful owners. Among the advantages which Cape Cod possessed in the eyes of the explorers were its fisheries, the fertility of its soil, and its good harbor. The preliminary explorations of the colonists were followed by wider and more systematic excursions throughout the region. Eighteen men, including some of the most prominent of the settlers, started out in a shallop for this purpose. The plan followed was to leave the boat in charge of a small party while the larger number landed and made their investigations afoot. The Indian inhabitants were not unfamiliar with white men, and their experiences with Europeans did not lead the Indians to extend good will to the English: they remembered with bitterness Captain Hunt, who, like other irresponsible fishermen, sought the coast of New England without thought of permanent residence, and so without a sense of the importance of establishing friendly relations with the natives. This Hunt had carried off captive some of the aborigines and by acts of cruelty had left among the Indians an unsavory reputation, which was the cause of the hostility displayed toward the Plymouth explorers by the Indians whom they first sighted. Signal fires at night blazing upon distant hill-tops showed the English that the invisible savages keenly followed their movements; but although they caught glimpses of the natives, it was not until the third day that they had experience of actual hostile demonstration. They were preparing to breakfast on the shore, when an Indian yell, followed by a flight of arrows, apprised them of the proximity of the stealthy foe. They replied by a fusillade from their guns, and the Indians precipitately fled. Happily, this first encounter did not result in bloodshed. The party then

went aboard the shallop, and for the greater part of the day coasted along the shore in a storm of snow and sleet. During the afternoon, when the force of the gale had disabled their craft, they managed by steering with their oars to make a landing at a point opposite to Cape Cod. Here they found a commodious harbor and excellent supplies of water, and were well satisfied with it as a place for permanent settlement. Having arrived at this conclusion, they returned to the main company. Anchor was weighed, and soon the *Mayflower* was in the harbor of New Plymouth, as it came generally to be called, although the name may have been first given to the region by Captain John Smith in his earlier exploration.

When the company had landed upon or near what is now known as Plymouth Rock, they engaged in prayer and then looked about them to fix upon a site for the erection of their houses. This they decided should be in the vicinity of a brook whose many tributaries they speak of as "delicate springs." This site had the advantage of an elevation well suited for defence. During the absence of the exploring party, one of their number, Bradford, sustained a sad loss in the drowning of his wife.

Having fixed upon the site for their settlement, it was not long before the forest depths were echoing to the unwonted sound of axes wielded by the strong arms of men who were engaged in laying the foundations of the future commonwealth of New England. With the coming of the Sabbath, they desisted from their labors. With only the leafy bowers for shelter, and anxiously alert for signs of an Indian attack, which they greatly apprehended, because some of their number had heard "a cry of some savages, as they thought," the day and the night passed, and Christmas Day was come and labor was renewed. The entry in *Mourt's Relations* shows the religious simplicity of the people as manifested in their contempt of what they regarded as a vain festival. "Monday, the twenty-fifth day, we went on shore, some to fell timber, some to saw, some to rive, and some

to carry; no man rested all that day." The exposure and privations to which they were subjected made inroads upon the health of the members of the community, among whom sickness had developed on shipboard. When the first winter had harvested its dead, the wind-swept graveyard of Plymouth bore mute testimony to the indomitable spirit of the pioneers, who could not be deterred from their fixed purpose. The calendar of those winter months is the necrology of heroes. In December, six died; in January, eight; seventeen in February; thirteen in March. When the rigors of the winter were past, they sadly viewed their thinned ranks, reduced to one-half their original number. At one time there had not been enough persons physically able to bury the dead and to attend to the needs of the sick. Had not the winter been one of exceptional mildness, the Plymouth settlement would have been numbered among other brief experiments at colonization upon the seemingly unpropitious shores of America. The maladies of the colonists did not result solely from the weather, but were due in part to insufficient food, their diet being made up in the main of their ship's stores, sparingly doled out, and shellfish.

Shortly before the coming of the English, there had swept over the proud and numerous tribe of the Massachusetts a mysterious pestilence, which, when it had done its deadly work, had practically destroyed that people, who might otherwise have taken advantage of the straits of the feeble colony to annihilate it. The colonists themselves were so impressed with this fact that it appeared to them to be no less than a providential preparation for their coming into the country. When these Indians were first met with by John Smith, they were described by him as mild-mannered and tractable; their changed attitude toward Europeans was due to the treatment they had received from coast traders, among whom the French were the greatest offenders. These traders enticed aboard their ships unwary natives and then set sail with them to sell them into miserable bondage in the West Indies. Five Frenchmen who fell into the hands



of the natives made a terrible expiation for these outrages. One of the unfortunates, who survived his fellows, had a book, presumably the Bible, from which he frequently read and pointed his rebukes to the Indians for their manner of life, and predicted that God would visit His wrath upon them through a race which should come to work their destruction. To the dispirited remnant of the haughty tribe, the arrival of the English, hard upon the pestilence which had brought about their ruin, may well have appeared the fulfilment of the French prisoner's prophecy. Hardly one in twenty of a people who had been numbered by thousands, and whose territory extended with a wide circumference about Boston Bay, remained alive when the pestilence had run its course. The terrible evidences of a pest led the Plymouth pilgrims to speak of the region as "a new-found Golgotha." Thus it was that during that first winter, when the number of well persons was at one time reduced to seven, the English settlement was preserved from destruction at the hands of the aborigines, and the chronicler, not without reason, observes "thus God made way for His people by removing the heathen," an observation which certainly is true as to the opportuneness of the coming of the English, whatever dissent may be offered to its whole meaning.

With the coming of spring was raised the veritable embargo of death that rested upon the settlement. During the winter there had been no communication with the natives, but at length, on "a fine warm morning," March 16th, the settlers had their first intercourse with them. An Indian who had picked up some words of English appeared in the hamlet, and, walking along past the row of houses, was met at the common house. The word "welcome" revealed to the settlers the peaceful nature of his coming among them. They learned that his name was Samoset. Mutual expressions of good will were exchanged between him and the settlers; and he tarried for the night with the English, departing the next day. The day after, he returned with five other natives, with offers to barter; but, as it was Sunday,

the English declined, and contented themselves with hospitably entertaining their guests. On their departure, they presented them with gifts and asked them to come again. This Samoset did the next day, bringing with him four other Indians, one of whom, named Squanto, had been stolen by Hunt seven years before and carried to England, and afterward returned to America. From these Indian visitors the settlers learned that the place of their settlement bore the Indian name Pawtuxet, and they were told of the devastating plague of four years before, the numerous and ghastly evidences of which were about them. On their last visit the Indians brought a message from Massasoit, the chief of the Indian tribe of the region, and informed the settlers of that chief's desire for an interview. Massasoit showed himself on a hilltop near by. Winslow was sent out in company with Squanto to convey an invitation to the chief to enter the hamlet; whereupon Massasoit approached with twenty of his followers, Winslow remaining behind as a hostage. He was received with as much ceremony as the governor and colony could command, and, after the usual interchange of friendly greetings, a treaty was agreed upon, by the terms of which Massasoit engaged that his people should offer no hurt to the English, and that if their tools were stolen the culprit should be surrendered for punishment. On their part, the English made similar agreements. It was agreed that they should render mutual aid against enemies, and that notices should be sent to neighboring tribes in order that they might be brought into the same treaty engagements. In order to avoid suspicion and possible accidents, it was covenanted that upon the occasion of visits between the English and the Indians no arms should be carried. Thus was cemented a treaty of amity which remained in force fifty-four years; no other alliance between English settlers in America and the Indians was more honorably observed and maintained.

Nothing better shows the determined spirit of the New England settlers than the fact that when the *Mayflower*,

which had been detained until spring by reason of the illness of her crew, set sail for England, not one of them took the opportunity to return. With the departure of the *Mayflower*, the colony lost its governor. John Carver, who had survived the ordeal of the winter, died suddenly while in the field sowing the seed for the summer's harvest. In "great lamentation and heaviness," they buried him on the hillside where already so many of their company had been interred. There was no question as to the choice of a successor to their deceased governor. Who could so well be intrusted with the responsibility of guiding the destinies of the colony as Bradford, a man of sincere piety, proved judiciousness, possessed of the gentlest of spirits; a man who would be little likely to antagonize, yet whose personality was so strong as to ensure for him the respect of all the members of the settlement? Brewster, as the religious leader of the people by reason of his office of ruling elder, cannot be regarded as having been a candidate for the office. Thus, fortunately for the welfare of the people, there arose no division of sentiment in the selection of the youthful, yet serious-minded, Bradford as the successor to Carver. Isaac Allerton was associated with Bradford as assistant. The importance of this election has not been lost to historians, and it has been remarked that Bradford was the first American who bore rule by the free choice of his fellows. The splendid genius of the American for self-government was foreshadowed in the election of this man, to whom the community was to give its loyalty for the greater part of a long life.

With the coming of spring, the colonists gladly turned to the soil. Having passed the first winter in their new home, they felt that only an Indian uprising, which was rendered improbable by their compact with the neighboring tribes, or an epidemic such as had proved so disastrous to the savages of the region could bring failure to their colonial undertaking. They had brought with them seeds of the various vegetables and grains which they conceived

to be suited to the country. Under the clear sky and wafted by the balmy air of spring, they put their spades into the soil and felt that their future was secured to them because they had now in truth become planters in New England. The sowing gave promise of future provision; but until the crops grew, ripened, and were harvested, the colonists were forced to depend upon their almost exhausted supplies, with such additions to their commissary as gun and rod could bring them. Game was in abundance, fish was plentiful, and when their barley ripened their food was sufficiently diversified. The Indian corn which they had planted under the direction of Squanto yielded good returns, so that when autumn came the colonists found themselves well provided with food.

The closeness of the relations of the colonists and the general plane of poverty, together with the necessity of mutual dependence, led them to adopt a system of pure communism. It was no sentimental copying after New Testament ideals which suggested such a system, but the practical situation in which they found themselves, as well as their arrangement with their London partners. Although the religious motive had been prominent in the minds of the emigrant community, the practical needs of their lives had brought into even greater prominence the industrial factors of their new situation. Their religion had become the stated exercise of a settled faith, which had no longer to contend with persecution and so had ceased to be heroic. But so fixed had become their religious viewpoint, that they could not concede to other religious faiths the same freedom they reserved to themselves. Yet the very nature of the economy of the settlement involved religion in the form of dissent. Not to conform to the religious practices of the colony was to brand one's self as in opposition to all its ideals of government. This was the issue that was presented to some of the Puritans who had joined the Pilgrim settlement.

It was not long before it became apparent that a movement was afoot to subvert the order of the community



Myles Standish. *From the original painting, by an unknown artist, now in Pilgrim Hall, Plymouth, Massachusetts.*



and to overthrow the influence of the leaders. The London partners, in pursuance of their policy to discourage the Independent proclivities of the colonists, steadfastly set themselves against sending out those who would further them. Winslow, who had been sent abroad to look after the interests of the colony, brought back with him a letter from Robinson to Brewster, in which the famous leader of the Independents and honored pastor of the divided congregation said that his adversaries stood ready to thwart any attempt on his part to join the colony. The Merchant Adventurers sent over as minister a man who would not antagonize sentiment, but who could be depended upon to secure the confidence of the unsuspecting settlers, by which, when favorable opportunity occurred, he would seek to overthrow their ecclesiastical system. The man who was selected was John Lyford, and associated with him was John Oldham. These men, because of the extent to which they were at their own charges in being transported into the colony, were numbered with "the particulars," as such persons were denominated. They enjoyed a larger measure of independence in the community than the rest of the settlers. Lyford was profuse with pretensions of joy at the privilege of "freedom and liberty to enjoy the ordinances of God in purity among his people." The church received him as its appointed minister and provided more liberally for his support than for that of any other person. It was not long before Lyford and Oldham were found to be abusing their privileged positions to stir up strife both in civil and religious matters, and thus was its first real crisis presented to the infant community. They, counting upon the moderation which the leaders of Plymouth magnified, failed to take account of the firmness which gives strength to moderation, and with perfect fatuity attacked that which these men held most dear. The governor summoned a general court in 1624, before which Lyford and Oldham were cited to appear, and against their sweeping denials of the charge of breeding sedition and conducting calumnious

correspondence their own letters were produced. Then appeared the different characters of the two men: Lyford weakly burst into tears and pleaded sudden contrition for his fault, but Oldham sought to stir up an insurrection on the spot. The latter was punished by banishment from the settlement, and he proceeded with his following to Nantasket.

The arrangement that had been entered into by the colonists and the London partners could not work satisfactorily to either; the former complained of neglect, while to the latter the religious exclusiveness of the colonists was a source of constant annoyance. In 1627 the partnership was dissolved by mutual agreement. Thrown thus upon their own resources, as well as guaranteed in the benefits of their work, the colonists from this time advanced in industrial prosperity. One of the first changes produced was the introduction of a system of permanent land holdings. While the soil was their chief source of supply, the industry of the settlers was not confined to agriculture, as they established at what is now Buzzard's Bay a trading station, with a ship permanently located there. This marked the extension of the trade of the colony southward. To the north the trade on the Kennebec was developed, and a factory was built upon land granted to the colony. At the mouth of the Penobscot and in Machias Bay similar posts were established. These northern frontier outposts brought the colonists into conflict with the French, who not only viewed their establishments with jealousy, but in 1631 plundered and destroyed them. The course of the Connecticut had been followed up and posts for trade with the Indians established. The relations of the Plymouth settlers with their Dutch neighbors to the south were uniformly pleasant.

The policy of Plymouth was one of centralization, and the tendency to migration on the part of the settlers was discouraged, although it was impossible to prevent it. The governor and his assistants reluctantly yielded to the spirit of expansion, and Duxbury was constituted a township,



with a church; and after that Scituate, some ten miles beyond Duxbury. Both these townships were to the north of Plymouth and nearer to the coast, showing that the sea with its fisheries was to have greater influence than agricultural pursuits in fixing the character of the colony.

During the summer of 1621 the settlers had relations with the Indians in various ways, and circumstances tended to increase their fears of the powerful tribe of the Narragansetts, between whom and themselves intervened the friendly but feeble Massachusetts. A boy had been lost and an expedition was formed to find him, with Squanto and another friendly native as guides. They recovered him from the Indians into whose hands he had fallen, and at the same time paid the natives for the corn which had been taken from their magazine during one of the settlers' early explorations. Their return home was hastened by the alarming intelligence that their firm ally, the Massachusetts, had formed a federation with the Narragansetts. This report was found to have no better foundation than a crafty attempt on the part of Corbitant, a chief subordinate to Massasoit, to detach him from his English alliance and, by effecting a federation with the Narragansetts, to fall upon and destroy the settlement. Although this proposal was not considered by Massasoit, it was evident enough that the Indians were in a state of unrest that boded ill for the security of the English. The settlement was again thrown into a state of alarm through the capture of Squanto and two other friendly Indians by hostile natives. Miles Standish headed a rescuing force of twelve men and arrived at midnight at the wigwam of Corbitant, whose people were seized with consternation. They returned with Squanto and the two wounded Indians, whom they brought with them for treatment. This foray had a salutary effect upon their enemies and led to friendly overtures from nine sachems, whose territory extended from Charles River to Buzzard's Bay. These chiefs made due submission and acknowledged themselves "to be loyal subjects of King James."

This event was followed by the sending out of the last expedition of the season. Standish was, as usual, its leader, and Squanto and other Indians went along as guides and interpreters. The party sailed at ebb tide about midnight, expecting to make their destination, Boston Bay, by daylight. The distance being greater than they had supposed and their sailing slow, they were disappointed in this expectation. The next evening they had arrived at Thompson's Island, upon which Standish and some of his party landed, and to which they gave the name of Trevore's Island. Although it was their first sight of Boston Bay, they had probably obtained knowledge of it previously from John Smith's map, as well as from Indian descriptions of the bay and its localities. As they had left Plymouth on Tuesday, and had spent the whole of Wednesday in getting to their destination, it was Thursday before they were ready to extend their explorations to the mainland. Early in the morning, Standish crossed the narrow channel separating Thompson's Island from the mainland and landed under the promontory of Squantum. Through their interpreter, Squanto, they were informed by an Indian woman as to the tribes of the region. She said that she herself belonged to the tribe of Obbatinewat, to which chief she directed them. He informed them that he belonged further to the north, but was a fugitive from the Tarrentines. They also learned that the widow of the late chief of the Massachusetts was hostile to him, whereupon Standish, taking advantage of his state of terror, told him of the submission of the other sachems, and so readily secured his profession of allegiance to King James, upon the promise of the English to protect him from his enemies. Adding the chief to their company, they sailed in their shallop among the numerous islands of the harbor and were greatly impressed with the advantages of the latter, and expressed themselves as regretting that they had not located in the region; they consoled themselves, however, with the thought that, after all, Providence had directed them to where they had settled. They made

a visit to the house of the late chief of the Massachusetts, and sought to obtain an audience with the squaw-sachem; but her Indians fled at their approach, and the only satisfaction they obtained from the sole native who had the courage to approach them was the statement that she was far away. Before they left the shore, the Indian women had sufficiently recovered from their fright to accompany them to the shallop, and under the influence of their instinctive spirit of barter they "sold their coats from off their backs, and tied boughs about them, but with great shamefacedness, for indeed they are more modest than some of our English women are." This expedition had consumed four days at the end of September and the beginning of October. The low, flat shores of Plymouth contrasted unfavorably with the beautiful region of Boston Bay, which had been seen at a propitious season.

The coming of autumn (1621) found the colonists well prepared for the approach of winter; the peas had not matured, but the barley harvest and Indian maize yielded good returns. Game was so abundant that "four men in one day killed as much as, with a little help beside, served the company almost a week." The first Thanksgiving Day in the New World was celebrated with great festivities; feats of arms, feasting, and mirth of various sorts served to fill the measure of three days. Massasoit, the friendly chieftain, and some ninety of his people contributed bountifully of game for the occasion and joined the colonists in their celebration.

Before the setting in of winter, the grateful sight of a sail upon the horizon brought to the exiles hope of news from their friends at home, as well as the expectation of further supplies for their various needs. The ship that anchored in the harbor was the *Fortune*, a small craft of fifty-five tons' burden, which had been sent out by the London partners with thirty additional emigrants to take the place of some of those who had been lost to the colony by death. So lessened indeed was the number of the *Mayflower* pilgrims

that the new arrivals outnumbered the survivors of the original settlers. The *Mayflower* pilgrims had not been quite homogeneous by reason of the contingent received at the English port of Plymouth, and the new arrivals, although welcomed, presented a problem of the same sort. It was not long before some of them showed themselves in the character of malcontents, although others were old friends from Leyden, whose coming was the source of special joy to the colonists and an addition, not only to the material, but to the moral and religious strength of the community as well.

The patent of the London Company, under which the Pilgrims had come out, was rendered useless to them by their settling to the north of the territory vested in that Company. The London Company never had been prosperous, and, although the planting of Plymouth had infused it with a new glow of life, it was at a disadvantage by reason of the animosity of the king toward several of its more prominent leaders, who were members of Parliament, and opponents of the policy of the sovereign to cultivate the good will of the Spanish court by discouraging the location of colonies in the vicinity of the Spanish possessions. Because of the royal opposition to him, Sir Edwin Sandys had failed to receive election to the governorship of the Company at the time of the sailing of the Leyden emigrants. The Earl of Southampton, who secured the election, was equally as obnoxious to the king, whereupon the royal favor was accorded to a rival company, "The Council Established at Plymouth in the County of Devon for the planting, ruling, ordering and governing of New England in America." Sir Ferdinando Gorges had associated with him as patentees of this company many men of distinguished importance, among them thirteen peers of the highest rank. Its formation was ominous for the peace of the Plymouth plantation.

Sir Ferdinando Gorges was the last of a line of adventurous characters who entered upon exploration in the New World solely for personal gain. He first appears in history in

connection with the siege of Sluysby by the Duke of Parma, when he was sent as captain of a relief force to its rescue. He had a discreditable connection with the ill-advised conspiracy of the Earl of Essex, whom he ignominiously deserted in the hour of his peril. This defection from the man whom the Puritans regarded as a hero caused him to be execrated by them and affected his whole after career. When Weymouth, in 1605, returned from his voyage to Maine, Sir Ferdinando Gorges had been forgiven his connection with Essex by King James and had obtained the appointment of Governor of Plymouth. He appears to have been greatly interested in the accounts of the New World given by Weymouth, and for three years had under his protection several of the Indians whom that explorer brought over with him. He gave credence to all their mendacious statements about America, and interested Sir John Popham, chief justice, in a scheme of colonization. It was through Gorges that the London and Plymouth Companies were incorporated, and to the latter Company Popham and Gorges joined themselves. The grant of the Plymouth Company embraced the territory between Potomac River and the northernmost point of what is now Cape Breton Island and extended fifty miles inward. Two preliminary parties were sent out under the charter, one of which came to grief by falling into the hands of the Spaniards, while the second established itself at the mouth of the Kennebec, where it had only a brief existence. The failure of these attempts and the death of Popham so discouraged Gorges that he desisted from endeavors to colonize any portion of his grant, but kept up his relations with the New World by fishing and trading. His interest in all that related to America was so deep that it led him to acquire a remarkably full and accurate amount of information as to the New England fisheries and the coast trade, but his reliance for information as to the interior of the country was entirely upon the untrustworthy statements of Indians with whom he came into contact. The grant of the Plymouth Company was valueless except

as to colonization, for it did not cover the fishery rights of the coast, which was the only form of concession that could be availed of. Gorges became convinced that the charter was not in the best hands, because the members of the Company did not represent enough wealth and enterprise to suit him. He therefore planned in 1620 to secure a fresh charter, and he had little difficulty in securing the royal sanction and confirmation of his plans. Thus it came about that, at the time of the coming of the Plymouth settlers to America, the old Plymouth Company was revived with great pretentiousness. Vast tracts of territory in the New World were granted with as much nonchalance as if these grants carried with them considerations of little value. The new grant of the Plymouth Company covered the territory from sea to sea, extending from the fortieth to the forty-eighth degree of latitude, and Gorges had been careful to have this grant include the coveted privileges of fishery.

Of the vast extent of country which was turned over so carelessly to one man, with the power to associate with him thirty-nine others at his pleasure, in the nature of things, little was known. Its terms were very broad, jurisdiction of every character was bestowed, "not only within the precincts of said collony, but also upon the Seas in going and coming to and from said collony," and it conferred the right of confiscation of all ships, with their cargoes and effects, presuming to traffic in any of the waters within its limits. Lord Coke characterized the charter as a preposterous attempt at "a monopoly of the wind and sun." It thus happened that even during their voyage the lands upon which the Plymouth pilgrims were to settle passed into the possession of Gorges and his group of court sycophants, who were highly pleased that without effort or expense a colony was already organized for settlement upon their lands. It thus happened also that the Plymouth partners had no difficulty in securing a patent for their property. The hopes of Gorges were doomed again to fail of fruition, for when Parliament held its next meeting there sat in it

a great majority of Puritans, from whom Gorges, regarded by them as a traitor to their cause, could expect no favor. Instead, Gorges was summoned before Parliament and required to defend his patent. Only the opportune dissolution of Parliament because of its indifference to the royal voice prevented the revocation of the instrument. The project of Gorges had, however, received its death blow, for the disfavor of Parliament led many to abandon it and left its promoter very little heart for such undertakings. He sank under a weight that he could not sustain.

Upon the return of the *Mayflower* to England in 1621, with information as to where the emigrants had established their colony, the Merchant Adventurers had applied for and secured a patent from the Council for New England. Information of the issuance of this patent was one of the most important items of news which the newly-arrived *Fortune* brought to the Plymouth settlement. Besides rights of fishing and trading, it bestowed upon the Merchant Adventurers the right to "establish such laws and ordinances as are for their better government, and the same, by such officer or officers as they shall by most voices elect and choose, to put in execution," and to "encounter, expulse, repel, and resist by force of arms all who might attempt destruction, invasion, detriment, or annoyance to the said plantation." At the end of five weeks the *Fortune* sailed again for England. The return of the *Mayflower* without a cargo had disappointed the Merchant Adventurers, and they sent by the *Fortune* a sharp letter of remonstrance to the colonists. To this petulant communication Bradford sent a dignified rejoinder, in which he set forth the hard straits to which the colony had been reduced and pathetically cited the sufferings of the colonists. He said "the loss of many honest and industrious men's lives can not be valued at any price. It pleased God to visit us with death daily and with so general a disease that the living were scarce able to bury the dead, and the well not in any measure sufficient to tend the sick. And now to be so greatly

blamed for not freighting the ship doth indeed go near us, and much discourage us." Two hogsheads of beaver skins and a quantity of clapboards constituted the cargo which the *Fortune* carried over to the dissatisfied partners; the value of this freight was estimated at £500. The vessel, however, was captured by a French privateer. The *Fortune* had brought no supplies to the colonists, who were given to understand that in the future they must provide for their own wants. Indeed, the colonists were obliged to draw upon their own supplies to provision the ship for its homeward voyage.

The Indians became an increasing cause of solicitude as the second winter approached. The Narragansetts, who could number five thousand men to the colonists' fifty, were the chief cause of alarm. Canonicus, a haughty chief of those people, sent to the settlement a number of arrows wrapped in a snake's skin, to which challenge Governor Bradford boldly replied by filling the skin with powder and shot and returning it. In view of such a happening, the colonists had erected on a prominence a building which served as a council chamber, a meeting house, and a fort. It was strongly built, and furnished with battlements mounted with ordnance. Moreover, every dwelling was barricaded and the whole settlement enclosed in palisades; added to this, a military company was organized under Standish and a constant watch was kept. These energetic precautions seemingly had a salutary and restraining effect upon the minds of the Indians, and the winter passed without attack.

During the next five years several small settlements sprang into existence along the New England coast. One of these came out under Mr. Weston, of London, who had penned the letter of remonstrance to the Plymouth settlers regarding their failure to send a cargo on the *Mayflower*. Although he had been one of the most active of the London partners and had avowed his intention never to desert their enterprise, he had done so. He sent out a company



of sixty men on his own account, with instructions to settle a plantation for him at Massachusetts Bay. These people, wholly lacking in the experience and qualifications necessary for such an enterprise, and being, besides, ill provisioned, were received by the Plymouth settlers with the greatest kindness and hospitality. They, however, proved so ungracious and objectionable that their hosts were glad to see them depart to Wessagusset, where they proposed to settle. By their improvidence and thriftlessness they became a heavy charge upon the Plymouth colony, and their unwise attitude toward the Indians incurred the ill will and contempt of the latter. They finally were reduced to such straits that some of them sold themselves into slavery to the natives in return for their keep. Meantime, disturbing rumors were adrift of a plan on the part of the Narragansetts to effect an alliance with Massasoit for the destruction of the Wessagusset plantation, and, as the Plymouth people would seek to avenge the fate of their countrymen, they were also to be included in the slaughter. Standish, as captain of the military forces, was sent at once to Wessagusset, and, encountering some hostile Indians, after a close contest put them to death. The Weston colonists were now thoroughly discouraged and became dispersed, some being received into the Plymouth colony, others joining friends at the eastern fisheries. Mr. Weston, who came over in person to investigate the affairs of his abortive plantation, was shipwrecked and made his way to Plymouth in a state of great destitution. The Plymouth people showed him the same kindness that they had manifested toward his men, although, in providing for the latter, they had themselves become straitened for food. This, however, did not prevent Weston from becoming their inveterate enemy.

While affairs were thus progressing in the colony, Gorges renewed his activity in connection with the New Plymouth Council, but to little purpose, although he secured a royal proclamation prohibiting trading along the coast except under

a license issued by his company. In 1623 Robert Gorges, the son of Ferdinando, was sent out as governor-general of the company's territory. One of his commissions was to bring Weston to punishment for defrauding the company by selling cannon which he had obtained from it, ostensibly for purposes of defence; but Bradford interposing in his behalf, he was permitted to go unpunished. Soon after, Robert Gorges returned to England. Another futile attempt at colonization under Gorges was the little fishing post called Mariana, established under a grant of the Council for New England upon lands lying between Salem and the Merrimac. The euphonious name Laconia was given to a tract of land similarly granted by the Council to Gorges and Mason, which was bounded by the Merrimac, the Kennebec, and the ocean. Other trading posts which were established by Gorges were Saco, upon the river bearing that name, and Agamenticus, which was afterward called York. An attempt at a colony was also made at Piscataqua. David Thompson, who had the habits of a recluse, was in charge of a party near the mouth of Saco River, and further up its course were several other settlements which never advanced beyond a feeble state. In addition to the continued hostility of Parliament to the charter of the Council for New England, which kept the patent of the Plymouth colonists in insecurity, it was further jeopardized by the action of Pierce, in whose name it was issued. He conceived the plan of securing the patent for his own advantage, and actually superseded the patent of the Merchant Adventurers by another under the provisions of which the Plymouth planters were reduced to the position of tenants, with Pierce as their overlord. Twice Pierce attempted to sail to New England, but contrary winds saved the colony from his undesirable presence. The Adventurers, in the meanwhile, being cognizant of the fraud which had been perpetrated upon them, entered complaint with the Council for New England, which, after debating the matter at several of its meetings, cancelled the new patent.

At the close of their second summer in America, the hearts of the planters were cheered by a prosperity which was destined not to prove permanent. The following two years were a period of want and of earnest endeavor to supply their needs. The coming of the *Ann* and the *Little James* marked the dawn of a better era; they not only brought supplies and letters of encouragement to the settlers from their brethren and from the Merchant Adventurers, but also an addition of about sixty persons to their number. A few of these had come out at their own charges and were free to seek their own employments, while the others had come out at the cost of the Adventurers. A plentiful harvest brought to a close the time of famine, and at the end of the third year the colonists were augmented in number, well supplied with food, and greatly encouraged in their efforts to make permanent the work they had undertaken, and which they had seen fail in the hands of others, who had come out under favorable auspices.

Regarding the further economic progress of the colony, a word should be said in explanation of its land holdings. Ingenious attempts have been made to connect the land system of Plymouth with that of the Teutons; and, indeed, so many and so close are the parallels which may be established that it must be apparent to the student of the two systems that, in meeting the conditions of the New England wilderness, the settlers, finding themselves faced by problems similar to those of their Germanic forbears, worked them out in a similar way. The historical analogy is striking, even if the theory of historic continuity is far-fetched. The experiment of communism, which proved unsatisfactory, was not long continued, and in the summer of 1623 it was superseded by a system of experimental allotments. A plot of land was annually allotted to each household for tillage, the unmarried and unattached men of the community being associated in work with the different householders. In 1624 an application was made to the governor for permanent land holdings, and one acre was

thereupon granted in perpetuity to each freeman. For the interests of their political and religious needs it was stipulated that the land thus apportioned should be as near to the town as might be. The dissolution of the partnership with the Merchant Adventurers, which took place in 1627, led to further divisions of land. The land along the banks of the streams to the south of the town was divided by officers especially appointed for the purpose into twenty-acre lots, which were drawn for by the various householders. By a system of association, those lots nearest to the town were to be first brought under cultivation. This arrangement was to last for four years. The holder was permitted to reserve for himself twice as much land as he could bring under cultivation in that time, and those associated with him were to live upon the rest. At the end of the term these persons returned to their own holdings. The holder of the tract had full timber rights in it, but his monopoly did not extend to hunting and fishing, and there was to be a common footway through his grounds. At the same time, there was apportioned to every thirteen persons a cow and two goats. In 1633, for the first time, the meadow lands came under division, each household having allotted to it a portion of meadow pasture, which was to be cared for, mowed, and then to revert to the public use.

A view of the settlement as it appeared at about this time can be derived from an account of it which was written by Isaac de Rasières, Secretary of the Dutch Colony of New Netherland, who visited it in 1627. It stood upon a rise of ground and consisted of two intersecting streets. The governor's house was placed at their juncture, fronting an open space and protected by four frowning cannon. The hill behind the town was crowned by the fort, while each house and its garden patch were enclosed, a palisade surrounding the whole. Three of the four entrances were guarded by gates, while the fourth, opening toward the sea, was thought to need no further protection. The arable land lying along the stream was divided into cornfields, and

beyond this were the common lands with their characteristic division of meadow, wood, and waste. The sojourn of the colonists in Holland had developed their faculty for trade, which was further influenced by their brief partnership with the Merchant Adventurers. The factory outposts of the colony, of which mention has been made, show how from almost the very first the Plymouth settlers allied trade with agriculture in the development of the colony. While they were thrifty and industrious, they were slow in numerical growth; for in 1624 the population numbered but one hundred and eighty persons, and in 1625 it had barely risen to three hundred. The inducements to settle in the north were not such as were offered by the English colonies in the south. In these there was no limit to territorial extension, and the large planters gladly furnished implements, food, and housing for their laborers. In New England, however, the demand for hired labor was necessarily limited by paucity of capital and the smallness of the farm; but, on the other hand, the character of the emigrants to New England was higher than that of the settlers to the south. Not only differences economic, but religious as well, shut out from New England the undesirable elements from the purlieus of the great cities of England, elements entirely acceptable as laborers upon the large southern plantations, and who, coming over in the character of indented servants, made profitable laborers.

Among the other settlements which sprang up in New England and which had a more or less ephemeral existence, there was one which became a thorn in the side of the Plymouth people. In 1625 Captain Wollaston, representing a partnership, planted a settlement at Massachusetts Bay somewhat north of the site of Wessagusset. Those associated with him in the settlement were, for the most part, indented servants; but as the industrial conditions of New England did not favor this form of association, Wollaston disbanded his settlement and transported the greater part of his servants to Virginia, where he sold out

his interest in their services. Those left behind in charge of an agent were to be sent to Wollaston as desired by him. Wollaston is described by Bradford as "a man of prettie partes." History, however, has fuller knowledge of one of his associates, to whom the encomium of Bradford can hardly apply in its intended meaning, but who was undoubtedly a man of shrewd parts. Nothing further is known of his antecedents than that in England he was a barrister with some classical education and had come out to New England under the cloud of an indictment for some foul crime. Thoroughly pedantic in all his writings was "Thomas Morton, of Clifford's Inn, Gent.," as he subscribed himself. In his *New England Canaan* he has left a curious commentary upon himself, as well as a ridiculous, amusing, and untrustworthy account of the Plymouth planters, especially as regards their relations with himself. When Wollaston left for Virginia, Morton effected a *coup d'état* by influencing the laborers to accept him as their leader and to discard Wollaston's deputy. He dubbed the settlement Merrie Mount, and instituted conditions of debauchery and disorder which were intolerably offensive to the Puritanical feelings of his Plymouth neighbors. He erected a Maypole, about which his people and their Indian associates "frisked like fairies, or rather furies," as Bradford expressed it. But a more serious charge against the riotous settlement than such vicious foolery or the sale of intoxicating liquors to the Indians was the traffic with the natives in guns and ammunition. This conduct constituted an actual menace to the safety of the various settlements, against which the Plymouth colonists could not but take action. An expedition was accordingly sent out against Merrie Mount, headed by Miles Standish and made up of men from the various plantations, who were all interested in the suppression of the place. Morton was seized and sent to England in 1628 in the custody of Oldham, who seems to have become reconciled to the settlers. The Council for New England, much to the chagrin of the Plymouth people, suffered Morton to





John Endicott, Governor of Massachusetts.

*From the original painting in the Massachusetts State House, Boston.*



return. His riotous fellows had been allowed to remain at Merrie Mount, where they continued to be a source of trouble and annoyance until later, when, while their leader was in England, they received an unexpected visit from Endicott, the stern Governor of Massachusetts, who treated them in a summary fashion.



## CHAPTER III

### *THE PURITANS AT MASSACHUSETTS BAY*

AMONG the settlements about Massachusetts Bay, that of the Dorchester Adventurers of Cape Ann deserves mention as belonging to the most productive efforts at colonization in the world's history. Not because it was prompted by motives favorable to a permanent establishment, or was projected in obedience to the spirit of high accomplishment, or because it was in itself peculiarly successful. The story of the Dorchester settlement is indeed too prosaic to merit more than mere mention for its own sake, it being merely a fishing station, a *dépôt* of supplies for those fishermen hailing from Dorchester who separated themselves from home comforts by the stretches of the sea in order that they might, in the interests of their employers, engage in the prolific catches of fish that make the coast of New England famous. But this station was the opportunity which was magnified by men of wide discernment into a scheme of vast colonization. In 1623 a company of fourteen men were sent out by the Dorchester Adventurers, and, being delayed in passage, found the fishing season six weeks advanced when they arrived in New England waters, and so turned the prow of their vessel southward and made a landing at Cape Ann, where they decided to establish their post. In so doing, they involved their masters and successors in questions of territorial rights concerning which they themselves knew and cared little. The results of their settlement gave importance to the territorial questions. All the

territory of that region had been originally held under the extensive grant to the Council for New England, and the location of the fisher folk was upon lands conveyed by the Council to the Earl of Sheffield. Edward Winslow, while on a mission to England in the interests of the Plymouth settlement, had purchased it of the earl for the people of his own colony. It then passed from him into the hands of the Dorchester Adventurers; thus was legalized the settlement of that company's representatives about Massachusetts Bay.

The settlement did not remain limited to the few men who first established it, nor, indeed, was its population of a permanent nature. The ships brought out larger crews than they needed to take home after the season's catch, and the settlement was intended for the superfluous fishermen who were to remain there to raise and store supplies for the crews of the ships, and hence each season saw changes in the population of the place. To the purely economic character of the settlement the religious feature, which was destined to become so prominent in its later history, was first added because of the spiritual needs of the men thus cut off from home and civilization. Lyford, the troubler of Plymouth, became the spiritual guide of the Cape Ann settlement. In 1625 Roger Conant, a vigorous Puritan, came out as its governor. The experiment of a settlement based upon the single and insufficient motive of fishing would have been numbered in the list of other abortive attempts had it not been for the Rev. John White, who had been one of its chief promoters. He was a man of splendid ambition, and of an imagination that ran far in advance of the condition of the Cape Ann settlement. His ambitious projects for the colony included much more than a fishing settlement, with the result that when the affairs of the Dorchester Adventurers were closed in 1626, and the design to establish a permanent fishing settlement at Cape Ann was abandoned, he, little affected by the failure of the attempt on the basis of its original purpose, gave himself earnestly to the creation of another sort of settlement, which

should have as its basis not the commercial interests of a few persons, but which should have concern with the graver needs of life. By taking account of the conditions of the times and the aspirations of the large Puritan element of the country, he put the project upon such a basis as to attract to it men of circumstance. In a pamphlet of the day, the religious and economic motives for the settlement were advanced; and the argument of the proselyting successes of the Jesuits was relied upon to interest those whom no other appeal would influence. The economic motive was fortified by a statement of the congested condition of the population arising from the conversion of vast tracts of tillage land into pasture, by which many agriculturists were deprived of the means of livelihood.

But the argument of greatest avail was that which took hold of the conscience of the Puritan, when the successes of the Episcopal party discouraged the hope that some turn in the political situation would bring the Puritans and the principles they advanced to a place of influence in England's domestic policy. Many of the Puritans saw in the New World the prospect of maintaining and spreading those opinions which to them were most dear. They had come to the position of Separatism, but were not ready to avow it until they had put the seas between them and the penalties pronounced upon so treasonable a doctrine. *The Planter's Plea*, to which reference has been made, and which was published in 1630, distinctly repudiates the design of planting a colony of Separatists. The sense of liberty which they were to imbibe in the free air of the New World was yet needed to bring the Puritans to the logical position of avowed Independency. It was a time of danger for English liberties. Arbitrary government prevailed, and the violation of constitutional forms was constantly occurring. When the plan of planting a Puritan colony beyond the seas came to be understood, it attracted patriotic Englishmen, who were ardently attached to the institutions of their country, and who saw in it a means of perpetuating those liberties which had been

hardly wrought out, the preservation of which they regarded as essential to the future well-being of the English race. To preserve these at home meant appeal to the sword, an arbitrament of the questions at issue from which they shrank. Although the project was not distinctively Puritan, in the nature of the case those who grouped themselves about it were for the most part Puritans or Puritan sympathizers. Many of those to whom the charter was granted which constituted them the "Governor and Company of Massachusetts Bay" had been members of Parliament and had defended the principles of Puritanism in that assembly.

The boundaries prescribed in the charter show the usual lack of a clear knowledge of the interior of the country. The grant included a tract of land extending from three miles north of Merrimac River to a latitude three miles south of Charles River, and stretching from sea to sea. Endicott was selected to succeed Conant, and was sent out in advance of the general company of emigrants to attend to the preliminary matters of colonization. When he arrived in 1628, he found those remaining of the earlier settlers not at all disposed to acknowledge his authority; but a conference with them led to an amicable adjustment of the matters at issue, and in commemoration of this first civil reconciliation in the new commonwealth the name Salem was selected for the projected colony.

The party which came with Endicott, added to the settlers still residing at the place, made a company of about sixty. The selection of Massachusetts Bay as the site for the new colony had not been without reference to Plymouth colony to the north. The time of the arrival of Endicott was the close of summer, and many of the company during the ensuing winter suffered from fever, contracted on ship-board, and from scurvy. Dr. Fuller, a deacon of the church at Plymouth, was sent to the aid of the sufferers, and in conversation with Endicott concerning the religious hopes of the colony of which he was the advance representative

made known to him the ecclesiastical economy of Plymouth, and in such terms that approved it to the judgment of Endicott. Thus was paved the way for the obliteration of the distinction between Puritan and Separatist in the New World. It can hardly be supposed that in discourse about the affairs of Plymouth generally Endicott was not informed about the outrageous conduct of Morton at Wessagusset, and, indeed, he must have known something of this individual before coming into the country. Morton's settlement was now in Endicott's jurisdiction, and that stern governor was not inclined to look with leniency upon the riotous proceedings of the place; hence he made no delay in correcting its abuses. Crossing the bay with a small force, he hewed down the objectionable Maypole; and the arch-spirit of the place being absent, he notified his fellows "to looke there should be better walking."

Under the instrument which established the "Governor and Company of Massachusetts Bay," the colony formed by Endicott and his associates was conducted with many vicissitudes for fifty-five years. It empowered the freemen to elect annually a governor, a deputy, and eighteen assistants. Meetings of these officers were to be held once a month or oftener. They were empowered, although not enjoined, to administer the oaths of supremacy and of allegiance, and were authorized to protect their plantation against any persons who might "attempt or enterprise the destruction, detriment, or annoyance to the said plantation or inhabitants." It was the desire of the crown that there should be some stipulation in the instrument by which the government of the Company should be fixed in England, but this was successfully resisted by the grantees. The first governor the Company elected was Cradock, a member of the Long Parliament, who did not go out to the colony; but another important member of the Company, Sir Richard Saltonstall, resided therein a year and was the most important of the assistants during that time. The Company provided a local government for the colony, to

consist of a governor, a deputy governor, and thirteen councillors,—later known as assistants,—who were to retain office for one year. Eight of these councillors were to be chosen by the Company and these eight were to elect three others, the number to be completed by the old planters, as the earlier residents of the settlement were called. The governor and Council were empowered to appoint such minor officials as might be found necessary for the machinery of government and to enact needful laws, with the usual provision that they should be in harmony with the laws of the realm.

With the details of government thus provided for, the Company gave its attention to the matter of securing settlers. Reinforcements with abundant supplies were sent over, and three vessels, followed soon by others, marked the advance tide of population to the shores of Massachusetts Bay. Some of the leading members of the Council also arrived in the colony, including Skelton, Higginson, and Bright. The extent of the migration is shown by the terms of the license, which authorized the departure of "eighteen women and maids, twenty-six children, and three hundred men, with victuals, arms and tools, and necessary apparel." This was no emigration of a group of obscure religious dissenters, but a fully equipped expedition with the money and prestige behind it to plant a colony with much surer prospects of success than any that had as yet been established in New England. Higginson wrote home concerning the reinforced colonists: "two hundred of them are settled at Naumkeag, now called Salem, and the rest have planted themselves at Massachusetts Bay, beginning to plant a town there which they do call Charlestown . . . But that which is our greatest comfort and means of defence above all others is, that we have here the true religion and holy ordinances of Almighty God taught among us."

Of the five persons associated with Governor Endicott by the Company, only Higginson, Skelton, and Sharpe are known to have remained in the country, but the two former



alone exerted any considerable influence upon the life of the young colony. They had both been nonconforming clergymen of the Church of England. In July, 1629, these ministers turned their attention to the ecclesiastical affairs of the country, and a confession of faith and a church covenant were drawn up by Higginson. The influence of Dr. Fuller, of the Plymouth colony, upon the mind of Endicott and his associates now became apparent; for it is certain that, although some of the features of their ecclesiastical government must have been worked out before they came into the country, the outright Independency which they adopted was due to the representations of Dr. Fuller as to its successful operation among the Separatists of Plymouth. In a letter to Governor Bradford, thanking him for the services of Dr. Fuller, Endicott had said: "I rejoice much that I am by him satisfied touching your judgment of the outward form of God's worship; it is, as far as I yet gather, no other than is warranted by the evidence of the truth, and the same which I have professed and maintained ever since the Lord in mercy revealed himself unto me."

Thus it was that, notwithstanding the professions of the Puritan leaders as they left England that they did not go out with hatred toward their beloved mother church, as did the misguided men of Plymouth, but purposed to cherish and to carry her with them over to the New World, they found when they arrived there that affiliation had been practically instituted with the Separatists. It was in accordance with the *entente cordiale* established by Endicott with Plymouth that Governor Bradford and others of that colony were invited to assist in the function of establishing the church government of Salem and the installation of its ministers; thus again were the hopes of the English hierarchy for a foothold in New England defeated. Yet not all the large company that had come over to the shores of Massachusetts were ready to disavow their adherence to the Church of England. The new ecclesiastical turn of affairs met with violent opposition from John and Samuel Browne, men

of high standing, who had borne financial obligations in the colonial venture. Endicott, however, acted with decision in the face of this first minority opposition to the control of the affairs of the colony by the Puritan majority, or rather by the leaders of that majority. The Browne brothers were told that New England was no place for them; whereupon they demanded compensation for their investment, and their claim was referred to a committee of whom the Brownes selected four. The expulsion of the Brownes was the first of a series of such banishments, for many of which there cannot be pleaded the circumstances that justified the harshness of that instance. The broad significance of Endicott's act was the declaration which it conveyed that the Massachusetts colony had cut loose from the English establishment.

In 1630 a much more important and far-reaching measure, looking to the further exclusiveness and independence of the colony, was the transfer of its charter to New England. This act at first was intended to apply only to the government of the colony: it was proposed to transfer to the colonists the power of their own civil control, while the commercial management remained in England. An immediate effect of the transfer of the charter to New England was the removal to the colony of a number of gentlemen with their families, the state of affairs in England not being such as to inspire the Puritans with confidence in the successful issue of their contentions. The transfer resulted practically in the formation of a new company, all the old officers resigning and their places being filled by others who proposed to make their homes in the New World. John Winthrop, a Suffolk landowner, was elected to the office of governor in 1630. He had an aptitude for matters of detail, and this, accompanied with an energetic spirit and a steadfast perseverance, gave to his government of the colony the success that attends statesmanship. He was eminently qualified to handle wisely the large affairs which by virtue of his position he was called upon to conduct. At the

time of his election he was forty-two years old. Although not himself a man of prominence in England, he had been thrown into circles wherein were discussed affairs of the widest moment by such men as Bacon, Essex, and Cecil; and he had well profited by what he had heard. His estate returned the equivalent of £2,000 a year, and, like some of his associates, he abandoned wealth and ease in coming to the New World. John Humphreys, the deputy governor, and Isaac Johnson and Thomas Dudley were also men of estate.

Although the Puritan colony of Massachusetts Bay was on a much larger scale than that of Plymouth, it lacked the breadth and calmness of spirit which characterized the latter. From the first, the men of Massachusetts avowed that in establishing their colony they had no intention of making it a place of unconditional settlement, and that all those seeking residence within its bounds must conform to the rigid rules of faith and conduct which were established by its leaders for its government. But behind this apparent narrowness of spirit of the founders of New England lay the conception of a Puritan nation founded upon the principles of a renovated English society. This mistake in their idea of the nature of commonwealth they were founding affords all the extenuation which may be accorded to their severe application of rigid Puritan principles.

On April 17, 1630, Winthrop set sail for America; in a little treatise he wrote on shipboard he referred to the purpose of the colony in words which show how wide a scope the scheme of settlement took in the minds of its originators. He says: "It is by mutual consent through a special overruling Providence and a more than ordinary approbation of the churches of Christ to seek out a place of cohabitation and consortship under a due form of government both civil and ecclesiastic." In all, seventeen vessels arrived at Salem and the other ports of Massachusetts Bay before winter, bringing with them probably a thousand passengers; of these possibly not more than twenty were members of the Massachusetts Company. The object of the

Company in furthering the New England colony was to have a place where similar faith prevailed and to which they might flee for refuge in case of need. The majority of the members remained at home to watch the course of events in England, but most of those who came over to the colony sympathized with the object of the Company. The emigrants may be roughly divided into four classes: those who paid for their passage and, upon their arrival, were entitled to as much land as if they had subscribed £50 to the common stock; artisans and men of profession who received remuneration in money or lands; those who paid their passage in part and, after having made up the rest at a certain wage per day, were to receive fifty acres of land; and indented servants, for whose conveyance their masters were to be remunerated at the rate of fifty acres of land each.

The state of the colony was discouraging to the new arrivals; more than half of those who had preceded them had died during the previous winter, while others were in feeble health. Sickness spread and by the following spring proved fatal to two hundred of the year's arrivals; moreover, food was scarce. The grief of the colonists was rendered the more poignant by reason of the prominence of some of those who died, among whom was Lady Arabella Johnson, who, having been accustomed to all the circumstances of luxury which usually accompany exalted station, did not live a month after her arrival in the New World. The death of her husband removed a man who by his singular piety and great wisdom had become endeared to all the colonists.

When Winthrop had spent a week in familiarizing himself with the surroundings of Salem, he sought out a more attractive place of settlement. He fixed upon Charlestown as his home, but because of its brackish waters he accepted the invitation of Blackistone, one of the old planters, to locate near his place at a point south of Charles River, where there was an excellent spring of water; thither he removed his timber house, and the place received the name

Boston. From this time Boston was regarded as the capital of the colony, although for a long while it was such only in an informal way. The colonists were too numerous to permit centralization, and they rapidly became dispersed throughout the region of Massachusetts Bay; so that within a year of Winthrop's arrival eight settlements had come into existence, studding the shore from Salem to Dorchester. The dispersal of the settlers made difficult the exercise of the legislative functions of the freemen as provided for by the General Court. Among the leaders of the colony there was developing an oligarchical sentiment which was encouraged by the indifference of the general body of the freemen to the exercise of their franchise. In 1630 the legislative rights were transferred from the General Court to the governor and his assistants and deputy. In the following spring the process of placing the control of the colony in the hands of a few was advanced by the provision then adopted that, instead of seven assistants forming a quorum, if at any time there should be less than nine in the colony, a majority of these should constitute a quorum. The progressive effect of this action was to constitute in Boston an oligarchy of rulers.

After having located at Boston, Winthrop decided to remove to Newtown, and that place was fortified against Indian attack. The governor reconsidered his determination, but the fortification still advanced, and the question was raised as to where the expense of this proceeding should be placed. The governor and his assistants levied it upon the towns, but against this action the men of Watertown protested. They were summoned to Boston and sharply admonished, upon which they withdrew their opposition. Their protest, however, bore good fruit; and in the next year the powers of the governor were defined, and it was enacted by the General Court that the whole body of the freemen should choose the governor, the deputy, and the assistants. The idea of popular rights thus early enounced never failed of expression thereafter, though it was not

always effective. A further step in the direction of popular control was taken in the resolution that was passed that every town should appoint two representatives to advise the governor and his assistants in the matter of taxation. This seems clearly to have resulted from the stout stand of the Watertown men.

It was unavoidable that in seeking to adapt government to the needs of a community living under untried conditions friction should develop among those intrusted with its exercise; hence a controversy arose between Winthrop and Dudley, his deputy, and in 1632 the latter brought against the governor charges of arbitrary government. They were of both a general and a personal nature. The governor was charged with breach of faith in not taking up his residence at Newtown after he had removed his house there, which action had influenced Dudley and others to take up residence at the place. Winthrop's answer being satisfactory to the board of arbitrators before whom the charges were heard, the deputy then raised other questions as to matters of government and the extent of the governor's authority. Winthrop replied to Dudley's charge of the assumption of arbitrary power by reminding him that it was at his, the governor's, suggestion that two representatives from each town had been provided for to consult with and advise the governor and his assistants. To the contention that the governor had no power other than that which was shared by the assistants, Winthrop replied that besides these powers in common he had all the powers which his position in itself involved, and which were derived from common law and statute. To the several specific acts charged against him, namely, that he had permitted the establishment of a fishing weir, had lent powder to the men of Plymouth, and had taken the ordnance and used it to fortify Boston, and to matters of a similar nature, the governor replied in a way to clear himself from the indictment of acting from ulterior motives. The nature of the complaints of Dudley, and the spirit in which they were preferred, indicated that they were

made at the suggestion of personal jealousy rather than in the spirit of a wise regard for the public good. The danger of personal power, however, which was pointed out in his charges served an excellent end by attracting attention to the need of a better definition of the prerogatives of the governor and other functionaries. The wide powers which were exercised by the governor did not suggest the need of constitutional safeguards to limit the ambitions of the incumbent of the office, but they showed how incomplete was the legislation of the colony and made manifest the necessity of having the many matters of governmental activity properly assigned. There was not, however, a strong sentiment for popular government, for the opinion penned by Hooker was not regarded as discreditable: "The best part of the community is always the least, and of that least part the wiser are still less."

There is no record of constitutional measures from 1632 to the latter part of 1634, at which time the freemen of each town elected three representatives. The whole body, twenty in number, presented themselves at the General Court. The deputies demanded to see the patent, and reminded the governor that it was in virtue of that instrument they were present, and that the power of government was vested in the whole body of the freemen. The governor replied that the framers of the patent had never contemplated so large a body of freemen, nor did the colony possess suitable material for a House of Deputies. The governor suggested instead that he should summon annually representatives of the freemen, and that these persons should have power to revise the laws, to declare grievances to the Court, and to approve measures of taxation, as well as grants of land, but that they should not have the initiation of legislation. His recommendation was not dissimilar in the latter respect to the powers claimed by the Maryland proprietary, who desired to reserve to himself the initiation of legislation. In that case, the freemen of the province successfully withstood the proprietary's claim, and rejected

the measures which he sent over to the colony from England. In the case of Massachusetts, it is clear that before the Court broke up the freemen had regained their power of election and legislation. Henceforth the Court was to be held quarterly, and at one of its sessions the governor, the deputy governor, and the assistants were to be elected. At the other three the town representatives were to legislate with respect to making grants of land and other public business. It does not appear that the right to nominate candidates for public office devolved upon the whole body of the freemen until 1639, prior to which time this right was probably claimed by the General Court. Now, however, each candidate had to go before the electors and no assistant could hold office without an absolute majority of their votes. For the time being, the powers of assistants and those of deputies were not sharply defined, and both bodies of officials sat in one chamber in common deliberation. This state of things awakened a great deal of constitutional agitation in the matter of the settlement of Connecticut, which project was approved by the deputies but negatived by the assistants; who, however, finally yielded to the deputies, and the matter was permitted to rest.

The criticisms that were passed upon Winthrop's conduct relative to popular claims turned the tide of the election against him, and at the next exercise of their franchise rights, in 1634, the electors' choice fell upon Dudley for governor. On this occasion the voting was, for the first time, secret; hence the electors felt no hesitation in a free exercise of the ballot. Thus what threatened to be an oligarchy in Massachusetts was restrained by popular demand and popular vote before it had developed to a stage of dangerous usurpation of the public rights. A religious oligarchy, however, was at the same time permitted to proceed unchecked, and, indeed, without public appreciation of its ill-advised character, as in 1631 a law was enacted debaring a man from the position of freeman in the colony unless he was a member of some church. It is unnecessary



in these times of clearer apprehension of the respective places of religious and civic duties and privileges to point out the obnoxious character of such legislation. The principle of taxation as guaranteeing the right of representation is too well fixed to-day to permit the abrogation of so patent a principle in Massachusetts to be viewed with leniency. The law did not exclude from the colony those who would not conform to the creed of Puritanism, although there might have been some excuse for such a course; but it provided that among men otherwise on a plane of equality as to political rights, those who would not subscribe to a certain statement of religious belief were denied the privileges of freemen. Even the master of a train-band had to be a member of a church. There would, in theory at least, be some extenuation for the measure if it had in contemplation persons in sympathy with the Established Church of England. The security of the colony demanded that its control should not fall into the hands of those whose ideas and ideals were diametrically opposed to those upon which the colony was authorized; for although such persons were then few in number, they might in time become a preponderant part of the population as did the Puritans in Catholic Maryland. In that colony the result was a revolution and a transfer of government such as the Massachusetts proscription was designed to prevent.

The question of a State Church *per se* had never been distasteful to the Puritans; to them it was only a question as to which church should be recognized by the State. Their contention with the English Establishment did not involve the principle of a State religion, but centred about the kind of religion which should receive State sanction. Those who came to Massachusetts simply transferred themselves "from the tyranny of the bishops to that of the brethren." Their position as to the franchise was not dissimilar to that taken in recent years by the Boers of South Africa. The controlling spirits of Massachusetts, as in South Africa, advanced as an objection to the extension

of the franchise their apprehension lest the character and purpose of their respective colonies should be perverted and an element alien in interest to their principles should become paramount in authority. Certainly in the case of Massachusetts, in the light of historical retrospect, such fears seem not to have been well grounded, and religious narrowness and the desire for ecclesiastical control and civic influence on the part of a group of ambitious religious leaders offer a more candid explanation of the limited franchise of that colony.

We have seen with what energy Endicott proceeded against the contumacious settlement of Merrie Mount, but still more summary treatment was necessary before the iniquities of the place were suppressed. On Morton's return from England, the disorders of the settlement once more became flagrant, and Morton was again arrested and sent to England; his house was burnt in his sight and in presence of the Indians as a satisfaction for the wrongs which he had done the latter. There was no question of freedom of speech involved in the punishment meted out to Morton, who was entirely reprobate and dangerous to the security of the settlement. Another adventurous profligate whose presence was intolerable to the Puritan commonwealth was one Sir Christopher Gardiner, as he styled himself. There were some suspicions that he came to the colony as an emissary from Gorges, and this awakened hostility toward him; but although this suspicion was confirmed by correspondence with Gorges which the authorities took from him, the resentment of the colonists toward the man was called forth chiefly by his immoral conduct. It was discovered that he had two wives in Europe, and that the young woman who accompanied him, and whom he endeavored to pass off as a kinswoman, was not such. The woman, proving impenitent and close, order was taken to send her to the two wives in Old England, to search her further. This was deemed a satisfactory transfer of her examination to those most interested in it and most capable of fixing upon an adequate form of punishment. Gardiner,

like Morton, was banished. There were other cases of punishment of persons because of their attitude toward the colony which cannot be viewed with the lenient consideration which the character of Morton and Gardiner permits as to their treatment. In the summer of 1631, one Ratcliffe was flogged, had his ears cropped, and was banished for speaking evil of the governor. Henry Lynne suffered like condemnation, except in the matter of personal mutilation, for writing slanderous letters about the colony to England; his punishment, however, was remitted. Other cases of a similar nature are recorded against the colony.



## CHAPTER IV

### *PLYMOUTH AND MASSACHUSETTS*

IN August, 1629, the Plymouth colony, which, as we have seen, had increased to only about three hundred persons, received an addition of thirty-five persons from the Leyden church. Very grateful, indeed, was this augmentation, yet the maintenance of the newcomers during the winter was a sore addition to the burden of the colonists, who could not make sufficient provision for themselves.

Isaac Allerton, who was at this time on a visit to England, successfully renewed an attempt which he had formerly made to obtain an amendment of the Plymouth patent from the Council for New England. The new instrument conveyed to William Bradford, his heirs, associates, and assigns, a tract of land which included New Plymouth and another tract upon the Kennebec; but the definitions of both, for lack of geographical knowledge, were, as usual, very vague. The patent recites the reason for its grant as follows: "In consideration that William Bradford and his associates have for nine years lived in New England, and have there inhabited, and planted a town called by the name of New Plymouth, at their own proper costs and charges; and now, by the special providence of God and their extraordinary care and industry, they have increased their plantation to near three hundred people, and are upon all occasions able to relieve any new planters or other his Majesty's subjects who may fall upon that coast." It empowered Bradford

and his associates to become incorporate and to exercise liberty to frame and make orders, ordinances, and constitutions, not contrary to the laws of England or to any form of government established by the Council; to constitute the necessary machinery for the exercise of government, and to use all means for their defence from invasion, detriment, or annoyance to their plantations. The granting of this patent was followed by further immigration in the next spring. Soon after this last increase of numbers, the magistrates were compelled to exercise their judicial functions in a way unpleasant to themselves and to the whole community. John Billington, of Plymouth, who had always been a troublesome person, was convicted by a jury of wilful murder. The magistrates, feeling uncertain as to the degree of authority they might exercise in such a case, consulted with Mr. Winthrop and others of the ablest men of Massachusetts, who unanimously advised them that the land ought to be purged from blood, and the execution followed accordingly. It was impossible to refer to a court beyond the seas a case involving the protection of the lives of any of the colonists from murderous assault.

An incident worthy of remark as evidence of the growth of colonial intercourse occurred in October, 1632, when Governor Winthrop, accompanied by his pastor, Mr. Wilson, visited Plymouth; the journey occupied two days each way, and occasion was afforded for an agreeable interchange of courtesies. With the growth of New Plymouth, the tendency to dispersion increased; it had already resulted in the establishment of the town of Duxbury; it led, further, to the assignment of pastures at Marshfield to those who engaged not to remove themselves from the original settlement, but to utilize the pasture lands through servants. The trade of Plymouth had been gradually extending, and an important move was made in 1631 by the establishment of the Plymouth factory on Connecticut River. Information had been received both from the Dutch and the Indians, indicating Connecticut River as "a fine place for plantation

and trade;" Winslow and Bradford repaired to Boston to confer with Winthrop in regard to concerted action in extending outposts in that direction, the plan being to anticipate the Dutch, who entertained a similar scheme, by establishing there a trading house. The Massachusetts people, however, influenced by reports as to the shallowness of the river and the warlike character of the Indians of the region, concluded not to enter into the project. Hence the Plymouth men prosecuted it alone and sent a vessel with men and materials for the construction of a house. They were challenged by the Dutch, who menaced them with two small cannon mounted upon hastily constructed earthworks; the English, however, passed on without being attacked and landed where now stands the town of Windsor, put up their house, fortified and provisioned it, and, leaving in charge a sufficient force to hold it, returned to Plymouth. The following year a company of seventy Dutch went from New Amsterdam to eject the intruders, but the spirit and disposition of the garrison were such as to lead their rivals to retire without attempting to carry out their intention.

A very meagre record remains of the legislation of the first ten or twelve years of the life of the Plymouth colony; the only knowledge we have of the enactments of the first five years is the single regulation "that all criminal facts, and all manner of trespasses and debts between man and man shall be tried by the verdict of twelve honest men, to be empanelled by authority in form of a jury upon their oath;" and for the next seven years information concerning the standing laws is limited to some prohibitions upon the employment of handicraftsmen. It is curious to note in the thirteenth year of the settlement the passage of a penal provision to stimulate ambition for public office: "It was enacted, by public consent of the freemen of this society of New Plymouth, that if now or hereafter any were elected to the office of Governor and would not stand to the election, nor hold and execute the office for his year, that then he be amerced in twenty pounds sterling fine;

and, in case refused to be paid upon the lawful demand of the ensuing Governor, then to be levied out of the goods or chattels of the said person so refusing. It was further ordered and decreed, that if any were elected to the office of Council and refused to hold the place, that then he be amerced in ten pounds sterling fine, and in case refused to be paid, to be forthwith levied. It was further decreed and enacted, that in case one and the same person should be elected Governor a second year, having held the place the foregoing year, it should be lawful for him to refuse without any amercement; and the company to proceed to a new election, except they can prevail with him by entreaty." This last provision was applied in the case of Bradford, who, at his earnest request, was excused from another term of service; and Edward Winslow, who had returned from his second visit to England, was chosen in his stead, Bradford taking his place as one of the assistants. Similarly, at the end of the year for which he was elected, Winslow was excused from continuance in office and was succeeded by Thomas Prince in 1634. At this time Plymouth was formally constituted the capital town and made the place of residence of the governor and for the holding of the colonial courts. Although the election of Prince occurred in January, the customary time, it was ordered that thereafter the governor and other officers should not enter upon their public duties until the 27th of March.

We can also gather from the fragmentary records of this early period of Plymouth history something of the nature of the proceedings of the General Court, consisting of the body of freemen, and the Courts of Assistants. The General Court conferred the franchise, had the appointing of magistrates and other officers, such as constables and assessors, but in other respects the powers of the two kinds of courts seem not to have been different. These general powers included the recognition of marriages and other private contracts and the hearing, with the aid of a jury, of matters of dispute concerning property, complaints of assault, and such



other questions as arise in associated life. The two courts superintended the probate of wills, they assigned land for cultivation and for possession, they apportioned from year to year the common meadow land, they had the care of fences and highways, regulated commerce, made rules for the alewife as well as for the herring fishery, for hunting, and for fowling. One of their most important functions concerned arrangements for the military defence of the colony. Such was the development of legislation in Plymouth during the time of the very much wider and more momentous enactments of the sister colony of Massachusetts, involving, as they did, broad constitutional principles. The growth of the civic principle in Massachusetts is shown by the increased importance of Boston, which was assuming the character of the capital town, and which was by common consent thought to be "the fittest place for public meetings of any place in the Bay." A public order directed that "there should be a market kept at Boston, upon every Thursday, the fifth day of the week."

The relations between Dudley and Winthrop, which had become strained by reason of the deputy governor's attack upon his superior, resulting in a partial withdrawal of confidence in Winthrop, were restored and a reconciliation was effected through the aid of the ministers. At about the time of this happy reconciliation, Mr. Wilson, pastor of the church at Charlestown, was transferred to the opposite peninsula; and the portion of the congregation remaining behind, finding it inconvenient in bad weather to make the crossing of the river to attend divine service, constituted themselves a separate congregation and selected as their minister Mr. James, recently arrived from England; and a meeting house was erected at Boston for Mr. Wilson. At this time Boston was but a village of a few cabins on the eastern declivity and at the foot of a hill sloping toward the sea. Its uneven surface was made up of three hills, which afterward came to be designated Beacon Hill, Fort Hill, and Copp's Hill.

The progress of the colony was not without serious menace. Relations with the Indians were not so amicable as could have been desired; indeed, there was indication of an immediate outbreak of the natives against the settlements, and the remoteness of some of the towns and trading posts from the stronger centres increased the apprehension of attack by the unfriendly Narragansetts. Probably the spread of smallpox among the Indians at this time alone saved Boston from assault, and yet there was no genuine provocation which the Indians could advance against the colonists. Every reasonable claim of the savages had been honored by the English, in pursuance of the policy which had at first been enjoined upon Endicott in the instructions given him by the London partners. Cradock had written "it is the earnest desire of our whole Company that you have a diligent and watchful eye over our own people, that they live unblamable and without reproof, and demean themselves justly and courteously towards the Indians." Nor were the anxieties of the colonists limited to the hostile attitude of the natives, for the year 1633 opened with apprehensions of trouble with the French, who had concentrated a force at Port Royal in Nova Scotia. A council was held of the ministers, captains, and other chief men, and it was decided to build a fort at Nantasket, "to be some block in an enemy's way, though it could not bar his entrance;" and to finish that which had been laid out at Boston; and to see "that a plantation should be begun at Agawam, being the best place in the land for tillage and cattle, lest an enemy, finding it void, should possess and take it from us."

While difficulties thus loomed up in the north, across the sea the untiring enemies of New England, the Brownes, Morton, Gardiner, Ratcliffe, Gorges, and Mason, were seeking in every way to discredit the colony and to work it injury. They succeeded so far as to have their complaints entertained by the Privy Council. The charges, wrote Winthrop, included intended rebellion against the mother country and separation from the Church and laws

of England, "that our ministers and people did continually rail against the State, Church, and bishops there." To so little effect were these charges pressed against the defence made by the friends of the colony and members of the Company, Saltonstall, Humphrey, and Cradock, that after the hearing the king declared "he would have them severely punished who did abuse his Governor and the plantation." Winthrop added that his majesty did not intend to insist upon the colonists' acceptance of the forms of the Church of England, because freedom from such requirement was the motive which led many persons to join the colony and so further its growth and profit. At the next annual election, in 1637, Winthrop was made governor and Dudley was associated again with him as deputy governor. The eight assistants of the last year were reelected, with the addition of Sir Richard Saltonstall, who was expected to return from England. In appreciation of their deliverance from the attacks of their enemies in England, the magistrates appointed a day of thanksgiving, which was observed in all the congregations. Among the arrivals from England in the year 1633 were three famous divines, Thomas Hooker, Samuel Stone, and John Cotton. Their capacity, character, and general fitness eminently suited them to take the leading parts which they played in the founding of a great State. Hooker and Stone were chosen respectively pastor and teacher to the congregation at Newtown. The disposition of Cotton was a matter of dispute; and after a council had carefully considered the claims advanced by the various plantations, it was decided that he locate at the Boston church and have Wilson associated with him as teacher.

John Cotton was a man of excellent antecedent history. He exchanged for a rude meeting house in a New England village the splendid, stately parish church of St. Botolph, peerless in all England, of which he had been rector for nearly twenty years before Winthrop and his associates sailed for America. He was the son of a barrister of comfortable estate, and had had the advantage of the successive

trainings of Trinity College, and Emmanuel College, of the University of Cambridge, where he had become distinguished for his ability and learning. When Winthrop's company departed, he made a journey to the port of Southampton to bid them farewell. He was later charged with nonconformity, which set upon his trail the agents of the High Commission Court, and it was only by strategy that he succeeded in getting aboard a ship and making his way to the New World.

The Connecticut country continued to have an attraction for those restless and enterprising spirits, the Massachusetts traders; and John Oldham, with three companions, made a journey of a hundred and sixty miles into the country and came back with a flattering report of its trade advantages. They visited the settlements at the mouth of the Hudson and protested against the attempt of the Dutch to locate on the Connecticut, but they were told that controversies of that nature should be referred to the respective home governments.

In the meanwhile, the enemies of the colony in England had renewed their attack upon the charter at a time when the spirit of the court was such as to make the assault more likely to succeed. An Order in Council was obtained, which set forth that "the Board is given to understand of the frequent transportation of great numbers of his Majesty's subjects out of this kingdom to the plantation called New England, amongst whom diverse persons known to be ill affected, and discontented not only with civil, but ecclesiastical government here, are observed to resort thither, whereby such confusion and distraction is already grown there, especially in point of religion, as, besides the ruin of the said plantation, can not but highly tend to the scandal both of Church and State here." It was ordered that certain ships ready to set sail with passengers and provisions for New England should be detained until the masters of those vessels should appear before the Council and submit a list of the passengers and the provisions in the ship. It

was probably at this time that the government first learned of the transporting of the charter to America. No less affecting the welfare of the colony, but in a different way, was the action taken by the various towns at about this time, the freemen of which, as if by previous agreement, determined to establish representation in the conduct of the corporate business of the colony. The large results from this step have already been referred to with the decline of Winthrop's personal influence which followed.

In 1634, the freemen of Massachusetts numbered about three hundred and fifty, of whom, possibly, more than two-thirds had been admitted to the franchise since the establishment of the religious test. Their industries and occupations had become diversified, and were of a character suited to the conditions of colonial life. With one or two exceptions, the magistrates thus far had been persons who had received their appointments in England. For several years past, not more than half the full quota of twenty provided for in the charter had been appointed, and, although there were men of eminent fitness in the colony for the positions, the places had been kept open with the expectation that they would be filled by appointment from England. Perhaps no less influential as a class than the magistrates were the thirteen or fourteen ministers, nearly all of whom had had the benefit of liberal education and had held livings in the Established Church of England. No statement of the condition of Massachusetts would be complete that did not lay particular emphasis upon these ministers, who as a body were devoted to the best interests of the colony, as they conceived them. It cannot be said, however, that they represented popular ideas; rather were they the promoters of the aristocratic tendencies of the governing classes of the community. By reason of the religious test qualification for the franchise, the whole body of freemen was small enough for the ministers to exercise over them and through them an influence which would have been less effective if the franchise had been more widely distributed.

With the growth of the colony and the wider knowledge of its affairs in England, there was an increase of suspicion engendered toward it in the minds of the king and Council. Many matters devolved upon the colonial officials, because the practical needs of the situation required that immediate attention should be given to pressing questions. Although the colony might not be empowered to take up all such questions, it was manifestly out of the question to refer them all to England, or to apply to the secretary of state for authority to act. Thus the larger exercise of power which devolved upon the Massachusetts authorities deepened the feeling of independence in the colony and widened the breach between it and the mother country. The notice which the colony now received was of a flattering nature, for persons of the highest quality and estate expressed toward it their good will and sought its furtherance. But this fact could not preserve the colonists from serious alarm at the unfriendly attitude which had been assumed toward them by the Privy Council, as shown by its order for the detention and examination of vessels sailing for New England. When the king permitted the charter of the Massachusetts Company to be issued, he had little thought of the large proportions which the colony would assume, and the internal affairs of the kingdom had been of such a nature as to absorb his interest and keep him from knowing much of what had been going on in the colony. It was impossible that this ignorance should continue in face of the growing importance of the colony and of the large place it held in the public notice.

However difficult it may be to explain the issuance of a charter containing such liberal provisions as that to the Massachusetts Company, it had proved such an excellent working instrument that the colonists were prepared to defend it at all hazards. When news came of the purpose of the Council to revoke the charter, the General Court adopted orders for the erection of fortifications at a point in Boston harbor, at Charlestown and Dorchester, and the

captains were instructed to drill unskilful men. Again, at the next meeting of the Court, a further order for the ordnancing of the fort begun on Castle Island in Boston harbor was issued. The freeman's oath of fidelity to the local government was required to be taken by every resident, of or over the age of sixteen years, within the jurisdiction of the colony, and a military commission was invested with extraordinary powers. This action was taken as the only response to the demand of England for the return of the charter. Luckily for Massachusetts, the government of Charles I. was too much pressed with home affairs to follow up the demand which had been made upon the colony. The Council for New England, however, had reaped only a harvest of ill luck from the charter which had been issued to it, since, lacking property as well as credit, it had no motive to continue its existence. It therefore resigned its charter to the king, and surrendered the administration of its territory to a general governor of the king's appointment, on condition that its territory should be granted in severalty to members of the Council. Twelve associates proceeded accordingly to a distribution of New England among themselves, and, to make effective their proprietorship, they secured from the attorney-general writs of *quo warranto* against the Massachusetts Company.

It appeared now as if all that the colony had sought to achieve was in vain, and that when a few legal proceedings had been carried through its affairs would be finally wound up. The proud colony of Massachusetts would then be but a number of provinces owned and controlled by men among whom were their longtime and inveterate foes, Gorges and Mason. Ominous as matters appeared, so far as actual effect upon Massachusetts was concerned, it was as if no drastic measures had been decided upon. In the words of Winthrop, "the Lord frustrated their design." Laud was making so much business for the Court of High Commission in England, and the seeds of resentment were being so widely sown among the English people; that the

king and Council regarded the Massachusetts matter as of small moment compared with the graver concerns which immediately pressed upon them; so the crisis passed.

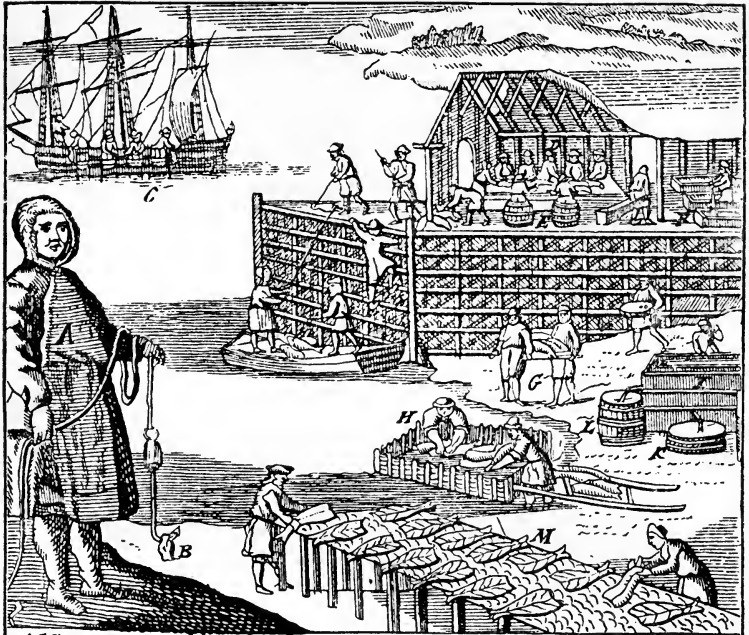
While the colony was fearful of the dangers which threatened it from without, there were being fomented within it disorders of greater gravity than any that had as yet menaced its peace. It was impossible that the narrow platform of the Massachusetts commonwealth should long go unchallenged, but he who would enter the lists against the concentrated power of the magistrates and ministers must needs be a man either of unusual boldness or fanaticism. The man who did stand forth as the challenger of the faith of the Puritans combined intrepidity with an intensity of religious spirit that marked him as an uncompromising zealot. The calm, clear deliberateness of the Puritan was foreign to his composition; he despised prudential considerations in conduct and had an overmastering conviction of the infallibility of his own ideas. His positiveness, however, was saved from being offensive egotism by the simplicity of his nature and the genuineness of his spirit. The intensity of the convictions of Roger Williams made him a professed controversialist, and, in spite of the sweetness of his nature and his exalted character, he was never happier than when engaged in a wordy warfare about some hypothetical proposition which he constituted an issue. The abstract merit of theories appealed to him, but he lacked the sense of balance to see the impracticability of the ideals in which he delighted. He had had the benefit of a university education, and had come to Boston in 1631.

A reputation for unusual talents had prepared for him a cordial welcome, and shortly after his arrival in the colony he was invited by the church at Salem to succeed Higginson as their teacher. Short as had been his time in Boston, less than three months, he had made himself obnoxious to the authorities there by refusing to join the Boston congregation because of their declining to make public declaration of their repentance for ever having had communion with the Church





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*A View of a Stage, also of manner of Fishing for, Curing & Drying of Cod at NEW FOUND LAND. A. The Habit of the Fishermen. B. The Line. C. The manner of Fishing. D. The Dressers of the Fish. E. The Trough into which they throw the Cod when dressed. F. Salt Boxes. G. The manner of carrying the Cod. H. The Cleansing of the Cod. I. A Press to extract the Oyl from the Livers. K. A Cask to receive the Water and Blood that comes from the Livers. L. another Cask to receive the Oyl. M. The manner of drying the Cod.*

Early representation of the stockfish trade. After the copperplate in Sir William Keith's "History of the British Plantation in America."

of England. In addition to this, he had attacked the observance of the Sabbath on the ground that any breach of the first table of the Commandments was not an offence under the Christian dispensation. It was a curious disposition which could demand the cutting loose from the Commandments which covered idolatry, perjury, blasphemy, and Sabbath breaking; two of which stand as penal offences on the statute book of Massachusetts at the present day, one of which every government punishes, while the denial of the right to suppress idolatry was understood at that time to be a denial of the right to protect a community against Roman Catholicism.

The Salem church, however, accepted Williams before the remonstrance reached them, but after a time he withdrew to the Plymouth colony and became assistant to Mr. Smith, the pastor of the church there. He was persuaded by his Salem flock to return, and the mild-spirited Brewster, although attracted by Williams's winning personality, was glad to be rid of his constant disputations. His first fulmination at Salem was against the practice, still observed by Congregational clergymen, of meeting in associations for fraternal and theological discourse. While at Plymouth, he had raised the question of the right of the king to grant lands which belonged not to him but to the natives, and insisted that the latter should be paid for them. This contention, if it found its way to England, as in the nature of things it might, was calculated to increase greatly the jeopardy of the colony; and the magistrates, summoning Williams before them, got his consent to the action, unprecedented for him, of confessing penitence if he had committed wrong. Endicott had involved the colony in difficulties by cutting out the cross from an English flag, in which rash act Williams probably assisted. At the time of his reappearance in Salem the crisis of the colony was at hand, and it was especially needful that the disfavor in which it was held by the home government should not be increased.

The town of Salem was brought into a state of friction with the magistrates because Williams was pastor of the

church against their protest. Salem applied for a grant of land, which was denied it because of its support of the troublesome minister; whereupon Williams sought to influence the church to renounce all communion with the other churches of the colony, and himself set the example by withdrawing himself from Christian fellowship with the members of all other churches, even to the point of declining to join in family prayers or grace at the table with his wife because she frequented other communions.

The next General Court took the summary step of unseating the deputies from Salem, and expelling Roger Williams from the colony. He was permitted to remain until spring, when he removed to Narragansett Bay. Williams believed in the principle of liberty in religion and strenuously supported it, but he did not disavow the doctrine of the alliance of State and Church, which was repulsive to him only when it was made compulsory. The counts of the indictment against Williams as given by Cotton were: first, his violent attack upon the patent as invalid because the king had not the right to dispose of lands in America, and his insistence that the instrument should be returned; secondly, his refusal to take the oath of fidelity. The subsidiary reasons for his banishment were his attacks upon the magistrates, and his refusal to communicate with the church of Salem when it would not proceed with him in his disorganizing measures. The issues raised by Williams were fundamental as to matters of power and property in the colony. Without seeking to do so, he was playing into the hands of the king and the archbishop. It was impossible that the unwise counsels of a visionary should supplant the sober wisdom of the constituted deliberative body of the colony. The one thing that circles the name of Williams with a halo and gives it a permanent place in the affections of all liberty-loving people is his perception of the principle of religious freedom, which he put into effect in the colony he founded. It must be borne in mind that a firebrand, however amiable, is still a sure element of conflagration; and had the times been less

critical, the action of Massachusetts in expelling Williams might properly be reprobated. As it was, the security of the colonists and the success of their venture were greatly endangered by his course of action. On the other hand, had the government of Massachusetts been more liberal, the magistrates and ministers would not have felt so sensitive with regard to the attacks of Williams, nor, indeed, would there have been the same incentive for his controversial nature to raise questions for discussion. Personally, he did not lack appreciation by many of the leaders in both Plymouth and Massachusetts.

In the formation of churches a law was passed requiring public approbation expressed through the magistrates in order that there might be accordance between the sentiments of the church members and the principles of the commonwealth. It was not intended to permit the organization of a congregation of persons who were not in entire sympathy with the civil order.

The General Court also assumed complete powers over the constituting and the character of the towns. It was enacted that the "freemen of every town, or the major part of them, shall only have power to dispose of their own lands and woods, with all the privileges and appurtenances of said towns, to grant lots, and make such orders as may concern the well-ordering of their own towns, not repugnant to the laws and orders established by the General Court." They were authorized to impose fines not exceeding the sum of twenty shillings, and "to choose their own particular officers as constables, surveyors for the highways, and the like." The representation of towns by deputies to the General Court was limited to those having ten or more freemen resident in them.

In the autumn of 1635 three persons of importance arrived in Massachusetts. One of these was John Winthrop, the younger, who had made a previous visit to the country; another was Henry Vane, who later became Sir Henry Vane. He was the representative of an ancient line, and had

filled positions of importance in the State. Feeling the obligation of the Gospel ministry to rest upon him, he forsook all the honors and preferments which were his at court and sought in New England a field for the exercise of his gifts in religion. The king consented to give him a license for three years' absence from the realm. The third of the trio was Hugh Peter, who, like his fellows, had received a liberal education and came of good family. Under the persecution of the law he had been driven to repair to Holland, where he had served as pastor of a church in Rotterdam; but being subjected to continual annoyances from the English ambassador, he resolved to join the colony in Massachusetts. He was a man of distinguished manners and identified himself with the development of the commercial interests of the colony, and was made pastor of the church at Salem in succession to Williams. The gratification of the colonists at these notable accessions was intense, and, in Vane especially, they were conscious of a high dignity having been conferred upon them. In an age of great restlessness, when many leaders of high capacity were produced, this young man rose to a place of great prominence and was regarded in the New World as the greatest Puritan statesman of the age. His devotion to independence as a broad right of humanity made him as dissatisfied with the narrow religious policy of Massachusetts as Roger Williams had been.

Vane and Peter had not been long in the colony before they were seeking to direct its affairs. At their instance, a conference of the leaders was called to adjust differences which appeared to them to exist between Winthrop and Dudley, and by reason of which there was a tendency to a development of parties centring about these two men. Winthrop denied knowledge of any breach between Dudley and himself since their late reconciliation, and was supported in this declaration by Dudley. John Haynes, who had accompanied the Rev. Mr. Hooker to Boston in 1633, thereupon brought into question the administration of Winthrop. The judgment of the assembly called to investigate

the matter was to the effect that a stricter discipline in criminal and military offences was needful in the state of the colony. Vane was chosen governor in 1636 at the first election following his arrival, with Winthrop as his deputy. At this time an innovation was made as to the magistracy. Winthrop "was chosen to be one of the Standing Council for the term of his life," a dignity subsequently conferred upon Dudley and Endicott. This action accorded well with the sentiments of Cotton, who, when Winthrop first failed of reelection, protested that a magistrate ought not to be retired from his position without cause. Perpetuity in office was the keynote of the present action, although it was not followed up by the conferment of like dignity upon any persons other than those mentioned. At this time there was also a proposal made for a code of laws, and new measures were taken with regard to military organization.

Vane's short stay in Massachusetts was marked by another theological disturbance,—the Antinomian controversy, the immediate cause of which was the arrival in Boston of a clergyman named Wheelwright, who had been silenced by the ecclesiastical authorities in England, accompanied by his sister, Mrs. Hutchinson, a woman who proved herself to be as indiscreet and impetuous as she was clever and capable. They brought over with them what Winthrop regarded as two dangerous errors. These theological abstractions were: first, that the Holy Ghost dwells in a justified body; secondly, that no sanctification can help as evidence to us of our justification. These doctrines were conceived to be pernicious and to lead in their logical development to grave unsettlement of faith. Mrs. Hutchinson, however, was so committed to these subtleties of belief that she felt impelled to preach them herself. She accordingly arranged for assemblies of her own sex to meet twice a week; these gatherings, perhaps by reason of the lack of social incentive for gatherings of the sort, became popular and were attended by many females, including some of the principal women of the town. Cotton, who had provisionally approved he

doctrines, and Wheelwright, who was, like herself, an original expositor of them, came under the Christian charity of Mrs. Hutchinson, which she sparingly dispensed. She declared these men to be "under a covenant of grace," and, by successive gradations of depreciation, she came to the point at last of declaring in outright terms that all the other ministers were "under a covenant of works." One other person of prominence in the colony was brought to support the new theology: this was no less a person than the young Governor Vane; others of lesser influence among the magistrates also rallied about Mrs. Hutchinson. Boston was the centre of her influence, and there she won over to her views all the members of the church with the exception of five, but these were notable as including Wilson and Winthrop. Mrs. Hutchinson and many of her followers rose and left the edifice when the hitherto venerated Wilson stood up to speak.

So acute did the controversy become that Vane threatened to leave the colony, on the ground that he had neglected his own private business; but afterward, bursting into tears, he declared that he greatly feared danger to the colony from the religious dissensions within it. Under pressure to remain, he changed his attitude and declared that his private business was really the only sufficient cause for his retirement from the colony, whereupon the Court acquiesced in his determination; but he again changed his mind on account of importunities by Boston friends and promised to stay. In the meanwhile, the controversy was waged with great heat and earnestness, while calm and judicious laymen like Winthrop were amazed at hearing men distinguished by such, to them, meaningless shibboleths as covenants of grace and of works. This distinction, however, ran throughout Boston and was regarded as embodying as much meaning as the more familiar and substantial terms Protestant and Papist. The magistrates were kept busy in meting out punishment to those who threw the invidious term "covenant of works" at their fellows. Wheelwright



himself was found guilty of sedition for making such a charge in a sermon. The Boston church, which as a whole stood firmly attached to its persecuted minister, addressed to the Court a remonstrance in Wheelwright's behalf, and pointed out that no preacher of unpopular doctrines had ever failed to be thus misrepresented.

The election of 1637 was stormy, as Vane and his followers endeavored to inject into the meeting of the Court matters not relevant to the sole purpose of its session. Winthrop was chosen governor, with Dudley as deputy, and Vane was dropped altogether, as were also Coddington and Dummer, two of the assistants who had adhered to Wheelwright. The answer of Boston to this repudiation of its favorite sons was the election of all three to the House of Deputies, and they were admitted, although the Court sought unfairly to annul the election. An order of the Court intended to discourage heresy tended rather to foment it; it being enacted under a penalty of £40 that no person should entertain newcomers for more than three weeks, nor supply them with a habitation or a plot of ground without sanction from the Court.

This enactment threw Winthrop into the arena of discussion, by reason of his position as governor, as the principal opponent of Vane. Winthrop issued a pamphlet in which he contended that the fabric of political society in New England was based upon the idea of the State as a self-electing body requiring from its members certain religious qualifications. To this illiberal view of a commonwealth, Vane replied by seeking to establish Wheelwright's doctrinal orthodoxy, and so missed the broader principle of the denial of religious liberty, which was involved in the question. It is easy now to inject into the merits of the controversy this principle, which then was not prominent. In August, 1637, a council of divines met at Newtown and endeavored to adjust the matters of dispute. Their labors took the form of the formulation of eighty-nine articles as the test of religious orthodoxy; and these were adopted

by the governing body. With this efficient weapon at hand, the Court was prepared for the punishment of heretics. Winthrop himself recites the situation, which, in its disregard of all proper principles of juridical procedure, rivalled the outrages suffered by the English Nonconformists themselves. The Court, "finding upon consultation that two so opposite parties could not be contained in the same body without hazard of ruin to the whole, agreed to send away some of the principals; and for this a fair opportunity was offered by the remonstrance or petition which they had proposed to the Court." Several banishments and disqualifications for the holding of office followed the adoption of this policy. Among others, Wheelwright was banished and took refuge on the banks of the Piscataqua. Mrs. Hutchinson was brought to trial; and after failure to convict her upon the points of the indictment of lecturing in a way opposed to the letter of the Scripture, the judges fell back upon the charge of calumny because of her affirming that the ministers preached a "covenant of works." To the question of the Court as to how she knew that she was under the guidance of the Divine Spirit, she made answer that the same question might have been addressed to Abraham when he offered up his son Isaac. Cotton alone, of the Court, seemed to perceive how impossible it was to determine questions of such a nature, and said "that she may have some special providence of God is a thing that I can not bear witness against." Her conviction was a foregone conclusion. The sentence of banishment was passed upon her, and she was excommunicated. She departed from the colony amid the rigors of winter and sought refuge, as had Roger Williams, at Narragansett Bay, where four years later she and her family were massacred by the Indians.

The Antinomian controversy and its issue show that persecuted Puritanism had become on the shores of America thoroughly political, aggressive, and practical. The ministers had become so intrenched in prerogatives and confident as to their wisdom and right to direct the policy of the

colony, that the subjection of the State to the religious order seemed to be imminent. This came out in the criticism passed upon Winthrop for sending to England a full account of the Antinomian controversy in order that distorted statements of it might not do the colony damage in that country. The ministers sharply criticised him for so doing and called him to account, upon which Winthrop laid down the doctrine in an emphatic way that the Church was subordinate to the State.

The success of the Massachusetts colony had enlisted interest in colonial matters on the part of many wealthy Puritans. Lord Brooke, Lord Say and Sele, and others had obtained a grant of land from the Council for New England. Its generous and uncertain provisions included "all that part of New England in America which lies and extends itself from a river there called Narragansett River the space of forty leagues upon a straight line near the seashore." It is uncertain whether or not they proposed to place their territory under the jurisdiction of Massachusetts, but they certainly did intend to identify themselves with that colony. It was proposed that there should be established in the colony the two orders of gentlemen and freeholders. To this Winthrop replied "the Governor always has been chosen from among the Assistants or of approved known gentlemen," and if any of "these noble personages desired to come over into the colony they would be received with honor and allowed preëminence and accommodations according to their condition." There was added the provision of church membership. These proposals fell through, and thus an aristocratic order was prevented from arising in New England, which, notwithstanding the guarded terms of Winthrop, was to be apprehended.



## CHAPTER V

### *THE COLONY OF CONNECTICUT*

A NEW feature in colonial life and a distinct epoch was marked by the settlement of Connecticut, when for the first time in American history a colony became the parent of a new community. We have seen how the men of Plymouth had their attention turned to the Connecticut region by Indian reports and the information of the Dutch settlers of New Netherland. Winthrop had hesitated to join Plymouth in the settlement of the region, largely because of the unfriendly attitude of the fierce Mohegans, who were under the ambitious and capable leadership of Uncas. The questions at issue among the Indian tribes of the region had much to do with the history of the Connecticut settlements. Uncas, who for some years had been a dependent of the powerful Pequods, the most savage and warlike of New England's neighboring aborigines, craftily sought to weaken his foes by fostering quarrels in the governing family. Under his incitement, the nephews of the head chief rebelled, but they and their supporters were defeated and driven out of the country. Uncas thereupon sought to cement close relations between the English and the Mohegans, in order that by such an alliance his tribe might become the most powerful of the Indian tribes of the region.

It was under the influence of the counsel of the sachem of the Mohegans that Oldham and his companions started out on their trading voyage to Connecticut in 1633, which led to the conference between Bradford and the leaders at

Boston. Although the latter had declined to enter into the project of the new settlement, they viewed with jealousy any attempt on the part of others to occupy the territory. The Dutch came into conflict with Massachusetts over the Connecticut country in the spring of 1633, just prior to Oldham's expedition to that region. One Jacob Eelkens sailed into the Hudson, and upon the basis of the nationality of its discoverer claimed that it of right belonged to the English; and although this claim was absurd, it marks the beginning of a chapter in the contest for European control in America. New Netherland was now alert to establish occupancy and bought a tract of land on the Connecticut from the Pequods, where a fort was erected from which the expedition sent out by Winthrop was challenged and threatened. To meet the claim of New Netherland upon the basis of the Pequod purchase, the Plymouth settlers effected an alliance with the Mohegans and sought to restore their chief to power. This action was taken by the Dutch as a direct challenge.

The territory in dispute formed part of the immense concession to the Council for New England. The government of Plymouth treated the upper valley of the Connecticut as unoccupied territory which they were competent to possess and settle, while the men of Massachusetts claimed the upper waters of the Connecticut as a part of their territory. In the meanwhile, by the grant to Lord Brooke and others, the lower region of the Connecticut passed under the rule of their company. Thus the mouth of the river was under the control of one colony, while its course for the greater part of its length was through the territory of another. The northern boundary of the tract of Lord Brooke and his partners was fifteen miles above the mouth of the river, whose headwaters were in the farther confines of Massachusetts, while between these two points was the Plymouth claim, which was contested by the Dutch. For the men of Massachusetts to settle in the Connecticut region was to place between themselves and their homes

a broad belt of wilderness. Such a departure was looked upon by Massachusetts not solely in the nature of an emigration, but as a secession from the home colony. Those going to so remote a point could not be kept under the control of Massachusetts, and placed themselves in a situation where an embroilment with the Indians and the Dutch might ensue. In spite of the disapproval of the legislature, however, the men of Watertown in 1634 sent out a small party to explore and fix occupancy upon the shores of the Connecticut, while some explorers from Dorchester were at the same time making preparations for a similar venture. So determined was the purpose of these restless spirits, that opposition was overcome, and in 1635 they were granted leave to remove themselves to the Connecticut while yet being subject to the direction of the government of the home colony. At the same time, the magistrates were given control of all matters pertaining to emigration.

The men of Dorchester, accordingly, put their plans into operation and thereby excited the proper indignation of the men of Plymouth, who felt aggrieved that their strong sister colony should undertake alone an enterprise which it had declined to enter upon in connection with the Plymouth authorities. Jonathan Brewster, who was at the head of the Plymouth settlers on the Connecticut, wrote home informing Bradford of the intrusion of the men of Massachusetts. The Dorchester men were not content to establish their settlement upon unoccupied territory, but insisted on occupying the very spot which the Plymouth government had obtained by alliance with the Mohegans and had maintained against the Dutch. To the temperate and dignified remonstrance of Plymouth the intruders returned the indifferent answer that the land was the Lord's waste, and the immediate purposes of trade which had brought them there were of more account than the uncertain possibilities of the future which had induced the Plymouth settlers to come to the place. Massachusetts, as usual, was successful in its contention with Plymouth, although the

emigrants insisted that their claim to the soil should be acknowledged. Upon this basis they agreed to sell the greater part of their land, reserving for themselves only two parcels, or one-sixteenth, and their house. The men of Newtown were more equitable in their attitude than the men of Dorchester and were willing to take up unoccupied ground which the Plymouth emigrants did not need. The same spirit of arrogance was shown by the men of Dorchester toward a party sent out from England by Sir Richard Saltonstall to occupy part of a grant from the Earl of Warwick, effectually frustrating the purpose.

An early winter made it doubtful if the settlers would be able to remain in the region. In October, seventy other emigrants joined them. They were presently left in a destitute condition and had to make a trip down the river shore to obtain supplies. Aroused by the intrusion of other settlers upon the Connecticut, the company of Lord Say and Sele at length took steps to establish its claims, but it purposed to have due regard to the rights of Massachusetts and selected for the command of the settlement the eldest son of the Governor of Massachusetts. Winthrop sailed to Boston and sent a small party in advance to the north of the Connecticut. The English found the arms of the Dutch States General nailed to a tree, and tore down this emblem of the authority of New Netherland in the region; and shortly afterward a Dutch vessel appeared, whose crew the English would not permit to land. With the Dutch in possession of the mouth of the river, it would have been impossible for the English to establish any settlements along its shores. Young Winthrop was keenly alive to this fact and consequently was friendly to the new settlement at the mouth of the river, which, combining the names of the leading spirits of the enterprise, was called Saybrook.

Notwithstanding the hardships to be endured in the country, the spring saw fresh bodies of emigrants moving toward the Connecticut country; these settlers were accompanied by their flocks and herds, while their furniture and



food supplies were sent by water. In a thoroughly characteristic manner, the movement took the form of the removal of churches, rather than of individuals. The attachment of the emigrants to Massachusetts was shown by their giving to the localities in infant settlements the names of places in the old colony. No less than eight hundred persons were in the new settlement in 1636, which comprised three towns; while to the north of them was Agawam, an enterprising settlement within the bounds of Massachusetts.

The new colony was governed by a provisional constitution under the direction of eight magistrates chosen by the Massachusetts legislature; but it was not long before the various towns asserted their claim to self-government, and in 1637 a representative government for the infant colony was established by the delegation of committees from the different towns, and in 1638 this took the form of an independent commonwealth. The style of government which was adopted consisted of a General Court, made up of six representatives from the colony at large and nine deputies, or, as they were styled, "committees," from the several towns. At this time the colony received an important accession in the person of John Haynes, who had formerly been Governor of Massachusetts. The settled system of representation formally adopted provided for a governor, six assistants, and deputies. The governor and assistants were to be elected annually by the whole body of freemen assembled in a General Court for that purpose, and the deputies by the towns, four from each. The representation of future towns was to be fixed by the government. Only the governor had to conform to the test of church membership. Taxation was to be imposed by the whole legislative assemblage, while the levying of it upon the various towns was given over to the deputies.

The Connecticut plantation was an extension of the English into the country of hostile savages. The Pequods had been greatly affronted by the recognition of the Mohegans by the Plymouth settlers. The Narragansetts occupied

part of the territory intervening between the Pequods and the Connecticut settlements, and their chief, Canonicus, who had sent the significant snake's skin of Indian arrows to Plymouth, had in the meanwhile become friendly to the English. He had additional reason to join with the settlers, because of injuries which his people had received at the hands of the Pequods. The first overt act of hostility on the part of the latter was the killing of a Virginia captain named Stone,—who was cruising about the mouth of the Connecticut,—the massacre of his men, and the destruction of the vessel. The knowledge of this occurrence came from Indian sources, with conflicting accounts of the circumstances which led up to it. As the Pequods had a quarrel with the government of New Netherland and supposed that the murder of Stone had not been made known to the English, they sought to effect an alliance with the latter, since they could not afford to be on ill terms with both their civilized neighbors at the same time. Embassies were sent to Boston after it appeared that the sudden desire of the Pequods for friendship was inspired by the active hostility manifested toward them by the Narragansetts. A large party of the latter were prepared to cut off the Pequod embassy, but by the exercise of the good offices of the English the tribes were restrained from making war upon each other. The Pequods were required to give up the murderers of Stone and promised to do so; but two years elapsing without their showing any inclination to make good their promise, the younger Winthrop, under advisement from Massachusetts, made formal demand upon the tribe for redress of this and other grievances, under threat of war. Hardly had Winthrop fulfilled his mission before John Oldham, while on a trading expedition among the savages of Narragansett Bay, was treacherously set upon by the Indians and slain. This murder was laid to the charge of the Narragansett Indians, who had become incensed at Oldham for trading in a friendly way with the Pequods. Energetic remonstrances were made to Canonicus

THE  
VVHOLE  
BOOKE OF PSALMES  
*Faithfully*  
TRANSLATED into ENGLISH  
*Metre.*

Whereunto is prefixed a discourse de-  
claring not only the lawfullnes, but also  
the necessity of the heavenly Ordinance  
of singing Scripture Psalmes in  
the Churches of  
God.

*Coll. III.*

*Let the word of God dwell plenteously in  
you, in all wisdom, teaching and exhort-  
ing one another in Psalmes, Himnes, and  
spirituall Songs, singing to the Lord with  
grace in your hearts.*

*James v.*

*If any be afflicted, let him pray, and if  
any be merry let him sing psalmes.*

*Imprinted*

1640

Title-page of the first psalmbook printed in English in America (Bay State Psalmbook); only ten copies are known to exist. *From the original in the New York Public Library, Lenox Branch.*



and demands for the punishment of the guilty persons, but the old chieftain was acquitted of all blame in the matter, and it was made clear that the responsibility for the crime rested solely upon the Indians of Block Island, who were isolated from the rest of the tribe.

Accordingly, Endicott headed an expedition against Block Island under instructions to extirpate utterly the Indians of that place and then to go to the mainland and insist upon the delivery to them of the murderers of Stone, and also a thousand fathoms of wampum as a fine. The island natives, having gained knowledge of Endicott's approach, fled into the impenetrable underbrush, with the result that the expedition had but the farcical satisfaction of cutting down the corn of the Indians, burning their houses, and shooting their dogs. Endicott then turned his attention to the Pequods, who, unsuspecting the hostile nature of his visit, received him in a friendly fashion. The English resorted to the crafty and discreditable tactics of the red men, and, assuming an amical attitude, awaited a favorable time to strike their blow; before this could be done, however, the Indians divined their intention and sent aboard the vessel a chief to negotiate for a peaceable settlement of the matter. Endicott was not to be dissuaded from his purpose by the explanations given by the Pequods as to the murder of the Virginia captain, by which it appeared that they had mistaken him for a Dutchman. With colors flying, he valorously marched with his men into an open field to meet the enemy in battle. The Indians, however, remained at a distance and ridiculed them. Again Endicott had recourse to the firebrand and destroyed as far as possible the Indian village, spoiling the corn and making the place desolate. This was done against the remonstrance of the English settlers of the region. Gardiner said: "You come hither to raise these wasps about my ears; then you will take wing and flee away."

As Endicott had embittered both the Pequods and the Narragansetts against the English, these tribes made up their differences and presented a formidable coalition against the

English. At this juncture, Roger Williams, the man who had been cast out of Massachusetts and who was loved by his Indian neighbors, interposed in behalf of the settlers. Thus the man whose presence in America was in defiance of their authority placed them under tribute to him for their safety. At the urgent request of the governor and Council, Williams visited Canonicus and Miantonomah, where he found the ambassadors of the Pequods. By some arguments, the nature of which we do not know, he prevailed over the sanguinary counsels of the Indian ambassadors, and dissuaded the Narragansetts from committing themselves to a league against the English colonists. At the same time, Winthrop received a strongly worded protest from the Governor of Plymouth against the folly of the late expedition. As a result of that expedition, the Connecticut settlers were harassed throughout the winter by scouting parties of the Pequods, and the garrison at Saybrook was kept in a constant state of alarm. Gardiner himself was wounded by an Indian arrow, and, in all, twenty English settlers were killed or taken prisoners. (This was taking place while Boston was profoundly absorbed in the dialectical discussion concerning *grace versus works*.)

There was now no doubt of the Indian temper and of the necessity for the settlement to prepare for a determined attack. Gardiner's garrison was set upon by a band of a hundred Pequods, who killed seven men, a woman, and a child, and carried away two girls. The Connecticut towns were surrounded by the Indian tribes, who were able to call out as many as four or five thousand warriors. Already a thousand Pequod fighting men were in the field, and a spirit of restlessness was being fomented among the other tribes. The crisis demanded vigorous and decisive action, if the settlements were not to be destroyed and their inhabitants massacred; hence hurried appeals were sent to Massachusetts and Plymouth for aid. The General Court of Massachusetts, in special session, agreed that the war with the Indians should be prosecuted and provided for a

levy of a hundred and sixty men, with an appropriation of £600 for the campaign, while the Plymouth colony made a levy of forty men. The need of action was too pressing to await the mobilization of these forces; and the Connecticut settlements, with a force of ninety men under the lead of Captain John Mason, a veteran of the wars in the Netherlands, started out to punish the Indians for their crimes. Embarking in three vessels, they sailed down the river with seventy friendly Indians, and were joined at the fort by Underhill, of Massachusetts, with twenty men. A difference of opinion arising as to the plan of campaign, it was agreed to seek Divine direction through the chaplain of the expedition, the Rev. Mr. Stone. In the morning, the chaplain declared for Mason's plan, which was to oppose the Pequods through the Narragansett territory. Continuing down the river, they debarked at a point about twenty miles east of the Pequod country and marched overland, accompanied by sixty friendly Mohegans and four hundred Narragansetts and Nihantics. Silently they approached the Pequod fort and made a sudden assault upon it: the battle was short and sharp; in an hour it was all over; not five of the four hundred defenders of the fort made their escape. Some accounts put the number within the fort as high as seven hundred. Only two of the English were killed, but more than a fourth of them were wounded. Severe as was the punishment of the savages, the circumstances and the safety of the settlers required it, in order to make a sufficient impression upon the minds of their enemies, who were open to no other form of argument than that of physical superiority. The remnant of the doomed nation decided to seek safety by flight, and they set off to join the Mohawks on the Hudson; but the fugitives having put to death some Englishmen by the way, Mason and forty men followed swift upon their tracks, overtaking them at a point a little west of the present site of New Haven, when they promptly punished them, while the chief, Sassacus, was killed by the Mohawks to whom he had fled for

safety. Thus the Pequod nation became extinct, its survivors being divided among the Narragansett, the Mohegan, and the Nihantic tribes; and New England had forty years' respite from savage violence.

It was after the Pequod war, in 1637, that the constitution of Connecticut was framed and the form of government, as already described, set up. In the preamble to this first written constitution it was declared to be the purpose to "preserve the liberty and purity of the Gospel of the Lord Jesus" as well as the discipline of the churches as practised among them. It contained no recognition of any outside authority whatsoever. At the first election, in 1637, Haynes was chosen governor; Roger Ludlow and Edward Hopkins, the one a former Deputy Governor of Massachusetts and the other a wealthy merchant from London, were two of the six magistrates. The model for the towns was that provided by Massachusetts. Two new plantations had been added to the original three and were styled Fairfield and Stratford. The General Court recognized them according to the constitutional provision by setting out their bounds and providing for the administration of justice within them. The military post at the mouth of the river, commanded by Gardiner and surrounded by a few buildings, was not politically connected with the upper towns. The coming of George Fenwick, who is described as "a worthy, pious gentleman and of good family and estate," who had been a barrister of Gray's Inn, and whose wife was a daughter of Sir Edward Apsley, gave added interest and dignity to the place. He came as the agent of the patentees.

Saybrook, as the post was named, and Agawam, or Springfield, were geographically connected with the Connecticut colony, although the one was held under the patent of the Lord Say and Sele Company, and the other was within the jurisdiction of Massachusetts. Springfield owed its settlement to Pynchon, one of the six provisional commissioners of Massachusetts to the government of Connecticut. It will be remembered that it was only the residents of the three



original towns, Windsor, Hartford, and Wethersfield, who came together to formulate the constitution of Connecticut. The relation of Springfield to these was not clearly defined; nor, on the other hand, was it recognized as appertaining to Massachusetts by reason of being in its territory; but whatever its relation to the lower towns, it was of brief duration. This might have been otherwise if Pynchon's personal relations with his Connecticut associates had been pleasant, but this was not the case. Massachusetts had always regarded this plantation as being within her charter territory; and Pynchon presented a petition to the General Court at Boston, asking that it be recognized as within the jurisdiction of Massachusetts, and that a commission be appointed to act in concert with a similar commission from Connecticut to define the south line of Massachusetts. Thus was Springfield lost to Connecticut in 1641. But the following three years witnessed an increase in the number of its towns that compensated for this loss. A company of about forty families from Lynn, Massachusetts, removed to some land purchased by them from the Indians on the south side of Long Island near its eastern extremity, and began a settlement which they named Southampton. Having learned by experience that in union there is strength, they came under the jurisdiction of Connecticut and were admitted through their deputies to the General Court of that colony. Saybrook also found the burden of isolation too grievous to be borne; so, for certain considerations of duties to be collected from vessels passing out of the river and certain taxes upon local trade in pelts and live stock, Fenwick conveyed to Connecticut the fort and its appurtenances with the land, excepting only such as was already private property, and agreed to obtain, if possible, a like transference of all the lands that had been granted by the Earl of Warwick. Connecticut was now a colony of respectable proportions, and of sufficient promise to be taken seriously into account as an important factor in all the plans of Massachusetts and of Plymouth.



## CHAPTER VI

### SETTLEMENTS NORTH AND SOUTH

THE settlement of the country north of Massachusetts followed no predetermined plan, and did not arise from any broad principles of colonization. It resulted mainly from the overflow of restless and adventurous spirits, to whom the virgin wilderness presented a fascination they could not resist, and whose minds conjured up the picture of little homesteads where, undeterred by the isolation of vast forest depths, they could live the simple, wholesome, and contented lives which filled the measure of their ambitions. Sometimes the immediate cause of a settlement was the exacting spirit of Massachusetts, particularly in the matter of religion, or a trader or two would establish a post convenient for barter with the natives and from this simple beginning would arise a settlement as the forerunner of a town. At the opening of the third decade after the arrival of the *Mayflower* at Plymouth, the country east of the Piscataqua was almost without English inhabitants. The capture of the factories at Penobscot and Machias by the French had been a check to settlements in the region of the Kennebec. There had been faint attempts made to revive the settlement at Agamenticus, which had gone into decline. In 1639, the indefatigable Gorges succeeded in obtaining from the king a charter constituting him Lord Proprietary of the province of Maine, and clothing him with pretentious powers of legislation. The boundaries of this new domain as then described were Piscataqua and

Connecticut Rivers, and a line of a hundred miles in length connecting their mouths, with the oceans as the east and west boundaries. The powers conferred upon Gorges over this uninhabited wilderness were sufficient for the purposes of a populated and organized State and were as full as any absolute ruler could desire, nor, indeed, was he loath to embody all the forms and dignities conferred upon him in the persons of members of a cabinet with imposing titles. He appointed, in 1640, his cousin Thomas Gorges to be deputy governor of his domain, with six residents of the country as councillors, to whom minute instructions were given respecting their official duties. The councillors were individually to fill the offices of secretary, chancellor, field marshal, treasurer, admiral, and master of ordnance. This imposing array of officials was to constitute the Supreme Court and to have in attendance a registrar and a provost marshal. The more popular branch of the legislature, the deputies, was to be elected "by the free holders of the several counties" and was to be composed of eight members. The county government was to consist of a lieutenant and eight justices, appointees of the Council. Some of the officers thus created went seriously to work at once to make effective their new official dignities by taking the oaths of office and allegiance to the Lord Proprietary and attending to such slight causes as awaited judicial disposition. The deputy governor upon his arrival found that the official residence at Agamenticus hardly comported with his dignity and contained few articles of comfort, the actual enumeration of which is given: "Nothing of the household stuff remained but an old pot, a pair of tongs, and a couple of cob-irons." One of the first official acts of Thomas Gorges was to arrest upon the charge of adultery a person of some consequence in the little capital, one George Burdett, who, after his conviction, sailed for England in great heat, breathing out threatenings.

The elaborate provisions for the government of Maine stipulated that the province should be divided into eight

counties, which were to be subdivided into hundreds and these again into parishes. Agamenticus, at first recognized as a borough, was soon constituted a city with a territorial compass of twenty-four square miles. At the first, Saco was the place for judicial proceedings, but afterward a local court was established at Agamenticus, which was recognized as the principal settlement. While the General Courts were annually held at Saco, the residence of the deputy governor at Agamenticus so increased the importance of that place as to bring it into friction with its sister town and the government seated there, which led to the institution of a city charter for Agamenticus under the name of Gorgeana. Not less than two-thirds of the adult members of this ambitious city occupied places of authority. This ridiculous government in Maine continued its performances for ten years. Among the scattered settlements of Maine, other than those mentioned, was that known as Black Point, the nucleus of the future town of Scarborough, which owed its inception to Captain Cammock, a nephew of the Earl of Warwick, and that at Pemaquid, which was founded by Aldsworth and Eldridge. Another settlement, the beginning of the present town of Portland, was fixed at the mouth of the Kennebec; George Way and Thomas Purchase obtained a grant of land on the Androscoggin, or the Pejebscot as it was then known, but this settlement came later under the jurisdiction of Massachusetts, by conveyance.

A grant about which centred a great deal of interest, and a little of mystery, was that of the "Plough patent" as it was called. In 1631, Winthrop informs us, ten husbandmen arrived in New England, in a ship named the *Plough*, with a patent for land on the Sagadahock, now called the Kennebec. They did not avail themselves of their patent rights, but settled instead in Massachusetts. There had been a dispute between them and Gorges as to the bounds of their grant, as the claim of the patentees included some settlements already established. This claim of the "Plough patent" to the territory of Ligonias, as it was called, was

used later to dispossess Gorges of a part of his territory. It was contended, and successfully, that the grant covered a tract of land extending from Cape Porpoise to Cape Elizabeth, in which was the settlement at Saco.

The career of John Mason we have already seen to have been one of great colonial activity. Of those members of the Council for New England who participated in the division of her territory, Mason and Gorges seem to be the only ones who took an active part in the settlement of New England. While Mason's activities are prominently identified with New Hampshire, he was not the first to attempt to plant a settlement in that territory; priority belongs to David Thompson, who in 1623, with several other men of Plymouth, effected a settlement a few miles south of Piscataqua River. Thompson himself afterward settled on an island in Boston harbor. Another settlement, founded by the brothers Hilton in 1623, was Cocheco,—which afterward received the name Dover,—situated on the west bank of the Piscataqua some fifteen miles higher up.

In 1629, Mason, Gorges, and seven others established a partnership under the name of the Laconia Company. The territory under the grants issued to them was simply described as on the Iroquois lakes. They sent out Captain Walter Neil as their agent, who made a fruitless voyage of discovery to the northwest. In 1631, a more definite grant was issued to the company by the Council for New England; it included the territory of the Piscataqua, upon which was located the house of Captain Neil. In all, there were three trading stations upon the land. On the division of the territory of New England in 1633, the tract from Salem to Piscataqua fell to the lot of Mason. Mason's settlement was Anglican in its religion and became an offence to Massachusetts, as well as to its neighbor Cocheco. In 1633, the Bristol merchants sold their share in the plantation to Lord Say and Sele, Lord Brooke, and several of their partners. This transfer was followed by an influx of Puritans and the establishment of a meeting house. Thus was raised a

religious barrier between the plantations on the Piscataqua by which Massachusetts gained a foothold which was availed of in the future for further aggression.

Two settlements had been created within the territory claimed by Mason. One of these owed its origin to the expelled Wheelwright, and was located on a tributary of the Piscataqua. The name of this settlement was Exeter, founded in 1638, a name it continued to hold after becoming a town. The whole number of its inhabitants was thirty-five, of whom the majority were entirely illiterate. The year after Exeter became a town Cocheco acquired a similar status. From the first these towns were at a disadvantage from their proximity to the strong colony of Massachusetts. The vagueness of the description of their boundaries was a fruitful source of dispute and an opportunity for Massachusetts to assert the limit of its claims. The Massachusetts charter established its northern boundary at a line three miles north of Merrimac River, but whether or not this boundary was supposed to follow the course of this river, or whether it was to start at a point three miles north of the northernmost point of the river, was a matter of controversy between Massachusetts and Piscataqua. The grant to Mason was favorable to the former construction, while the aggressiveness of Massachusetts would not be satisfied with anything short of the wider interpretation of its limits, which brought Piscataqua within the boundaries of Massachusetts. As if to give practical assertion to its claim, Massachusetts, by order of the Court, had a house built midway between Piscataqua and the Merrimac, where two years later the settlement of Hampton was formed against the remonstrance of the settlers at Exeter. Fifty-six emigrants from Norfolk settled there and erected a church. Massachusetts could not feel a spirit of leniency in its attitude toward either the Anglican settlement at Piscataqua or the Antinomians at Exeter; on the other hand, there was no bond of common interest uniting Piscataqua, Exeter, and Dover.

In 1639, the settlers at Dover made overtures to Massachusetts for actual incorporation; and two years later the settlers at Piscataqua took the same step. The conditions of union provided that the newly received towns should be jointly represented by two deputies in the General Court. In 1643, Exeter petitioned to be received into Massachusetts and was duly incorporated therein.

Passing from the northern settlements to those at the other extreme of New England, those about Narragansett Bay invite attention. This was the region which appeared especially congenial to the men that Massachusetts cast out in abhorrence. In a very real sense, although without premeditation, the settlements about Narragansett Bay owed their institution to the Massachusetts Bay colony. Although the relations between Rhode Island and New England were as strained as those between New England and the mother country, yet to the parent colony must be ascribed the glory of Rhode Island as certainly as the credit for New England's settlement must be given to England. While New England learned the lesson of toleration by the slow stages of a broadening experience induced largely by the increasing economic liberality of spirit which her prosperity brought her, in Rhode Island religious liberty was a matter of the temperament of those who were its founders.

In 1637, there arrived from England in two ships a company which included Theophilus Eaton, who had been named as one of the assistants of the Massachusetts Company. He was the son of a clergyman in Buckinghamshire, had risen to a state of opulence in London, and had served under the government in a diplomatic capacity at Denmark. He was a parishioner of John Davenport, minister of St. Stephen's Church, London. Davenport was tainted with the liberal heresy and had incurred the ill will of Archbishop Laud, who compelled him to resign his cure. He retired to Amsterdam and from there made his way to New England. Eaton and Davenport arrived in the country at the height of the Antinomian controversy and



while the Pequod war was in progress. They represented Scriptural literalism to the extent that they desired to have an opportunity of putting into effect a settlement which should be based on Scriptural rules in all its civil and religious concerns. Massachusetts was consequently not an inviting field for their colonial efforts, and they decided upon settling at a place called Quinnipiack, on Long Island Sound, some thirty miles west of Connecticut River.

Upon their arrival at that place, after exercises of fasting and prayer, they formed a politico-religio association upon the basis of what they styled "a plantation covenant," with the understanding that the religious features should be more fully incorporated in it when they had better opportunity for ecclesiastical organization. They resolved that "as in matters that concerned the gathering and ordering of the church, so likewise in all public offices which concerned civil order, as choice of magistrates or officers, making and repealing of laws, dividing allotments of inheritances, and all things of like nature," they would be under the government of rules drawn from the Scriptures. The covenant included no recognition of outside authority and made no allusion to the government of England. These settlers were for the most part Londoners, and in point of wealth theirs was the richest of all the plantations. These were the settlers of the future town of New Haven. Their lack of legislative machinery and judicial provisions continued for over a year, and the plantation covenant was the only basis of their civil life. It is hardly to be doubted, however, that men such as Eaton and Davenport were leaders clothed with virtual authority. In June, 1639, a constitution was framed by the whole body of settlers. The proceedings opened with a sermon from Davenport on the text: "Wisdom hath builded her house, she hath hewn out seven pillars." Scriptural analogy was maintained by the selection of seven of the chief men to draw up the constitution. The sermon of Davenport but reiterated the position of Massachusetts: that the Scriptures offer a

sufficient rule of civic life as well as of the government of individual conduct. The test of church membership was made a qualification for the franchise. In the formation of a church organization the Scriptural number seven was again adhered to, and that number of persons was selected for the nucleus of the church. At the same time, civic obligations were laid upon the community by the exaction of an oath of allegiance to the principles laid down by Davenport. Over one hundred of the inhabitants subscribed to the oath. The form of government drawn up by the seven men to whom the matter had been committed granted the rights of a freeman to all who should join the colony, provided they had connection with its church or some other. A governor and four magistrates were elected to hold office for a year, although Eaton was continued in office for twenty years, until his death. Scriptural precedent broke down before the common law principle of trial by jury; and, as a result, there was no provision for the hearing of cases by a jury.

By the authority of the General Court, provision was made for the building of a meeting house as well as for land allotments and defence against possible attacks from the savages; also for the regulation of the prices of commodities and of labor. In its second year the name New Haven was formally adopted for the colony.

The colony at New Haven was soon followed by others which entertained the same objects and were inspired by the same sentiments. That of Milford on the Housatonic was established by two hundred persons, some of whom came from New Haven and others from Wethersfield. They were under the direction of the Rev. Mr. Prudden. Another party lately arrived from England under the leadership of Mr. Whitefield established themselves at a place called Guilford, on Long Island Sound. Their constitutional and ecclesiastical procedure was quite after the model of that of New Haven. The principle of Separatism as an ecclesiastical polity found its expression in the independence

which was maintained by these various settlements in the same region. There were also plantations established at Rippowams, afterward known as Stamford, and Yennycok, afterward called Southold, the former being on the mainland and the latter on the north shore of Long Island, where it was brought into conflict with the Dutch. These less important settlements had to depend to an extent upon New Haven for their government.

The principle of Separatism could not be absolutely maintained, and, though the first stages of the process of the federation of these independent settlements are not clear, it is certain that after a time their community of interests brought them into increasingly close relations. In 1643, Guilford and Milford came within the jurisdiction of New Haven, and immediately there was raised in the case of the latter the ecclesiastical membership test, for Milford had admitted to the status of freemen six persons who were not members of the church. The grave question as to whether they should be accepted as citizens of New Haven was settled by a compromise which preserved to them their local rights, but which did not permit them to vote for magistrates, to hold office, or to enjoy any of the general functions of freemen. The admission of these settlements made it necessary to revise the constitution of New Haven. This was done by establishing a General Court, which, besides the governor, deputy governor, and magistrates, was to consist of two deputies from each town. This court was to meet at New Haven. A majority adverse vote by either the deputies or the magistrates could veto any measure of legislation. The magistrates were to be elected by the whole body of the freemen and constituted a court for the hearing of civil cases not involving more than twenty shillings' value, and criminal cases as well.

In 1643, the colony numbered over two hundred inhabitants who had taken the oath of freemen. The whole number of householders was one hundred and thirteen, who with their families made up four hundred and twenty

persons. The wealth of the members of the colony preserved them from the experiences of want, such as had been the lot of all the other settlements. Massachusetts writers dwell upon the costly houses "laid out in very gallant form" and the complete streets of New Haven. The prosperity of New Haven, however, was not substantial; the loss of a ship in 1644, whose cargo represented a considerable investment on the part of the New Haven merchants, was a hard blow to the colony. This first federation was the precursor of later and larger confederations in New England, and constituted a valuable study as a model for them.

We can now turn our attention to the first important settlements in Rhode Island. Having frustrated the design of the Massachusetts magistrates to send him to England, Roger Williams had made his way to the shores of Narragansett Bay, where, with scrupulous regard for the rights of the savages, he purchased from them the lands needed for his settlement. Canonicus and Miantonomah conveyed to him the lands lying between Pawtuxet and Pawtucket Rivers. Williams was joined by associates from Massachusetts and chose for their abode a point of land near the mouth of the Seekonk. He divided this land into lots, which he sold to his companions. This plantation he called Providence, as an expression of his faith in Divine leading. There was no attempt made for a government for the colony at the outset. Later there was formed an association based upon land proprietorship, and as new members were admitted the process of land subdivision or allotment was extended. The number of proprietors at the first was thirteen, and there were thirteen other men, probably young unmarried men, who were in a position of dependence on these. The first Baptist church was formed at Providence in 1638, when there appears to have been an influx into the colony of a number of persons of that persuasion from Massachusetts. Prominent among these was Mrs. Scott, a sister-in-law of Mrs. Hutchinson, and Ezekiel Holyman. These persons confirmed Williams in his Anabaptist tendencies. He





John Davenport. *From the original painting, now hanging in Alumni Hall, Yale University.*

received baptism at the hands of Holyman, and then administered the rite to Holyman and ten others. The internal condition of Providence, notwithstanding, was inharmonious. A certain Verin had refused to let his wife come under the spiritual administration of Williams, on the ground that he required too frequent church attendance, and for this cause he was disfranchised, the specific charge against him being that he infringed freedom of conscience. Some even advocated the divorcing of Verin's wife and the assignment of her to some man who would treat her better. In 1640, an unfriendly feeling having strongly developed at Pawtuxet toward the government at Providence, it was made a separate town. At this time there were appointed four arbitrators to settle the matters of difference existing in the colony and to draw up a form of government. Five selectmen were appointed to dispose of lands and to conduct the public business. They might also receive new members into the colony, but only after due notice to the community at large, in order that objections might be filed and complaints heard against the admission of such persons. The selectmen were to meet in assembly quarterly, and, after submitting their report and when their term of office had expired, their successors were elected.

The Providence plantation acted as a magnet to draw to it the discordant and dissatisfied elements from Massachusetts and the other plantations. Not only so, but its character became known in England and there resorted to it representatives of all the sects which there flourished, and schismatics of every degree of sincerity and hypocrisy as well. When the Massachusetts magistrates expelled Wheelwright, Mrs. Hutchinson, anticipating a similar sentence, set out with a party of adherents under the direction of William Coddington, a late deputy from Boston, and John Clarke, a physician and a man of consequence otherwise, to find a home in Maine. The experience of that climate for one winter was sufficient, and they then turned their steps in the direction of the Hudson with no definite idea as to where

they desired to locate. Mrs. Hutchinson, however, did not at this time accompany them. On arriving at Providence, they were entertained by Roger Williams, who kindly set out with them to find a desirable place for a home. Their attention was directed to Aquednek, and, deciding to make their settlement at that place, they engaged the good offices of Williams to obtain from the Narragansetts sufficient territory. The particular place on Rhode Island chosen for their settlement by the newcomers was at the northeast extremity. When Aquednek later coalesced with Providence, a form of government for the colony of Rhode Island was drawn up. As was usual in such cases, it began with a declaration of the principles of the association. This was as follows: "We do here solemnly, in the presence of Jehovah, incorporate ourselves into a body politic, and as He shall help will submit our persons, lives, and estates unto our Lord Jesus Christ, the King of kings, and Lord of lords, and to all those perfect and most absolute laws of His, given us in His holy words of truth, to be guided and judged thereby."

The electorate was comprised of the whole body of the freemen, and all public affairs were settled at town meetings. Coddington, with the title of judge, was elected chief magistrate. All male inhabitants between the ages of sixteen and fifty were to be organized into a militia. As the settlement developed, this early machinery was found to be insufficient; and there were associated with the judge, or magistrate, three assistants, with the title of elders. The general government was required to report to the town meetings, held quarterly, all its matters of legislation, and these were subject to their revision or repeal. The usual officers of the peace were appointed. After her departure from Massachusetts and on her return from Maine, Mrs. Hutchinson joined her adherents at Aquednek. It was not possible that a woman of such masterful spirit should fail to embroil in a disturbance those who were not disposed tamely to submit to her arbitrary temper. Samuel



Gorton, who played a prominent part in New England history, was the person to antagonize Mrs. Hutchinson. He was an illiterate man, of that peculiar cast of mind which, with a certain degree of acuteness, yet lacks the power of proper discrimination. Full of energy, of undoubted courage, and honest in the stand he took, his morbid passion for notoriety would not content itself with anything short of the formation of a party of adherents. It soon became a matter of discussion in Boston that the Antinomians were at odds among themselves at Aquednek. Coddington, in the interest of peace, quietly withdrew with his supporters to Newport. Winthrop alleges that matters at Aquednek had reached a tumultuous point and that Coddington was forcibly expelled, but evidence of his peaceful departure is found in his own testimony. There were fifty-nine persons in all to form the new settlement, and this number was soon increased by fresh immigrants to over a hundred. The constitution which they drew up was of the same simple nature as that under which they had been living. The judge and elders were to constitute a judicial court and to sit once a month, while all public business was committed to the quarterly meetings, at which the judge could cast two votes. Compulsory military service was exacted from every competent male member of the settlement.

Hutchinson, who was principally conspicuous as the husband of his wife, and whom Winthrop describes as "a man of very mild temper and weak parts, and wholly guided by his wife," was elected judge by the twenty-nine settlers who had remained at Pocasset, which was the name of the original settlement. There were associated with him seven assistants, upon whom devolved the usual duties relating to public business and public lands and the trial of small cases. The name of the settlement was changed to Portsmouth. After a year of separate existence, Newport and Portsmouth were reunited. As the name of Gorton does not appear among those seeking readmission, it is presumable that he, who was the cause of the separation, had departed

from the country. Under the reunion, as provided by the terms of agreement, there must be a governor, a deputy governor, and four assistants, with equality of representation of the two towns. The courts sat alternately in each town, and the freemen of the two towns met in the General Court. The following year the assembly drew up a formal constitution, which declared that the government constituted under it was to be a democratic, or popular, form of government. The whole body of freemen in assemblage, or such part of them as came together, should make laws and select the magistrates. A State seal, consisting of a design of a sheaf of arrows bound together with the motto *Amor vincit omnia*, was adopted. The use of the word "state," which occurred in this instrument, instead of the usual term "colony," is significant. As yet there was no evidence of a desire for union between the settlers of Aquednek and those of Providence.

While these colonial developments were taking place north and south, matters in the Plymouth colony had been moving along in an easy fashion, and prosperity had followed as the result of industry and intelligence. In 1638, Bradford wrote of the colony "it pleased God, in these times, so to bless the country with such access and confluence of people into it, as it was thereby much enriched, and cattle of all kinds stood at a high rate for divers years together." Commerce with the Indians on the Kennebec was flourishing. The representation at the General Court at this time showed seven towns entitled to deputies; namely, Plymouth, Duxbury, Scituate, Sandwich, Cohasset, Yarmouth, and Barnstable.

In 1641, the patent from the Council for New England, under which the lands of Plymouth continued to be held, and which had been issued to "William Bradford, his heirs, associates, and assigns," was conveyed by Bradford into the hands of the whole Court, by which act, duly executed, the corporation of New Plymouth became beneficiary of all the rights, titles, power, etc., conferred by that instrument.

The same year the unsatisfactory relations of the colonists with their London partners were partly brought to a settlement by the consent of the latter to accept in full discharge of all obligations the sum of £1,200. In 1643, the colony sustained a severe loss in the death of William Brewster, of whom Bradford wrote "and my dear and loving friend, Mr. Brewster [died] a man that had done and suffered much for the Lord Jesus and the Gospel's sake." The beloved elder had reached the ripe age of fourscore years. Perhaps no other man had exerted a wider and more helpful influence upon the Plymouth colony than he. Discreet, modest, devout, and useful, he had enlisted the respect and affection of all his brethren, and, as Bradford expressed it, "it was God's visitation that preserved their spirits."

With Massachusetts grown to be a strong commonwealth and Plymouth also in a flourishing state, with outpost settlements associated in colonial groups, conditions were ripening for the larger confederation of New England.



## CHAPTER VII

### *THE STAGE OF HARMONY*

BEFORE considering the events which led up to the federation of the New England colonies, we may pause for a brief survey of the various members of that union as to their internal condition. There is, of course, nothing distinctive to be said with regard to the several colonies as to matters purely social. Customs as to marriage, housing, and the like were much the same in all. A study of the social history of early New England would of necessity lead back to contemporaneous society in England. This would involve a discussion of states of society and of culture not peculiar to New England, and which in many respects would be found to be duplicated in all the colonies.

During the twenty-three years which had passed since the Plymouth plantation was begun, the institutions and social condition of the colonies had taken their distinctive shape. Convention and custom in that short while had formed the mould in which were to be cast the intellectual, the spiritual, and the patriotic ideals of an important section of the American people, which ideals, not confined to the rough coast settlements of the north, were to be embodied in the best instruments of America's government and to be expressed in the noblest sentiments of the republic.

When the confederacy was formed, the population of New England was about twenty-four thousand, of which fifteen thousand were in Massachusetts, three thousand

each in Connecticut and Plymouth, and twenty-five hundred in New Haven. Their developing needs had led the colonists to enact legislation under constitutional provisions which had little regard for the parent country. Churches of their own accepted order were erected and supplied with ministers who in piety and learning constitute a select group, whose peers are not often met with in the subsequent history of America. Nor were the colonists unmindful of measures for the advancement of learning and its perpetuation to posterity, for the foundations of the splendid universities of Massachusetts and Connecticut were laid by men who felt that they were building for the future. The government of the several colonies has been sufficiently noticed to make recapitulation unnecessary. They were all after the same general model, and in the matter of positive law all were at first weak. In Massachusetts, for over ten years there was no system of statutes, nor was recognition given to the Common Law of England. As early as 1635, however, the deputies from the towns took their place in the General Court, and it is recorded that "John Winthrop and Richard Bellingham, Esq., were desired by the Court to take a view of all orders already made, and to inform the next General Court which of them they judged mete to be altered, abbreviated, repealed, corrected, enlarged, or explained." This desire for a code of laws was pressed with energy until, in 1641, the General Court tabulated one hundred enactments under the title *The Body of Liberties*. To Mr. Nathaniel Ward, at one time pastor of the church of Ipswich, belongs the honor of drafting the code. Such general matters as are now enumerated in Bills of Rights were included in this first legislative code of Massachusetts. No man's life could be taken away, his honor or good name stained, or his personal liberties in any wise invaded, except by the express warranty of law established by the General Court; or, in the defect of law for a particular case, by reference to the Word of God. In respect to capital crimes, the code of Moses was followed

to a considerable extent. Ten causes for the infliction of the death penalty were enumerated, some of which to-day appear to be but lesser offences: they were idolatry, witchcraft, blasphemy, homicide, adultery, two forms of unnatural vice, man stealing, false witness, and treason. The enactment with regard to bondage is of interest. "There shall never be any bond-slavery, villanage, or captivity amongst us, unless it be lawful captives taken in just wars, and such strangers as willingly sell themselves, or are sold to us. And these shall have all the liberties and Christian usages which the law of God established in Israel concerning such persons doth morally require."

The earliest code in Connecticut covered only capital offences, and was for the most part copied from the Massachusetts code. New Haven was without any body of statutes, the courts being guided by what they accepted as the rules of equity and by the Scriptures. Prices and commodities in all the colonies were subjects of legislation. In Massachusetts the ministers were required to be supported, and their ministrations attended by the people. The churches were companies of believers who met together for Christian worship, the observance of Christian ordinances, and who, regardful of one another's spiritual welfare, entered into public engagement to walk together in the ways of God and of His truth. The officers of a church were usually a pastor and a teacher, besides one or more ruling elders, to whom, with the teacher, were committed matters of discipline. There were also deacons, who had oversight of advisory matters and the care of the poor. At the time of the confederation the ministers in New England numbered eighty, which was about one to every three hundred of the population. The principle of absolute independence of the churches was of necessity modified by the relations of the Church and State. When the requirement for office holding was church membership, the public interest demanded that the qualifications for church membership should be approved by the State. In the nature of the case,

the meeting of the freemen in a General Court was the same as the meeting of the members of all the churches.

Protection was secured to the colonies through a militia composed of infantry alone. The unit of the organization was the train-band, which consisted of not less than sixty-four and not more than two hundred men. It was constituted of twice as many musketeers as pikemen, and was officered by a captain, a lieutenant, an ensign, and four sergeants; all males liable to military service were provided with arms and ammunition. The private soldiers carried pikes, muskets, and swords, and the commissioned officers swords and pistols. At Plymouth the law required that the trainings of these bands should always be begun and closed with prayer, a practice that may have been common to all the colonies.

In addition to agriculture, manufacturing interests were becoming a part of the industry of Massachusetts especially. Immigrants from the various factory towns of England brought over with them the knowledge of their crafts; thus some families from Yorkshire began the settlement of Rowley and there introduced the manufacture of woollen and cotton fabrics, and it was not long before this industry in Massachusetts became important enough to be the subject of acts passed by the General Court. Iron and glass works, the manufacture of salt, and all the ordinary industries necessary to meet the common needs of a community, were in operation. Turpentine, pitch, and tar were extracted from the pine forests, and traffic with the Indians in furs and pelts was an increasing source of profitable trade. None of these industries, however, was of so much commercial significance as the "taking, making, and transporting of fish." For the encouragement of its fisheries, Massachusetts enacted that all vessels and other property employed in the industry should be exempt from duties and public taxes for seven years, and that all fishermen during the season of catch should be excused from military duty. The records of the colony for the second year after the



confederation state that the mariners fished to such advantage, "that there was above three hundred thousand dry fish sent to the market." Shipbuilding was a necessary concomitant to the fisheries. The first vessel built was a little craft for Winthrop, called *The Blessing of the Bay*. From this beginning was developed a large fleet of ships of varying tonnage, by which the commerce of the colonies was extended to many countries.

The development of trade necessitated the provision of a currency. In the early days, and for local purposes, barter, with the occasional use of wampum as a circulating medium, was often sufficient. Indian corn was made a legal tender in Massachusetts, as tobacco was in Maryland. A rate was fixed at which corn and other products were to be received in payment of public taxes. For the facilitation of means of communication between the colonies, taxes had to be levied for the making of roads, the establishment of ferries, and the building of bridges.

Colonial architecture was unpretentious, but the dwellings were comfortable. The houses were usually of frame or of brick, with a door opening into a central hall, upon each side of which were disposed the living rooms, while the second story sometimes projected beyond the first, the floor of this projection being often supplied with loopholes through which, in case of Indian attack, the enemy might be picked off without undue danger to the defenders of the premises. The less ambitious dwellings were long, low structures with a chimney in the middle of the gable roof and a window or two on the side. Such houses were constructed altogether of logs whose interstices were filled with clay or plaster.

The dress of the people was of necessity very plain, without the garnishing of laces, embroideries, or other appointments of style and taste which later came into use. As to their diet, Indian corn soon became the staple, and an excellent meal was made consisting of two parts ground corn and one part rye, while fowls, eggs, milk, curds, butter,

cheese, game, and fish afforded a varied and satisfactory diet. The New England settlers were not abstemious in the matter of drink, and wine and rum found a ready market. A stern interdict was passed upon all forms of amusement that savored of frivolity; no person was allowed to possess cards, dice, or other instruments of gaming; dancing was frowned upon, because of its light nature and the belief of the elders that it was provocative of immorality; and instrumental music was not regarded with favor. There were distinctions as to titles of address according to the status of the person. The title "Mr." or "Mrs." was accorded to persons of the best condition, in which number were always included ministers and their wives. Even the deputies did not use the prefix solely because of their position, but only if they were officers of the church. "Goodman" and "goodwife" were the approved forms of address appropriate to persons above the condition of servitude and below that of gentility.

With this notice of the internal state of the colonies, we pass on to the consideration of the matters of policy and of common interest which drew them together into the confederation of New England. The religious and economic distinctiveness of the New England settlements from those of the middle section and the proprietary colonies of the south created a feeling of community of interest which, in the nature of the situation, suggested the advantages of a form of union. We have seen that the church was the unit of the New England town, and that the church and trading post went together. The interests of the several colonies in matters of trade, and their control by the same religious ideals, as well as the antecedent history of many of the settlers, also combined to create a feeling of common interest in affairs of essential importance. It was necessary, too, that there should be a united policy pursued by the colonies with regard to outpost settlements, which frequently came into needless conflict; and the history of the Pequod campaign showed how important it was that the militia

of the colonies should be combined and ready for quick mobilization. Added to these grounds for confederation of the colonies, the need of union was made apparent by the conflicting boundary disputes which called for some common tribunal. Then, too, the Dutch had continued to regard with envious feelings New England's appropriation of the territory of the Delaware, and it became evident that the colonies might have to meet the claims of the Dutch by a contest of arms. In 1639, some settlers from Connecticut established themselves at the mouth of the Housatonic, calling their settlement Stratford. Another settlement was placed at Uncoa, this name afterward being changed to Fairfield. The tide of immigration continuing down the coast resulted in the settlements of Norwalk and Stamford in 1639. After the same manner, the appropriation of Long Island by the men of New England progressed. At the dissolution of the Council for New England, Long Island had fallen to the lot of Stirling. He sent over as his agent, in 1640, James Farrett, who was promptly put under arrest by order of the Governor of New Netherland. Thereupon a party of Massachusetts emigrants, in defiance, settled at a place called Schauts Bay, almost directly opposite Manhattan, but did not remain there long, as the settlement was broken up by the Dutch.

In 1641, the banks of the Delaware became the region for further English settlement. The men of New Haven undertook to establish a settlement in that section, but were met by a vigorous protest from the Dutch governor; and the settlements they established were short-lived, being broken up by the Dutch. Hartford, a town of some importance, established by the English, was confronted by a Dutch fort on the other side of the river.

The swarming tendencies of the New England settlers brought them into conflict with their neighbors to the north, the nature of the French government of Canada peculiarly favoring disputes with the English. The administration of the country was in the hands of two lieutenant-governors,

D'Aulney and La Tour, whose relations were not pleasant. The former was a Catholic, while the latter made professions of Protestantism, and hoped that, on the plea of religious sympathy, he might arrange with New England for the reception of imports from Europe and other trade concessions. The prior relations of the English with their French neighbors had not been such as to obtain from Massachusetts, which at the time of La Tour's application for trade privileges was a member of the confederation, the concessions asked. The destruction of the Plymouth factories had made the English distrustful of any pretences of friendship by the French. Repeated aggressions of the same nature by Canada had led Plymouth to apply to Massachusetts for help, which Massachusetts consented to give with the condition of reimbursement by Plymouth for all expenses incurred, upon the ground that the benefits of the expedition would accrue to that colony alone.

Such were among the conditions which prompted the New England colonists to establish a federal union. The only serious point of difficulty to be raised against the project was the inequality of the colonies in population and importance. In every respect Massachusetts towered above its sister colonies, as may be seen in the first levy made under the Articles of Confederation, under which Massachusetts contributed a hundred and fifty men for military service, Plymouth only thirty, and the other two colonies but twenty-five each. This indication of its superiority is a fair index of its advance over the other colonies in all other respects. It is impossible to say in whose mind was formed this first scheme for colonial union in America, but Massachusetts stood sponsor for the proposition in a definite shape. The crux of the discussion as to the nature of the union to be formed centred about the strength of the tie. Massachusetts proposed that the vote of a majority of the Federal Commissioners should be accepted as binding upon the whole confederation. To this Connecticut demurred, and offered the counter proposition that only the unanimous judgment

of the commissioners should be of force. This would have shorn the colonies of promptitude of action in case of an emergency and so weakened the confederacy that it would have been deprived of a great deal of its efficiency. For three years nothing came of the discussion, apparently, because of some disagreement with the men of Plymouth; but in 1642 this difficulty, whatever its nature, was removed, and the confederation was formed. The Maine settlements and those of Narragansett were excluded, although the latter were anxious to come into the confederation, but they were unwilling to accept the condition imposed that they should annex themselves either to Plymouth or Massachusetts, as they were not regarded as having a sufficiently settled civil polity to warrant their recognition as colonies.

In 1642, the relations of the English with the Narragansett Indians reached such an acute stage of unfriendliness as forcibly to impress the settlers with the need of united action. Uncas, the chief of the Mohegans, had continued to nurse his ambition to build up his people to a place of commanding prominence among the tribes of the region. With the removal of the Pequods, the only bar to the realization by the ambitious chief of his highest hopes was the powerful tribe of the Narragansetts. The crafty savage realized that the ascendancy he sought must be found by cultivating friendly relations with the English, and he had so engaged the regard of his white neighbors that Roger Williams had written some time previously with respect to the Narragansett sachem "if I mistake not, I observe in him some sparks of true friendship, could it be deeply imprinted in him that the English never intended to despoil him of his country." In the same year, the colonies were disturbed by indefinite rumors of an intended attack. Connecticut was thrown almost into a state of panic and implored help from Massachusetts. The General Court of that colony, however, acted with deliberation and, remembering how frequently during the few years preceding there had been similar apprehensions of Indian attack which had been traced

to their source in the intertribal quarrels of the savages, refused to take the action requested of it, feeling that it was the part of wisdom to use every endeavor to avoid embroilment with the Indians. Miantonomah, chief of the Narragansetts, against whom the charges of Connecticut were directed, was summoned to Boston to clear himself of the allegations. He went thither and satisfied the English of his unvarying friendship, but being pressed to remain neutral in case the English should have to make war upon the Nihantics, refused to do so on the ground that that tribe and his own were so closely related by intermarriage as to be practically of the same flesh and blood. Connecticut still clamored for war with the Narragansetts, and only the firmness of Massachusetts in declining to join them in a conflict with the natives saved New England at this time from far-reaching hostilities.

The first congress of the confederated colonies met at Boston in 1643. There were commissioners present from Connecticut, New Haven, and Plymouth; Fenwick, of the Saybrook settlement, was present in behalf of the proprietors; and Massachusetts was represented by her governor, two magistrates, and four deputies. After several sittings, the commissioners agreed upon and formulated the Articles of Confederation, eleven in number. The preamble set forth as the objects of the confederation the advancement of the kingdom of our Lord Jesus Christ and the safety of their homes "compassed as they were by people of several nations and strange languages." More specifically, the objects were stated to be offensive and defensive action, mutual advice and succor, and the preserving and propagating of the Gospel. The name adopted for the confederation was the United Colonies of New England. The confederation was not to affect the territorial integrity of any colony, saving that no two colonies could effect a complete union without the sanction of the United Colonies. All public charges incurred were to be levied on the colonies in proportion to the number of inhabitants fit for



Sir John Leverett, Governor of Massachusetts. *From the original painting in possession of the American Antiquarian Society, Worcester, Massachusetts.*



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military service. In case of sudden attack or invasion by enemies leaving no time for the commissioners to meet, it was understood that Massachusetts should send help to the number of a hundred men, and each of the other colonies fifty-five. The administration of the affairs of the confederation was to be in the hands of commissioners, of whom there should be two from each colony, and these were to elect a president from among themselves, whose powers were to be simply those of a presiding officer. The vote of six commissioners upon any measure should be binding; if less than this number favored it, it was to be referred to the several colonial governments; the meetings of the commissioners to be held annually and in rotation, Massachusetts having two successive turns. The only matter which is mentioned as coming under the functions of these colonial commissioners, other than measures for the common defence, related to the extradition of runaway servants.

The confederation was palpably weak in that it did not provide proportional distribution of its benefits, and concerned only matters of a general character which did not vitally touch the settlers in their common interests. It had none of the characteristics of a true union, and was so limited in its scope as to leave open many questions which furnished matter for jealousy and dispute. There was in it no patriotic appeal, which would have commanded for it a fealty charitable toward its defects. It is significant to note, however, that while this first colonial confederation was effected without any reference whatsoever to the mother country, it must ever hold an important place in the history of governmental expedients and constitutional experiments in America. The community of interest which underlay it, the identity of aspiration which it feebly voiced, and the sense of independence of England's administration, and dependence upon their own local resources on the part of the colonies to which it testified, all signalize it as the precursor of American union.

The relations of the English with the Indians continued to be uncertain and unsatisfactory; Miantonomah

had formed a connection with some border characters of ill repute, of whom Samuel Gorton was the leader, and who were all discordant elements in the Providence Plantation. They had gone out from Aquednek and had settled in Williams's territory, at Pawtuxet, where their disorderly and riotous conduct had so harassed the authorities that they appealed to Massachusetts to afford them relief. Winthrop thereupon notified those entering the complaint "that unless they did submit themselves to some jurisdiction, either Plymouth's or ours, we had no calling or warrant to interpose in their contentions; but if they were once subject to any, then they had a calling to protect them." This appeal, however, gave Massachusetts excuse, and in a sense compelled it, to extend a measure of authority over the Narragansett country in the interest of the peace and order of the colonies. The immediate result of the answer of Massachusetts to its petitioners was the resolution of Pawtuxet to surrender to Massachusetts. Massachusetts then sent notice to Gorton's party that as the earlier residents of Pawtuxet had placed themselves under the jurisdiction of Massachusetts, they were to be preserved in their original rights as settlers, and that the newcomers must refrain from violent proceedings and be satisfied with equal justice.

Gorton and his following thereupon retired from Pawtuxet to Shawomet on the shores of Greenwich Bay, where they obtained a tract of land from Miantonomah. By this purchase disputes were fomented among the Indians; Pomham, a petty chief who dwelt upon the land, insisted that Miantonomah did not hold sovereignty over him, and had no right to dispossess him of his territory. In company with another chief, Saconoco, who likewise asserted independence of Miantonomah, Pomham proceeded to Boston to petition the government of Massachusetts to protect him in his rights. The Boston authorities thereupon summoned Miantonomah before them in order that he might establish his claim, if such he had, of jurisdiction over the two sachems; this he failed to do to the satisfaction of the

Boston authorities, who thereupon accepted the submission of the sachems. This circumstance seemingly led Miantonomah to begin hostilities against Uncas, the friend of the English. With a force of nearly a thousand warriors, he marched against his foe; and declining the proposition of Uncas that they fight out the issue between them by personal combat, he loftily exclaimed: "My men have come to fight, and they shall fight." Thereupon, at a signal from Uncas, the warriors shot a volley of arrows at their unprepared foe. The battle was on, and shortly the victory of the Mohegans was complete. Two of the leaders under Miantonomah, hoping to win the good graces of the victor, traitorously dragged their chieftain a captive to him, but Uncas, as a reward of their treachery, slew them. The captive chieftain was conducted to Hartford, where, at his own request, he was given into the custody of the English.

The causes of the Indian uprising were carefully investigated, and the decision of the commissioners was that "there was a general conspiracy among the Indians to cut off all the English, and that Miantonomah was the head and contriver of it." By the laws of Indian warfare the captive's life being forfeited to Uncas, it rested with the commissioners to determine whether or not they should honor Indian usages and give over the one who seemed clearly to be the enemy of the English, as well as of the Mohegans, to the savage barbarities and cruel form of death penalty which were common among the Indians. The commissioners, acting under the unanimous advice of "five of the most judicious Elders," rendered the following decision: "The Commissioners apparently see that Uncas cannot be safe while Miantonomah lives, but that, either by secret treachery or open force, his life will be still in danger. Wherefore they think he may justly put such a false and bloodthirsty enemy to death, but in his own jurisdiction, not in the English plantations, and advising that, in the manner of his death, all moderation and mercy be showed, contrary to the manner of the Indians, who exercise tortures

and cruelty." In pursuance of this decision, Miantonomah was led out from Hartford, accompanied by some of his own people and two Englishmen, who were deputed to see that the prisoner was not tortured, and as they proceeded the chief was struck dead by a blow from a tomahawk in the hands of a brother of Uncas.

Gorton and his troublesome adherents had yet to be settled with, but Massachusetts was not long in instituting proceedings against them. A warrant was issued citing the settlers at Shawomet to appear at Boston to answer to the complaints of the two sachems who alleged ownership of the land occupied by the settlers, to which an insolent response was immediately given. It was addressed "To The Great and Honored Idol General, now set up in Massachusetts," and was a curious combination of mysticism and vituperation. Among other things contained in it was the following vainglorious and contentious defiance: "If your sword be drawn, ours is girt upon our thigh; if you present a gun, make haste to give the first fire; for we are come to put fire upon the earth, and it is our desire to have it speedily kindled." Upon the receipt of this curious missive, whose spirit of defiance threatened the peace of the colonists, the Boston magistrates took counsel of the Federal Commissioners, who were then in session in that city, from whom they received assurance that the rest of the jurisdictions would concur in any measures which they might think wise to take in the premises. The magistrates thereupon sent word to the contumacious settlers that commissioners would be sent among them to give the case a hearing, and added that they would be accompanied by an armed guard for their protection. Accordingly, the commission with an armed force of forty men was despatched. As the force approached Shawomet, its members were given a written warning not to advance further on the peril of their lives, added to which was an incoherent statement of the purpose of the people of Shawomet "to increase wrath and horror, the end of war, in the souls of all men that seek

after it." The answer of the commissioners was to blockade the town, after they had returned reply to the communication of the settlers that "they were no State, but a few fugitives, living without law or government." After several days' siege, the party surrendered and its members were taken to Boston; there to await in imprisonment the meeting of the court.

Now that Gorton's troublesome settlement was broken up, the Massachusetts authorities were nonplussed as to the basis of law upon which they could proceed against him and his fellows. Their fanaticism and their persistence in fomenting disorders by proclaiming their peculiar doctrines could not be construed into a criminal offence while the question of jurisdiction over their territory was in dispute. The claim of Massachusetts to territorial jurisdiction, even if it was a valid one, would hardly have justified such summary enforcement. On the other hand, the presence of Gorton and his associates, and their troublesome purposes, as declared by themselves, was an invasion of the public peace. Above all else, the consideration of the connection of the Gorton party with an Indian tribe at enmity with the colonists and suspected of having been inflamed by Gorton against the English constituted an indictment against him and his fellows which seemed to call forth and to justify resolute action. The various specifications against Gorton were embraced in an omnibus charge of being a blasphemous enemy to the religion of the Lord Jesus Christ and all His holy ordinances, as well as to all civil authority, particularly that of the jurisdiction of Massachusetts. The specifications in particular enumerated six counts under the first, and more than fifty under the second part of the indictment. After a long hearing of the case, the charges were sustained, and Gorton was sentenced to be confined at Charlestown and to forbear further blasphemous doctrines on penalty of death; a penalty which, in the present instance, he had escaped by but two votes. Six of his companions suffered similar punishment; one was bound over

to keep the peace; and another, who was found to be too ignorant to be seriously regarded, was released under orders that he remain within the limits of Watertown. That this sentence was of unwarranted severity is shown by the popular dissatisfaction which it occasioned. After four or five months' imprisonment, the condemned persons were thought to have suffered enough punishment and were discharged by order of the General Court, upon pain of death in case that after fourteen days' time they should be found in Massachusetts, or in the vicinity of Providence, or upon the lands which they claimed by purchase from the Narragansett chief.

The next step in the development of the relations of Massachusetts with the energetic Gortonites was brought about by a shrewd move on the part of the latter. Some of them had passed over into the country of the Narragansetts, who were so impressed by their return from Massachusetts unscathed that they could not think otherwise than that they were under the special protection of the King of England, "who would come over and put them to death that should take away their lives without a just cause." Gorton's party thereupon made a treaty with the Narragansetts, by which the Indians ceded their whole territory to the King of England and placed themselves in subjection to him. Shortly after this, their chiefs refused to honor a summons by the General Court of Massachusetts to appear before it, on the ground that they feared the same fate as had overtaken Miantonomah; and they declared that, being now subjects of the same king, in any case of difference between the Court and themselves it was fitting to refer such matters to the sovereign. The General Court sent two messengers to the Narragansett sachems to advise them to detach themselves from their new-found friends, but they were treated with scant courtesy by Canonicus and Pessacus, the Narragansett chiefs. A federal commission, which was subsequently sent to the Narragansett country, met with better success and effected a truce between the Narragansetts

and Uncas. It was agreed that war should not be begun between these without thirty days' warning to the Governors of Massachusetts and of Connecticut. Meanwhile, Gorton's party continued to live unmolested in Rhode Island.

At the second meeting of the federal commission, which lasted over a fortnight, a number of matters came under consideration. One of these was for the furtherance of education, and commended to the several General Courts the maintenance of needy scholars at the college at Cambridge, and approved a proposal to "every family, able and willing to give, throughout the plantations, to give yearly towards that object but the fourth part of a bushel of corn, or something equivalent thereunto."

Dissension arose among the magistrates of Massachusetts because of the aid which the colony had afforded to La Tour in his quarrel with his fellow lieutenant-governor. Neither of these men was regarded by a portion of the magistrates as worthy of countenance on the part of the colony, and it was deemed unwise to join in their disputes. La Tour had been permitted to secure recruits at Boston for his cause, and Massachusetts had otherwise become identified with that belligerent. The agitation caused by this matter brought about some changes in the magistracy; Winthrop was superseded by Endicott as governor and was chosen to the second place. At about this time, 1644, an attempt was made to bring about a radical departure in governmental polity. This was in the nature of the assertion that magistrates were not "the standing council of the Commonwealth in the vacancy of the General Court." The ministers were invited to deliver an opinion on the matter and did so through Mr. Cotton, who sustained the claim of the magistrates. The deputies had endeavored to establish by a new constitutional provision a commission which should order the affairs of the commonwealth during the vacancy of the General Court, and it was proposed that this commission should consist of seven magistrates and three deputies.

The disturbed state of England was reflected in an enactment of the General Court of Massachusetts directed against the development in the colony of a party for the king. It was as follows: "That what persons soever shall, by word, writing, or action, endeavor to disturb our peace, directly or indirectly, by drawing a party, under pretence that he is for the King of England, and such as adjoin with him against the Parliament, shall be accounted as an offender of an high nature against this Commonwealth, and to be proceeded with either capitally or otherwise, according to the quality and degree of his offence." Thus did Massachusetts declare herself opposed to the king in his contest with the colonies.

Massachusetts, however, was no more ready to yield any of its liberties, civil or ecclesiastical, to the party of Cromwell than to that of the king and his prelates. After the overthrow of the king and the Establishment, a Presbyterian hierarchy was substituted, which was little more agreeable to the Independency of New England than was prelacy. This sentiment, however, was not unanimous. Among the original assistants named in the charter of the Massachusetts Company was William Vassall, a man of fortune, who crossed over to New England, but very soon returned to the mother country. He came back five years later, but to the colony of Plymouth instead of Massachusetts, and established himself at Scituate, where he was regarded as a factious spirit in matters both of the civil government and of the churches. His disaffection was the more serious in view of its possible effect upon the colonies, because his brother was one of the Commissioners for the Government of Foreign Plantations. At the time that the issue between Presbyterianism and Independency in England was prominent, Vassall sought to foment the same question in New England. With several others, he addressed to the General Court of Massachusetts a remonstrance, setting forth that they could not discover in the colony "a settled form of government according to the laws of England," and that



many thousands of persons in the colonies were denied civil rights, and that many members of the Church of England "not dissenting from the latest and best reformation of England and Scotland," were "detained from the seals of the covenant of free grace, because, as it was supposed, they will not take the Nonconformist churches' covenants." They gave notice that unless relief was afforded in the case of each of these grievances they would appeal to the Houses of Parliament. The characters of the parties to this protest were not such as to give it weight, yet the document itself was drawn up in a plausible style and had in it elements of danger to the peace of the commonwealth.

Thus New England was threatened with the establishment of a civil authority under Presbyterian direction, whose intolerance would have far surpassed anything of the sort which had been chargeable to the Independents. It was deemed expedient to receive instruction from the course of events in England, and a synod of "elders and messengers" of the churches in all the colonies of the confederacy was called to establish and settle upon "the right form of government and discipline by the joint and public agreement and consent of churches, and by the sanction of civil authority." This gathering was called to meet at Cambridge "there to discuss, dispute, and clear up, by the Word of God, such questions of church government and discipline as they should think needful and meet, and to continue so doing, till they, or the major part of them, should have agreed and consented upon one form of government and discipline, for the main and substantial parts thereof, as that which they judge agreeable to the Holy Scriptures." In 1646, the synod duly met, but the time was taken up in pointless discussions and it adjourned, without accomplishing anything, to meet again the following spring. The malcontents in Massachusetts continued their efforts to sow disaffection among the people, and two of their number endeavored to embark for England to enter complaints against the colony, but were prevented by the Court and fined. In view of the

facts of the situation, it was deemed wise to send to England some able men to satisfy the Commissioners of Plantations with regard to the allegations made against the colonies. Winslow was selected for the mission. Dr. Child and two other malcontents also proceeded to England. Both delegations found that the time was not propitious for the commissioners to turn their attention to colonial quarrels and the appeal to England against the colonies failed of its purpose.

The second meeting of the Cambridge synod, in June, 1647, was broken up by the prevalence of an epidemic, but not before it had voted unanimous approval of the "Confession of Faith of the Westminster divines, except as to those parts of the document which favored the Presbyterian discipline." It formulated its own platform of church discipline, which was to be presented to the churches and the General Court for their consideration and acceptance, and which merely affirmed the general principles of the Congregational polity. This first general council of all Congregational churches in America was important as marking a development in the principle of fellowship, which was to take the place of synodical union according to the Presbyterian system. It may be added that no subsequent council of the Congregational churches of America was held until 1852.

One of the ideals of the colonists of New England had been the preaching of the Gospel among the savages. The reports of the energetic labors of the Jesuits among the American Indians had stimulated missionary fervor among their Protestant brethren and had aroused apprehensions lest their successes should go to the length of bringing the Indians largely under the dominance of that form of religion which the Jesuits so self-sacrificingly sought to propagate. The first native with whom they had close personal relations was Squanto, the friend of the people of Plymouth, who before he died asked the prayers of the governor that he might go to the Englishmen's heaven. Another Indian

of those days, named Hobbomok, also died in the hope of the Gospel. In Massachusetts, Sagamore John became a promising convert, and many Indian children received as servants in English homes were instructed in religion. The General Court of Massachusetts, in 1644, ordered that the County Courts should see to it that the Indians residing in their several shires should be civilized and instructed in the worship of God.

The great apostle to the Indians, John Eliot, who had been for fourteen years the beloved teacher of the church at Roxbury, entered at the age of forty-two years upon his arduous labors as a missionary. He was a man of excellent scholarship, and at the university had excelled in philological studies. By the aid of a young Indian, whom he took into his family, he made advance in the knowledge of the Indian tongues. He first made a visit to the Indians about Watertown and instructed them in the principles of religion; his teachings were well received by them, and they professed to understand all that had been said to them. Thus began labors which were carried on with remarkable zeal and success throughout the life of Eliot, and which resulted in the creation of a class of adherents to the Christian faith to whom were given the name "Praying Indians."

While Winslow was abroad in England he availed himself of the opportunity to interest Parliament in matters of learning and religion in New England, and as a result of his efforts an ordinance was passed "for the Promoting and Propagating of the Gospel of Jesus Christ in New England." A corporation was constituted and a general collection provided for from all the counties, cities, towns, and parishes of England and Wales to establish a foundation for the undertaking. The Commissioners of the United Colonies of New England were authorized to receive and dispose of all funds raised "for the preaching and propagating of the Gospel among the natives, and the maintenance of schools and nurseries of learning for the education of the children of the natives."



## CHAPTER VIII

### *THE STAGE OF DISCORD*

THE mission of Winslow to England was fraught with wider consequences than the establishment of a society for the propagation of the Gospel in the New World. One of the matters which he was commissioned to bring to the notice of Parliament in order that the action of Massachusetts might be vindicated and its claims established was the intrigues of Gorton and his associates. Gorton himself was in England seeking sympathizers for his religious views and territorial pretensions. They presented to the Commissioners for Plantations the paper embodying the submission of the Narragansett Indians and the cession of their territory to the King of England, and also a memorial containing their complaints of the treatment accorded them. They succeeded to the extent of obtaining from the commissioners an order to the government of Massachusetts to authorize them and their families and any others who might care to do so to live at Shawomet until the adverse claims of Massachusetts might be passed upon. Gorton sent Holden, one of his associates, to New England with this order of the commissioners. In the meanwhile, the Massachusetts representatives presented to the commissioners their side of the question, and urged that the Shawomet disturbers would bring about grave disorders subversive of the peace and security of the colony, if they should be countenanced and upheld. The representations of Winslow put the matter in

a new light to the commissioners and inclined them favorably to his statement of the case. They commended Gorton and his associates to the government within whose jurisdiction they appeared to be, as subjects of charity and tolerance so long as they did not endanger the colonies by Indian connections or otherwise, and advised that, in the event of their failing thus to preserve the peace, they were to be dealt with according to justice. The name of Shawomet was changed to Warwick in the hope of favor from the earl of that name, who was at the head of the Parliamentary Commission.

Roger Williams, who had been absent from America a year and a half, returned in 1644, several months before Gorton. Through Sir Henry Vane he had obtained from the Parliamentary Commissioners a patent for the Providence Plantations, which included the towns of Providence, Portsmouth, and Newport, and no test of citizenship or form of organization was prescribed. Williams was given an enthusiastic welcome by his friends of Seekonk. The new government was not, however, to go unchallenged, for Plymouth sent to Rhode Island one of her assistants to inform those interested that much of the territory conveyed to them was included within the bounds of the Plymouth grant. Williams's troubles were added to by the secretary of Massachusetts, who informed him that by virtue of a charter issued to Massachusetts by the High Court of Parliament, which was dated three months prior to the patent given to Williams, Narragansett Bay and the island of Aquednek were brought under the jurisdiction of Massachusetts. Added to these territorial claims on the part of Massachusetts and Plymouth, another grave obstacle to the fulfilment of the hopes of Roger Williams for the establishment of his colony was presented in the lack of concord between the towns which his patent sought to bind together; in fact, the settlements stood absolutely apart.

Notwithstanding all these difficulties, Williams proceeded to put into operation a government under the terms of his

patent; but the lack of responsiveness on the part of the towns made the attempt abortive. Only three of the annual assemblies provided for by the constitution were held. Failing to secure an assemblage of the people for a General Court, it was enacted that six men from each town should constitute the court, but nothing could overcome the apathy of the people toward their government, hence it soon sickened and died. Its brief history was replete with evidences of incapacity, factional disturbances, and open quarrelling. Mr. Coddington, who was chosen president of the colony at the second election, did not accept the place, and to the accusations made in the various bills of complaint entered against him he failed to answer in court. After some months he sailed for England.

In the spring of 1645, after a truce that had been brought about between the Narragansetts and Uncas, there were again grave fears of a disturbance of the *status quo*. A force of a thousand Narragansetts fell upon the Mohegans and defeated them after suffering severe losses. The Federal Commissioners were hastily summoned to Boston, whence they despatched messages to the hostile chiefs ordering them to appear in person or by ambassadors. Active preparations in all the colonies were being carried on in expectation of a conflagration that would involve the two inimical tribes, as well as the English. However, the crisis was safely passed and a treaty of perpetual peace was concluded on behalf of all the English colonies, Uncas, the Mohegan chieftain, and various lesser sachems on the one part, and the chiefs of the Narragansetts and the Nihantics on the other. The chief of the latter tribe agreed to reimburse the English to the extent of two thousand fathoms of wampum for the charges to which they had been put; he sought to evade the payment of this fine and was unmoved by the remonstrances and menaces of the English against his duplicity. He was brought to terms, however, and promptly paid over the wampum when Captain Atherton with a force of twenty men made his way to the

sachem's wigwam and with a show of arms overawed its inmates.

The balance of power was too unevenly distributed between Massachusetts and her three smaller conferees for the New England confederation to prove satisfactory to the latter. A dispute had arisen between them concerning the fort at Saybrook. Connecticut, in pursuance of a contract with Fenwick, had passed a law for the purchase of the fort at Saybrook, a matter involving the disputed claims of Massachusetts upon the Connecticut. The traders of the various river towns, claiming the jurisdiction of Massachusetts, refused to acknowledge the right of Connecticut to collect an export duty from their vessels navigating Connecticut River. Connecticut insisted that this duty was levied for the common benefit, as the money so received was to pay for the Saybrook fort, the maintenance of which was vital to the safety of the Connecticut towns. The question at issue was referred to the Federal Commissioners for consideration at their meeting in Boston the next summer. Meanwhile, the fort had been destroyed by fire. The resolutions presented from the General Court of Massachusetts set forth that the people of Connecticut had no right to compel persons of other jurisdictions to contribute to their purchases, and that in any event the people of Springfield derived no benefit from the Saybrook fort. It was urged that this same question had been raised prior to the federation and had retarded that desirable measure for ten years; and if the principle involved in the case were admitted, then there was no reason why Massachusetts should not exact similar tribute from the other colonies. It was argued that the matter once conceded to Connecticut would establish a precedent dangerous to the rights of the several members of the confederacy. Connecticut denied the allegations of Massachusetts in matters of fact and accepted as equitable the principle which she pronounced dangerous. Plymouth and New Haven took their stand with Connecticut, with the understanding that the duty





Edward Winslow, Governor of Plymouth Colony. *From the original, believed to have been painted by Robert Walker in London in 1651, now hanging in Pilgrim Hall, Plymouth, Massachusetts.*



should not at any future time be raised without just and necessary cause, which should be approved by the other colonies, and that the whole matter, if Massachusetts or Springfield so desired, be referred to the next meeting of the commissioners for further discussion. Before the next meeting of the commissioners, however, Massachusetts had taken action which led to strong dissensions in the confederacy. It appointed a committee to go carefully over the Articles of Confederation, as well as to review such action as the commissioners at their several meetings had already taken, in order to note to what extent the powers of the General Court had been interfered with. This action was tantamount to a declaration on the part of Massachusetts that by joining issues with the other colonies it had not yielded up any of the powers which belonged to it individually. This investigating committee was to propose such a remedy as in its judgment would obviate future clashing between the policy of the Federal Commissioners and that of Massachusetts.

After due deliberation, the committee presented to the Massachusetts Commissioners a proposal for the revision of the Articles of Union. This proposal was brought before the commissioners of the colonies assembled at Plymouth. The gist of it was that "the Commissioners' power should not extend to limit or interrupt the civil government or church affairs within any of the colonies," nor to the appointment of any federal officer with powers to be exercised within the bounds of any colony. The suggestion was added that the interests of the colonies might be better advanced if the Federal Commissioners held their meetings triennially instead of annually. Massachusetts also desired, in consideration of the large proportion of charge it bore, to have one more commissioner than the other colonies, but with the understanding that any other colony should increase its representation to three commissioners, if it were willing to bear the same proportion of charge as that borne by Massachusetts. The Massachusetts Commissioners went

further than this, however, and complained that the pecuniary burdens of the confederacy ought not to be imposed upon the colonies upon a basis of population, in view of the disproportionate wealth of some of them. The last article of the Massachusetts proposals related to the degree of authority which the recommendations of the Federal Commissioners should be regarded as carrying. It was as follows: "Whereas there be divers orders made by the Commissioners, as about admission of church members, maintenance of scholars at Cambridge, about a general trade, etc., . . . all which orders are only by way of advice to the General Courts of the several Colonies, yet, for as much as orders by way of advice are in some cases introductions to orders of power when the advice is not followed, it is to be propounded if it were not reasonable to be declared, that in such cases, if any of the Colonies shall not think fit to follow such advice, the same not to be accounted any offense or breach of any Article of our Confederation, or to give power or occasion to the Commissioners to proceed to any act of authority in such cases."

The Massachusetts proposals were courteously received and considered, but failed of any important end. The Federal Commissioners disavowed all right on the part of the confederacy to interfere with the internal matters of any colony, excepting in so far as authority so to do was expressly delegated in the terms of the federal compact. On the other hand, they suggested "that the pretension made to maintain a peculiar and entire jurisdiction in each Colony within itself hinder not the attainment of the public and weighty ends of the combination." One proposal submitted by Massachusetts was favorably acted upon. It provided that when a measure failed to obtain the vote of six of the commissioners, the consent of three of the General Courts should be regarded as equivalent to such a vote. As to the apprehension of Massachusetts lest the advisory action of the commissioners with regard to matters over which they had not absolute jurisdiction should take

the form of practical authority, the commissioners agreed that, should such a tendency actually develop, they would readily join with Massachusetts in adopting some measure to prevent such an undesirable eventuality.

The Saybrook controversy was again aired at this Court, and Massachusetts reiterated its claims and fortified them by further arguments. The discussion reached an acute stage, and the Massachusetts commissioners produced a vote which had been passed two months before by their General Court, withdrawing the exemption from customs or imposts which had been accorded the ships of the other colonies entering the harbors of Massachusetts. The commissioners of the colonies not involved in the Saybrook discussion regarded this action by Massachusetts as a retaliation for the Saybrook matter, and forwarded to the authorities of that colony a dignified remonstrance, in which they expressed a desire to be spared from all further agitations concerning Springfield. As to the merits of the controversy, it need only be said that upon the face of the contention Massachusetts was not without reason in making the points which it did against the payment of the export duty, but its utter refusal, under any conditions, to share to any extent the financial burdens of the Saybrook fort was, to say the least, ungenerous. The case is chiefly instructive as showing how loose a tie was constituted by the federal compact, and how the stronger member of such a union may disregard the moral obligations toward the weaker which are involved in it.

We may pass now from the consideration of the colonies in their united capacity to that of their individual existence, and regard the developments which had been going on in the matter of their separate polities. In Massachusetts, in 1645, the popular branch of the government was threatened by a proposal to reduce the number of deputies. The proposition, however, was made on the ground of the "excessive charges" to the country of the large number of deputies. The needs of the colony had outgrown the Body of Liberties, and the General Court appointed six eminent

persons in each of the counties to revise the statutes and to draw up a fresh code. When they made their report, the Court authorized five persons to go over the body of laws they submitted, and to reduce them to the compass of one volume, and to see that those were selected which were not in conflict with laws already in force. The revenue system was improved, and a poll tax of twenty pence annually was imposed upon all males above sixteen years of age. In 1647, one of the most far-reaching acts of legislation in the history of Massachusetts was passed, the importance of which makes it worthy of being quoted in part. After reciting the benefits of education, especially with regard to a knowledge of the Scriptures, the enactment follows: "It is therefore ordered, that every township in this jurisdiction, after the Lord hath increased them to the number of fifty householders, shall then forthwith appoint one within their town to teach all such children as shall resort to him to write and read, whose wages shall be paid, either by the parents or masters of such children, or by the inhabitants in general, by way of supply, as the major part of those that order the prudentials of the town shall appoint; provided those that send their children be not oppressed by paying much more than they can have them taught for in other towns. And it is further ordered, that when any town shall increase to the number of one hundred families or householders, they shall set up a grammar school, the master thereof being able to instruct youth so far as they may be fitted for the University; provided, that if any town neglect the performance hereof above one year, that every such town shall pay five pounds to the next school till they shall perform this order." Thus is recorded the establishment of the public school system of Massachusetts, which from the seventeenth year of the colony's history to the present time has allowed no young person to fail of a sufficient education to fit him for the duties of life.

In the same year that this admirable school law was passed, Massachusetts suffered a severe loss in the death

of Thomas Hooker, its eminent spiritual leader. Two years later, the colony was called upon to mourn the death of Winthrop. For nineteen years he had been prominently identified with Massachusetts, and his shaping hand had had much to do with the excellent record of those early years of the colony's life. He had left England because of the despotism of her government and the persecutions which were visited upon those who incurred its displeasure, but he lived long enough to see the party of which he was a not inconspicuous member in control of the affairs of his native land. The independence which was a principle of his being, and the furtherance of which he had made the end of his life, he saw virtually established in a tranquil and flourishing commonwealth of Christian people. The New England system had attained to maturity, and at his death had before it the splendid promise of magnificent development along lines which foreordained it a conspicuous place among human endeavors at government. His public career was not devoid of contemporaneous criticism, nor have his spirit and measures escaped historical dissent in some particulars. The making of New England was according to the measure of its men, and a prince among these was John Winthrop.

We have seen that Coddington, ignoring the charges that were preferred against him in Narragansett Bay, went to England in 1651, leaving the various settlements to harmonize their differences as best they could. After two and a half years abroad, he returned with a commission from the Council of State instructing him to institute a separate government "over the islands of Rhode Island and Conanicut." This government he was to administer during his lifetime, and to have associated with him a council of not more than six assistants, who were to be nominated annually by those of the freeholders of Newport and Portsmouth who entertained friendly sentiments toward the Commonwealth of England. Providence and Warwick were consequently isolated. The scheme was not acceptable

to a large number of the citizens of Newport and of Portsmouth, the basis of their dissent being religion. Rhode Island had served an admirable purpose so far as the peace of the other colonies was concerned by draining off from them and attracting from abroad to itself the elements religiously discordant and peculiar, as well as in some cases pernicious. At variance with all orderly forms of religion, they were not more harmonious among themselves, and Rhode Island was kept in a state of continual ferment by reason of those who represented so many forms of religious belief. The kind of religion that was to predominate in the colony did not appear in it until seven years after the beginning of the plantation at Newport, when an Anabaptist church was gathered there. Baptist adherents had appeared not only in Rhode Island, but in Massachusetts also. Winthrop says: "Anabaptistry increased and spread in the country, which occasioned the Magistrates at the last Court to draw an order for banishing such as continued obstinate after due conviction. This was sent to the Elders, who approved of it with some mitigations, and being voted and sent to the Deputies, it was after published." The reasons for the passage of this act were set forth to be that, since the arising of the Anabaptists a hundred years before, they had been incendiaries in every commonwealth they had entered, that they had been troublers of churches by advancing peculiar doctrines respecting baptism, that they had opposed magistrates and denied the lawfulness of war. They also asserted that magistrates had no right to take cognizance of breaches of the first table of the Commandments. The promulgation of these views, the statutes stated, "must necessarily bring guilt upon us, infection and trouble to the churches, and hazard to the whole Commonwealth." These sectaries had created grave disorders in Germany, and in England had been the subject of declarations in the two Houses of Parliament. Although this act was passed, there was no intention of enforcing it unless the action of the Anabaptists became so flagrant as imperatively to demand its execution.



It was well known that Coddington desired to annex his colony to the confederacy, and this was probably the occasion of the secession from him of the men of Newport and of Portsmouth, who went out on the ground of religious dissent, and who were in all probability of the Anabaptist persuasion. Massachusetts had not hesitated to call the attention of the Plymouth authorities to the fact that some thirteen or fourteen persons had been rebaptized in that colony, and to express its fear of danger from the spreading of the Anabaptist infection among its neighbors. If Rhode Island should enter the confederacy, it was quite within the probabilities that Massachusetts would turn its attention to the large number of Baptists within the confines of that colony.

An occasion for Massachusetts to proceed under the statutes in the matter of the Anabaptists arose from the visit of John Clarke, a man of prominence, and two other Baptists to Lynn, with the ostensible object of visiting a sick and aged friend of the same religious persuasion as themselves. The day after their arrival being the Sabbath, they engaged in religious worship, and, while Clarke was preaching, two constables entered the house with a warrant from Magistrate Bridges, of Salem, and placed them under arrest. They were conducted to the meeting house of the town, where, after sitting in silence for a while, Clarke asked to propound some questions, whereupon he was commanded by Mr. Bridges to keep silent. The next morning charges were formally preferred against them of "exercising among themselves at a private meeting on the Lord's day," and of disturbing the peace of the public congregation and averring that the church of Lynn was not according to the Lord's will. They added further ground to that on which the counts of the indictment against them were based by visiting on the next day the home of a friend named Witter, and there administering the sacrament of the Lord's Supper to an excommunicated person, to another in bad religious standing, and to a third who did not hold connection with any church.

The court imposed upon Clarke a fine of £20, and a lesser amount upon his companions.

Clarke had arranged to proceed to England to seek a reversal of the action of the government in favor of Coddington, and was now fortified with the recent case of the persecution of the Baptists by the Massachusetts authorities. Roger Williams accompanied him on his mission. Just prior to the departure of Clarke and Williams, the towns of Providence and Warwick, the sole remains of the Providence Plantation of Roger Williams, held an election, which resulted in the choice of Samuel Gorton as president. Largely through the interest of Sir Henry Vane, they obtained a revocation of the commission of Coddington. The settlements whose interests were thus bandied about had now less cohesion than ever. It was a matter of contention among them even as to which was the proper place to receive the orders from the Council of State. Providence and Warwick asserted that they had continued the government of the Providence Plantation, while Newport and Portsmouth claimed to be the government by virtue of Coddington's charter. The limits of folly were reached by these factional communities when, despite their other entanglements, they constituted themselves a party to the war in progress between the Commonwealth of England and the Dutch. Commissions were issued to officers and ships were put into commission as privateers to prey upon the commerce of New Netherland. With a blissful disregard of rights in general, one of these privateersmen captured a French ship, while another seized a vessel belonging to one of the towns of Plymouth colony. Being pursued by two Dutch armed vessels, this same commander, having in charge a Dutch prize, took refuge in the harbor of Fairfield, which the Dutch vessels proceeded to blockade.

So varied were the faculties of the Rhode Islanders for making trouble for themselves and for others that even their friend Sir Henry Vane wrote to them in terms of sharp rebuke. This letter he sent over by Williams on his return

to America. At this time there were two hundred and forty-seven freemen in the colony. President Smith, of Providence, sought to disturb Pawtucket in its relations with Massachusetts, and received a sharp intimation from the General Court of that colony to cease from troubling that settlement. Massachusetts sought to put its claim to that section beyond dispute by applying to Plymouth for a formal surrender of its title to the lands which had been occupied by Benedict Arnold and others of the Plymouth colony, and, this being granted, the territory was annexed to the county of Suffolk. Massachusetts finally got tired of the vexatious questions which in one form or another constantly arose to give it trouble, and in 1658, when Pawtucket applied for a full release from subjection to the government of Massachusetts, the request was readily granted. The settlement was received into the Providence Plantation.

With the accomplishment of political union, harmony was no more prevalent in Rhode Island than it had been before. Various acts were passed of a puerile nature. An attempt was made to heal the breaches by legislative enactment looking to the punishment of any person or persons found to be a ringleader or ringleaders of disturbing factions or divisions. Under this act, Coddington was arraigned and compelled to sign a declaration of his full loyalty to the colony and its government.

While these matters of constitutional change were taking place in Rhode Island, the other colonies were actively engaged, not with affairs affecting their local interests, but with the larger concerns of the federation. Louis d'Ailleboust, the Governor of New France, greatly alarmed at the extent of the hostilities in progress between the powerful Iroquois nation and its enemies the Hurons, appealed, in 1650, to Massachusetts for aid. It was not an unusual thing, as we have already seen, for the French to seek friendly connections with New England in the furtherance of trade or other objects. In the present instance, the Governor of New France proposed an offensive and defensive

league with Massachusetts and Plymouth. It was pointed out that the Plymouth colony on the Kennebec was in grave danger from the Mohawks, and that the proposed treaty would ensure for it French aid and protection. The overture of New France was rejected by the English colonies.

A stage was marked in the relations of Connecticut and New Netherland by a visit to Hartford in 1650 by Governor Stuyvesant. His purpose was to seek an adjustment of the questions in dispute between the two colonies. Stuyvesant made claims to the Connecticut River region, and proposed an arrangement for the restoration of fugitives and a repeal of the law which forbade the Dutch to trade with the Indians in the territory of the colonies. The commissioners affirmed the English title to the Connecticut region as derived from "patent, purchase, and possession," and replied to the other proposals by saying that when the question of territory was satisfactorily settled it would be time enough to take up such minor matters. Stuyvesant then proposed to submit the subject matter of their negotiations to arbitration, and this was agreed to. The day after the commission was appointed, its award was announced, the Dutch claims being, in every instance, disallowed. The long disputed boundary question was settled by determining upon a boundary as follows: "To begin upon the west side of Greenwich Bay, being about four miles from Stamford, and so to run a northerly line twenty miles up into the country, and after it should be agreed by the two governments of the Dutch and of New Haven, provided the said line came not within ten miles of Hudson's River." The Dutch were permitted to hold all the lands in Hartford of which they were actually possessed, while all the remainder on both sides of Connecticut River was to belong to the English, to whom also fell Long Island.

The relations of New Haven with New Netherland were affected by the outbreak of hostilities between the parent countries in 1650. The English colony took advantage of the war between England and Holland to strengthen itself in

its claim to contested territory. It was rumored that the Dutch were stirring up the Indians to outbreaks against the English, and both Connecticut and New Haven prepared themselves for the eventuality of war. The Dutch governor wrote to the governors of Massachusetts and New Haven, denying the charge of inciting the Indians to hostilities and offering to appear in person to vindicate himself. The Federal Commissioners instituted military measures looking to open hostilities and fixed upon five hundred as the quota of troops to be raised. Captain Lev-erett was selected as commander-in-chief of the allied forces. In the meanwhile, a commission had been sent to the Dutch capital to confer with the governor and to investigate the charges made against him with regard to the Indians. These charges were held to be sustained, although the proof was not of such a positive nature as to warrant Massachusetts to concur with the other commissioners in a declaration of war against the Dutch. This was the position taken by the General Court of Massachusetts under the advisement of the elders, whose serious judgment had been asked. The commissioners, with the exception of one of those from Massachusetts, were in favor of war. A committee of the Massachusetts General Court was thereupon appointed to report upon the question of the powers of the Federal Commissioners, under the Articles of Agreement, to determine the justice of a war such as that proposed and to engage the colonies in it. This committee reported that the power of the commissioners to declare war contemplated only a defensive war, and their report was accepted by both branches of the legislature. This action greatly incensed New Haven and brought out a vigorous protest, while Plymouth appointed a committee to make a study of the Articles of Confederation as to the rightfulness of the position of Massachusetts. Messengers were sent from New Haven and Connecticut to Boston to obtain a reversal of the decision of Massachusetts, and, in the event of their failure to do so, to seek leave to enlist volunteers and to

secure munitions of war in the colony. When the commissioners met at their regular session in Boston, the General Court of Massachusetts was there convened. The papers in the case from New Haven and Connecticut were considered by the General Court, which thereupon sent a protest to the Federal Commissioners against being put in the unenviable position of either agreeing to an action which was contrary to their consciences or of being regarded as covenant breakers. The stand taken by Massachusetts was adhered to, against the protest of its associates and threats to dissolve the confederation. The commissioners acknowledged the ethical correctness of the position of Massachusetts, but contended that the question was not as stated. The next day the General Court of Massachusetts replied to the commissioners that it appeared to be a profitless waste of time to engage in further discussions of the matter. They maintained their position in the face of the charge that they were virtually dissolving the confederacy.

Another cause of dissension between Massachusetts and the western colonies arose over the determination of the latter to make war upon the Nihantic Indians. The commissioners of the smaller colonies also renewed their vote for war with the Dutch and denounced Massachusetts as a breaker of its covenant. Massachusetts thereupon addressed a communication to the governments of the several colonies, asking them to appoint committees to confer with it in regard to the meaning of the Articles of Federation and seek to arrive at a unanimous interpretation of them. To this Connecticut and New Haven made a joint reply that the instrument was sufficiently clear, and Plymouth sent a similar response later. The quarrel was composed through the arrival from England of an expedition against the Dutch, by which means the subjugation of the latter was brought about, a result much desired by the colonies in spite of their differences as to the advisability of action. At the next meeting of the Federal Commissioners the recent attitude of Massachusetts came up for debate, and that colony offered

in explanation of its position that it accepted in a literal sense the Articles of Confederation and would abide by the determination of the commissioners in the application of them, in so far as their determination should be just and according to God.

The Nihantics had been acting in a troublesome manner; and after the settlement of its controversy with the Federal Commissioners, Massachusetts turned its attention to their punishment. The expedition obtained but meagre satisfaction from their chief, Ninigret, but bloodshed was avoided. The relations of Massachusetts with the Indians, however, were more largely peaceful and helpful than hostile. The work of Christianizing the Indians under the provision made for it by the Society for the Propagation of the Gospel in New England had been going on with some measure of success, and communities of Christian Indians had been established at Martha's Vineyard and elsewhere.





## CHAPTER IX

### *MASSACHUSETTS UNDER ENDICOTT*

WHEN Winthrop ended his career of usefulness in Massachusetts the colony was in a state of great prosperity. Flourishing communities with comfortable homes, a system of education which provided for the needs of the youth, churches in charge of ministers of excellent spirit and attainments, large and developing industries, and a widening commerce, all indicated the solidity that had been attained by the commonwealth. Dudley, who had been so continuously associated with Winthrop in the highest places of government, was old and did not long survive his companion. The man to whom the colony turned for a successor to the beloved Winthrop differed from that eminent administrator in many respects. Yet, with the exception of two years, he was destined to occupy the office of chief magistrate until his death at the ripe age of seventy-seven. That man was Endicott, the energetic pioneer and soldier.

Massachusetts had not yet reached the limits of its extension. The same spirit of dominance which was the marked characteristic of Massachusetts in all its dealings with the neighboring colonies and settlements was manifested in its relations with the settlers in the territory of Maine. The story of these relations involves the later history of the "Plough Patent," mentioned in an earlier chapter. The rights of the patentees under this instrument had been secured by Alexander Rigby, of England. The

territory to which he made claim had a coast line of forty miles and took in the settlements of Saco, Cape Porpoise, and some scattered plantations in that region. Rigby appointed George Cleves as his agent, who associated with himself a Council of Assistants to carry on the government of Laconia. Both Maine and Laconia had suffered from lack of attention on the part of their proprietors during the distracted state of England. The question of the boundary between Laconia and Maine having been settled by the Commissioners of Foreign Plantations favorably to the claims of the former, Saco had been severed from Maine, leaving to it on the mainland only Gorgeana, Wells, and a small settlement at the mouth of the Piscataqua called Kittery.

Such was the state of the northern territory when, in 1649, measures were adopted by its various members looking to annexation with Maine. The initial step of federation among themselves was taken and a government established consisting of a governor and five councillors to serve one year. Massachusetts claimed the territory of Gorges and Rigby under the terms of its grant, and in a friendly way sought to bring some of the settlements to acknowledgment of its authority. This was followed by correspondence between the General Court of Massachusetts and the governor of the province of Maine, which eventually resulted in the submission of the Maine settlements to the jurisdiction of Massachusetts. The territory of Rigby also lay within the charter limits of Massachusetts, and the same method that had been used by the General Court to bring Maine to submission was employed in the case of Laconia. Maine, Laconia, and Saco were incorporated as the county of York.

It is important to note that in their relations with the home government, the colonies had uniformly held in view their own liberties. Not one of them had proclaimed either of the Protectors. Oliver Cromwell had been recognized as *de facto* head of the nation, but when an order was sent to Massachusetts to proclaim Richard Cromwell, his son, it was given no attention. Upon the accession of Charles II.,





Sir Harry Vane, Governor of the Province of Massachusetts.  
*From the engraving by Houbraken.*

the affairs of New England were brought to the notice of the king through a petition for the appointment of a general governor for New England, and by means of a complaint of the treatment of Quakers and other persons not regarded with favor by the New England authorities. All the various elements unfavorable to New England conceived the time to be auspicious to make representations to the general government against the conduct of colonial affairs. Massachusetts, however, had a watchful and efficient agent in England in the person of Leverett, who kept the General Court informed as to the movements of the colony's enemies; and having information of the unfriendly representations being made about it at court, Massachusetts addressed to the king, as well as to Parliament, letters of response to the charges brought against the colony. In the address to the king, diplomatically worded, profuse in complimentary terms, and abounding in Scriptural phraseology, the Court prayed for the king's "gracious protection of them in the continuance both of their civil privileges and of their religion and liberties." In the address to Parliament they averred that they did not fear a full investigation of the procedure of the colony in matters religious or civil; and they said: "we are not unwilling and hope we need not be ashamed to give an account with what integrity and simplicity of heart we have managed the trust committed to us." In both addresses it advanced vindication of itself for its treatment of the Quakers.

Those portions of the addresses in which the colony sought to exculpate itself for its treatment of the Quakers referred to a series of events which had occurred and were occurring in New England of a character on a par with other instances of an intolerance of spirit discreditable to its history. We have seen something of the treatment accorded the Anabaptists by the Massachusetts authorities, not because of their entertaining views at variance with those dominant in the colony, but because they used such violent and vituperative language toward all others who did

not share their views and adopt their methods. Witter, of Lynn, the man at whose house had been made the arrest of a group of Anabaptists from Rhode Island who had come to Massachusetts to make an issue of their tenets, was himself cited before the authorities for saying that "he who was present at the baptism of a child was worshipping the devil." It is not to be assumed, however, that the ignorant utterances of the fanatical element of a party are to be taken as justification for the treatment of its saner portion as troublesome schismatics. Henry Dunster, the first president of Harvard College, suffered from the odium in which those entertaining Baptist sentiments were held, and was forced to resign his post in 1654.

The spirit of persecution, however, in the case of the Quakers was far more violent than that toward the Baptists. It seems strange to-day, when the peculiar beliefs of the Friends are accorded respect and the effect of them upon the personal characters of members of that religious following is conceded to be excellent, that there ever should have been raised a serious issue over the matter of adherence to these beliefs. The Quaker believed in a form of personal inspiration from God through the agency of the Holy Spirit. He had a quaintness of speech that is the basis of a characteristic of the sect to-day; he would not uphold the profession of arms, and declined to uncover his head in the presence of magistrates. The quiet and orderly Friends of a later period have little resemblance to the wild, coarse enthusiasts who were in England a troublesome faction and in New England a source of great worry to the authorities. The prevalent opinion with regard to the Quakers is shown in the first notice of them in Massachusetts. This notice occurs in an order which was passed by the General Court setting aside a day of public humiliation, the purpose of which was "to seek the face of God in behalf of our native country, in reference to the abounding of errors, especially those of the Ranters and Quakers." Prayer did not prevail to prevent the entrance of these obnoxious sectaries, however; for in

September, 1656, soon after the fast day had been observed, a vessel from Barbadoes anchored in Boston harbor, among whose passengers were two women of the Quaker faith, Mary Fisher and Ann Austin. They were treated by the authorities as if they carried with them the infection of a pestilence; the master of the vessel was put under bonds to take the women back whence they came, and certain books they had brought with them were ordered to be burned by the public hangman. Hardly had these women sailed from the shores of New England, when there arrived another vessel from England bringing eight other persons of the same religious faith, four of whom were men and four women. They were conducted from the ship to the jail, where they were locked up to await examination by the magistrates. When they appeared before Mr. Endicott, they proved themselves proficient in opprobrious language, denouncing the magistrate and his associates as "hirelings, Baals and seed of the serpent." The same sentence was passed upon these as upon Mary Fisher and Ann Austin, and after eleven weeks' confinement they reëmbarked on the vessel that had brought them.

Massachusetts was thrown into a state of alarm at this fresh menace to its peace, nor were the other colonies less concerned. The Federal Commissioners at their annual meeting resolved upon a recommendation to the several courts to exclude from the United Colonies all Quakers, Ranters, and other notorious heretics; and should any succeed in entering the colonies, they were to be banished out of their jurisdictions. This action of the Federal Commissioners was followed by Connecticut's imposing a fine of £5 a week upon every town that should "entertain" such characters. The General Court of Massachusetts took action requiring shipmasters who should bring Quakers into its jurisdiction to pay a fine of £500 and to give security for the retransportation of such persons to the port whence they came. All Quakers entering the colony were to be committed to the House of Correction, severely whipped,

and during their confinement to be employed at labor and prevented from conversing with any person. This law was promulgated under conditions which showed how seriously regarded were the conditions against which it was directed. It was "published, in several places of Boston, by beat of drum." To dissent from this law or to speak favorably of the Quakers was a punishable offence.

It was not long before the oppressive enactment against the Quakers and their sympathizers had opportunity of enforcement. Anne Burden and Mary Dyer arrived in Boston from England and were imprisoned. The former was sent back to England, and the latter, who was the wife of the secretary of Rhode Island, was delivered to her husband after he had been placed under bond not to allow her to lodge in any town in the colony or to permit her to speak to anyone. Mary Clarke, who had come from London for the express purpose of rebuking the magistrates for their oppressive legislation, was scourged. The effect of these persecutions was to awaken the martyr spirit among the Quakers and to lead to the aggravation of the disorders for the correction of which the law was passed. Under persecution members of the sect became violent in their language and demeanor, and many came from England in the belief that they were divinely directed to proceed to Massachusetts to take up the challenge of their faith which the law against them held out. The magistrates were kept busy fining, scourging, imprisoning, and banishing Quakers. As the law enforced did not have a deterrent effect upon them, it was resolved to increase the severity of the sentence. The fine for harboring Quakers was now increased to forty shillings for every hour, and it was enacted that every Quaker returning to the jurisdiction of Massachusetts after having been once punished should suffer the loss of an ear for the first offence, and for the second offence the loss of the other ear, and for the third he should have his tongue bored through with a hot iron. It is creditable to Massachusetts to find that the last two provisions were



never enforced and that the first was executed in only three cases. The persons upon whom this severe sentence was carried out were three men, Holden, Copeland, and John Rouse; all had twice been banished from the colony.

The Federal Commissioners, who were in session at Boston at the time, with Endicott presiding, passed a vote which, after reciting that the Quakers believed themselves infallible, despised government, and were revilers of magistrates and of ministers of the Gospel, recommended to the several General Courts that Quakers who had suffered conviction for their offences should, on returning again to any of the colonies, be imprisoned, "and forthwith banished or expelled out of the said jurisdiction, under pain of death; and if afterwards they presume to come again into that jurisdiction, then to be put to death as presumptuously incorrigible, unless they shall plainly and publicly renounce their cursed opinions; and for such Quakers as shall come into any jurisdiction from any foreign parts, or such as shall arise within the same, after due conviction that either he or she is of that cursed sect of heretics, they be banished under pain of severe corporal punishment; and if they return again, then to be punished accordingly, and banished under pain of death; and if afterwards they shall yet presume to come again, then to be put to death as aforesaid, except they do then and there plainly and publicly renounce their said cursed opinions and devilish tenets."

Massachusetts alone pertinaciously hounded down the Quakers with all the severity for which its laws provided. There was one honorable exception among the New England colonies to the rigorous enactments passed against these sectaries; Rhode Island took no part in the work of persecution, though it had been invited by the Federal Commissioners to give its aid in a friendly and neighborly way as "the rule of charity did oblige them." Although the rulers of Rhode Island had little sympathy with the teaching of the Quakers, their record of toleration in matters of religion was preserved. The colony had suffered from

more disorders on account of religious sectaries than any of its neighbors, but, in spite of this fact, the principle of religious toleration had taken fast hold upon the people, and their perception of the province of criminal law had not become clouded. To the appeal of the commissioners they replied: "We have no law amongst us whereby to punish any for only declaring by words their minds and understandings concerning the things and ways of God as to salvation and our eternal condition." With a clear discernment of the spirit of fanaticism, they pointed out that persecution was sought after by the Quakers, and that where they were "most of all suffered to declare themselves freely and only opposed by arguments in discourse, there they least of all desired to come."—"Surely," they continued, "we find that they delight to be persecuted by civil power, and when they are so gain more adherents by the conceit of their patient sufferings than by consent to their pernicious sayings." The comparative freedom of Rhode Island from the presence of Quakers was laid to the ground of their irritation at not meeting with opposition, but being allowed "with all patience and meekness to say over these pretended admonitions and revelation." This wise attitude of Rhode Island forms a part of the basis of that generous commendation which history has ever been ready to accord to it, notwithstanding the heterogeneity of its population and the ridiculous and reprehensible squabbles and embroilments that were so much a part of its formative period.

Public opinion in the colonies was not prepared to accept the deliverance of the Federal Commissioners making persistence in Quaker opinions a capital offence, although Massachusetts was more ready to accept the extremity of the law than were its neighbors. Thus we find the spirit of persecution most strongly expressed among the inhabitants of Boston, twenty-five of whom memorialized the Court to take measures to secure the colony from "the spirit of Muncer or John of Leyden" by adopting the proposal of the commissioners with regard to capital punishment.

Massachusetts did not dishonor its good name without a struggle, but in the end the radicals prevailed; and in October, 1658, against the opposition of fifteen of the twenty-six deputies, several of whom afterward yielded to pressure, a bill was passed by both branches of the legislature, apparently meeting no opposition from the assistants, by which any person returning to the colony after having been banished as a Quaker should be put to death. In the autumn of 1659, Mary Dyer, who, as we have seen, had been permitted to go to Rhode Island in the custody of her husband, returned to Massachusetts with William Robinson and Marmaduke Stephenson, who had also been banished. They repaired to Boston, thereby deliberately inviting the penalty of death. While the imposition of lesser penalties had hardened the magistrates to the work of persecution, even the stern Governor Endicott himself winced before the absolute penalty, yet the law was on the statute book and they had pledged themselves to its execution. On the 27th of October, 1659, under due form of law, Stephenson and Robinson paid the penalty of death for their temerity. Their bodies were cast into an uncovered trench. Mary Dyer for the time being escaped the fate of her companions and was allowed to return to her husband, but the following May she again sought the death of a martyr. Her companion this time was William Leddra, a banished Quaker. He was given the promise of freedom if he would leave the country; he refused, and shared the fate meted out to Mary Dyer.

The great increase in the number of Quakers in Massachusetts placed before the authorities the alternative of a persistent course of persecution or a retirement from the stand they had taken. With a large section of the people indifferent to the theological aspects of the case and regarding the Quakers simply as disturbers of the peace, it was impossible that the spirit of fanaticism should prevail. Although the records do not reveal the steps by which the measure of toleration was brought about, the death penalty

was virtually abolished. The changed attitude of the English government toward the Quakers was probably influential upon the course taken by the Massachusetts authorities. The king had condescended to hear the complaints of the members of the persecuted sect in Massachusetts and had given them a promise of help, and Massachusetts was put in the position of having to explain to the home government its attitude toward the Quakers.

After capital punishment had been discountenanced, the absurdities of the Quakers went to greater lengths than before. Seldom could a congregation meet for worship without flagrant disturbance from them. One Thomas Newhouse, having entered the meeting house at Boston, delivered himself of a message which he professed to have received by inspiration and then broke two glass bottles, exclaiming: "Thus will the Lord break you in pieces;" a woman went about the streets in a garment of sackcloth, while another smeared her face with grease and lampblack; two others, who are described as young women of great modesty, went naked through the streets of Salem and Newbury, "as a sign." It has been noticed that Rhode Island showed a tolerant spirit toward the Quakers, but, with this exception, they were generally persecuted in the smaller colonies, though to a much less extreme than in Massachusetts.

It is to be regretted beyond measure that the tide of annoyance caused by a troublesome sect—and no weaker adjective will do justice to the Quakers with whom Massachusetts and the other colonies had to contend—should have swept the Massachusetts authorities along in its flow. However flagrant were the abuses of privilege on the part of the Quakers, Massachusetts might well have taken to heart the wise policy of Rhode Island. Certainly there is no measure of excuse or extenuation to be accorded to the colony for the extremes to which it went in its persecution of a sect whose chief offence, after all, modern opinion is inclined to suspect was not so much its persistence in preaching its peculiar views and fomenting religious disturbance as

its recalcitrant attitude toward the constituted rulers of the colony.

Massachusetts was involved in difficulties of a different sort through the growth of Baptist sentiments. Baptist doctrines having pervaded some of the Congregational churches, a question involving the rite of baptism arose and was the subject of considerable discussion within the Congregational Church. The usages of that Church sanctioned the baptism of unbaptized persons seeking membership in it and of infant children of church members in good standing. The question arose as to the status of persons who, having been baptized in infancy, had never united with the Church and had become heads of families. Were they to be regarded as having ecclesiastical position sufficiently pronounced to permit the baptism of their children, and, if not, might they not assume such status by taking upon themselves the engagements which their parents had entered into in their behalf at the time of their baptism? In other words, ought a personal religious experience to be rigidly insisted upon, or was not the fact of baptism and a regular life sufficient to constitute a person a communicant? This question became a vital one in the church at Hartford, of which the Rev. Mr. Stone, Mason's chaplain in the Pequod war, was pastor. He was accused of being a liberalist in his construction of the question. There arose within the Church a division, which could not be settled by repeated convocations of ministers called to give their decision upon it. The question became so prominent as to be the basis of conference between the several colonial governments, and a synod was called to meet in Boston. It was made up of representatives from the several councils, and the decision was reached that baptized adults of good character were entitled to vote for church officers and, in Massachusetts, to enjoy the political franchise. As the decision of the synod was devoid of legal effect, the dispute was only embittered; Stone stood firm upon his rights and the right of his church to regulate its own affairs according to its own discretion

and to execute its judgment upon refractory members without regard to the magistrates of Connecticut. A division occurred in the church at Hartford, the dissenting members moving further up the river and establishing a new settlement, taking with them the minority of the church at Wethersfield with the minister, Mr. Russell.

The Massachusetts General Court directed the churches within its jurisdiction to appoint ministers and delegates to a council to meet at Boston to decide the dual question as to the proper subjects of baptism and what sort of association should exist between churches, but no important result followed. One effect of these varied theological upheavals in New England was the relaxing of ecclesiastical severity. Even Massachusetts became reconciled to the existence of dissent and became imbued with a more rational appreciation of the spirit of religious freedom. The narrowness of New England, and especially of Massachusetts, in the matter of religion was due to the peculiar and close relationship of the Church and the State. With the growth of industry and the widening sympathies of a more varied contact with the outside world, and the increasing appreciation of economic and civil freedom, the incongruity of religious restrictions became increasingly apparent. The fearful and suspicious spirit that led the colonies to prize their peculiar privileges, lest they should be wrested from them and their last estate in the New World be no better than their former condition in England, became gradually broadened with the increased confidence and security which time, growth, and prosperity brought them.

Having now considered the occasion of the complaints of the Quakers against New England, which led Massachusetts to prepare an address to the king, we will notice the effect of that address upon the monarch. Through Secretary Morris, the king informed Endicott that since he had resumed his royal authority he had "made it his care to settle his lately distracted kingdoms at home, and to extend his thoughts to increase the trade and advantages

of his colonies and plantations abroad: amongst which, as we consider New England to be one of the chiefest, having enjoyed and grown up in a long and orderly establishment, so we shall not come behind any of our royal predecessors in a just encouragement and protection of all our loving subjects there, whose application unto us, since our late restoration, hath been very acceptable, and shall not want its due remembrance upon all seasonable occasions, neither shall we forget to make you and all our good people in those parts equal partakers of those promises of liberty and moderation to tender consciences, expressed in our gracious declaration."

The same ship which bore this precious document from his majesty brought over also an order for the apprehension of Colonel Whalley and Colonel Goffe, fugitive regicides, who were reported to have been seen at Boston. These men had indeed been received at Boston with friendly welcome, but that did not indicate that the people of Massachusetts approved their participation in the execution of Charles I. In fact, being so far removed from the seat of difficulty, and having worked out their own destinies, they had not felt called upon to make a declaration at any point in the changing turn of political affairs in the mother country. The hospitality which was accorded the fugitives sprang largely from motives of appreciation of their gallant service as soldiers who had fought for the rights of Englishmen. In seeking their arrest the king was violating a promise that he had made that none of the participants in the late troubles excepting those who were especially designated by Act of Parliament should be punished therefor. At the time the order was transmitted to Massachusetts for the apprehension of the two fugitives, Parliament had not yet indicated the persons who were to be brought to account. The disposition of the authorities was to protect the fugitives from the execution of the king's order, but while the matter was under consideration they left for New Haven. Then followed a peremptory order from the king to Endicott for

their arrest; whereupon it became incumbent upon the authorities to manifest some interest in the matter, and two young Royalists, lately arrived in Massachusetts, were commissioned to seek out the refugees. These young men were ostensibly accorded every respectful furtherance in their undertaking, but actually were obstructed on every hand. Consequently, the fugitives continued in semi-concealment in the colonies for a number of years, when Whalley died of extreme infirmity. Goffe survived him several years.

With all the friendly sentiments which the king professed for New England, the colonists realized that it was not possible for them to receive the same practical benefits from Charles II. that had been accorded them by the Protector. Under the Commonwealth, the Navigation Act had not been enforced with respect to New England. In anticipation of a changed attitude on the part of the mother country toward it, the General Court of Massachusetts authorized the governor for the time being to take of ship-masters coming into New England ports the bonds required under the Navigation Act to make returns "to his Majesty's customs, before they had liberty to depart, that so this colony might not be under the least neglect of its duty to his Majesty's just commands." The evident purpose of this action was to avoid the attraction to New England of unfriendly notice in England. The charter was examined, and in the instances in which usage or law had made departures from it these departures were corrected. The Court appointed a day of public thanksgiving for the many benefits the colony had received and especially for the favor in which it was held by the king. A committee was appointed to meet in Boston after the dissolution of the Court to consider matters pertaining to the patent, laws, and privileges of the colony and the duty due to the king, and it submitted a report which was approved by a special session of the General Court. This report enumerated the liberties of the colony under the patent to be the formation of such a government as was then operative, with power to



enact laws which should not be prejudicial to the laws of England, or, on the other hand, be invalidated by any impositions from abroad. Then followed an assertion of allegiance to the person and the government of the king.

In the meanwhile, the colonies became aware of the appointment of a Royal Council of Foreign Plantations, as well as of a Committee for the Settlement of New England. In the summer of 1661, the Massachusetts Court ordered the formal proclamation of King Charles. This proclamation was made under conditions repressive of enthusiasm, on the ground that the serious nature of such an act must not be lost sight of.

Massachusetts was in a state of great anxiety lest the virtual independence which it enjoyed should lead the king to appoint a commission whose investigation of colonial affairs should be carried on in the colonies themselves. To forestall such action the Court determined to intrust to a committee the arrangements for a mission to England and the formulation of instructions for the members appointed. Mr. Bradstreet and Mr. Norton, who were selected for this responsible mission, realizing that there were great divisions of opinion concerning even the advisability of sending it, and that it involved tremendous responsibilities, felt great reluctance to assume a duty which might in its failure bring upon them great odium. They knew that complaints against the conduct of the colony had been vigorously pressed at court; and if the complainants were successful in getting the king's ear, their own presence in England as messengers from a contumacious colony would place them in a position of extreme personal peril, which would perhaps be greater owing to the fact that both had been parties to all the proceedings against the Quakers. Their instructions gave them a large measure of discretion as to the wisdom of presenting to the crown alternate addresses which had been prepared for them; and all the details of the commission being finally arranged, the commissioners set sail early in February, 1662.

At this apparently inauspicious time, the General Court enjoined the master of the mint to coin twopenny silver pieces for the needs of the exchange of the colony. In the meantime, disturbing reports of the imprisonment of the colony's agents reached Boston; but these reports proved groundless, for the mission of the agents was generally satisfactory in its outcome, and they returned with a letter from the king confirming the patent and charter "heretofore granted to them" and containing a full pardon for all persons within the colony who had taken part in the late troubles of the realm, excepting only such as were attainted of high treason. But there were some features of the royal letter that were not gratifying to its recipients, for in it the king expressed his expectation that the administration of justice in the colony should be in his name and that the oath of allegiance should be taken by all the colonists. It also set forth the following enjoinders with regard to matters of religion: "We do hereby charge and require you that they that desire to use the Book of Common Prayer, and perform their devotion in the manner that is established here, be not denied the exercise thereof, or undergo any prejudice or disadvantage thereby, they using their liberty peaceably without any disturbance to others; and that all persons of good and honest lives and conversations be admitted to the sacrament of the Lord's Supper, according to the said Book of Common Prayer, and their children to baptism," and that, in the election of the governor or assistants, the only considerations for the guidance of the electors should be personal fitness without regard to faction, opinion or profession; and further, that all freeholders of sufficient estate "not vicious in conversations, orthodox in religion, though of different persuasions concerning church-government, might have their vote in the election of all officers, civil or military." This letter was published at the next General Court, as was ordered by the king.

The odium which the commissioners feared would fall upon them if their embassy turned out in any way to the

disfavor of the colony was heaped upon them, or at least upon Norton, who was looked upon as the responsible leader; and the turn of the tide of popular favor so dispirited him that, brooding over his misfortune, he died within a year after his return. Aside from publishing the letter, the Court took no further notice of its demands than in the future to issue court writs and other public papers in the king's name. All further action with regard to the letter was deferred until the next meeting of the General Court, at which time there was appointed a day of general thanksgiving for the safe return of the messengers from England, and a month later a day of fasting and humiliation "on account of the afflictive and low estate of the cause and people of God universally, with the prevailing power of Antichrist over the reformed churches beyond the seas together with some public rebukes of God among ourselves."

At this same session of the Court the law for whipping "vagabond Quakers" was reënacted, and a censorship of the public press established. The spirit of this legislation did not show a submissive temper toward the demands contained in the king's letter. The next meeting of the General Court was after the annual elections, and the only action taken with regard to the king's letter was the appointment of a committee consisting of magistrates, ministers, and deputies to draw up and present at the next session of the Court a paper embodying their views as to the appropriate attitude to be observed toward the royal missive.







John Winthrop, Governor of Massachusetts.

*From the original painting by Van Dyke, now in the Massachusetts State House, Boston.*

## CHAPTER X

### *THE COLONIES AND THE KING*

PLYMOUTH had not been so forward as Massachusetts in making its acknowledgment of Charles II., and it was nearly a year after the Restoration had become known in New England that Plymouth made its proclamation of the event and announced its allegiance to the monarch. New Haven did so also, after being spurred on by a letter from the secretary of Massachusetts suggesting the inexpediency of delay in the matter. Connecticut had been more ready than New Haven, and at the General Court of the colony, which convened in 1661, it was voted to prepare an address to "his sacred Majesty" expressing the loyalty and allegiance of the colony and petitioning the continuance and confirmation of the privileges and liberties it then enjoyed. John Winthrop, Jr., was sent as commissioner to England to endeavor to obtain a charter with as broad liberties and privileges as those granted to Massachusetts. Through the influence of Lord Say and Sele, who was personally interested in the commissioner as well as in the community which he represented, Winthrop was brought into contact with men of prominence; added to which his scientific tastes made him an agreeable companion for men of high attainment in physical science. These happy conditions and the favor of persons of eminence in the State resulted in the success of Winthrop's mission, and he received for his colony a charter conveying privileges beyond his most sanguine

expectations. By it was constituted the Governor and Company of the English Colony of Connecticut in New England in America. The boundaries of the territory were: on the east, "the Narragansett River, commonly called Narragansett Bay, where the said river falleth into the sea; on the north, the line of the Massachusetts Plantation; on the south, the sea; and, in longitude, as the line of Massachusetts Colony runneth from east to west, that is to say, from the said Narragansett Bay on the east, to the South Sea on the west part, with the islands thereunto adjoining." These boundaries included the whole of New Haven colony, as well as the territory of Rhode Island and the land claimed by the Dutch, besides that portion of the Massachusetts grant east of Pequod River.

The government of the colony, as constituted by the new charter, was to be administered by a governor, a deputy governor, twelve assistants, and a House of Deputies, which was to consist of two members from each town, to be elected annually by the freemen of the colony. The only limiting clause in the charter relating to the nature of the government was the usual one that the local legislature could not make laws contrary to those of the realm of England; but this was in its nature an ineffective provision, as there was a method prescribed for the annulment of laws passed by the colonial legislature. Even the oaths of allegiance and supremacy were not made obligatory. This extraordinary document, issued at a time when the policy of the minister, Lord Clarendon, was one of encroachment upon the colonies, can best be understood in the light of its local influence. The extension of its boundaries brought Connecticut into the unenviable position of absorbing against its will a sister colony—New Haven—and of encroaching upon the domains of two others, one of which was the powerful head of the New England confederation; at the same time, New Haven had administered to it severe punishment for incurring the ill will of the home government by harboring the regicides.



The arrival of the charter in New England four months after its issuance created a profound sensation. Connecticut was thrown into a state of great exultation. The General Court, at its meeting, declared in force and effect all the laws and orders of the colony under the new charter and made like declaration as to all civil and military officers. It proceeded at once to ask and receive the submission of a section of the inhabitants of several of the towns of New Haven, without waiting for that colony to take action with regard to its own destiny. Westchester, lying within Dutch territory, received notice of the claim of Connecticut, and the settlers at Mystic and Southertown were notified that they were now within the jurisdiction of Connecticut. A committee of two magistrates and two ministers was appointed to go down to New Haven. The magistrates of New Haven replied to the expressions of these gentlemen of the hope of a happy and comfortable union by suggesting that such matters might be dealt with to better advantage after fuller information had been received from Mr. Winthrop. In the meanwhile, meetings of the freemen of the colony were held and protests advanced against the union which had been forced upon them. It was decided by these popular assemblages to appoint a committee to make representations to the General Assembly of Connecticut that matters of union be deferred until the home-coming of Mr. Winthrop, and to state that nothing could be done in New Haven until the confederates had been consulted.

Connecticut made no response to the remonstrance of New Haven until some four months later, when it sent a committee of four magistrates to New Haven to settle the matter of union and incorporation. They were instructed to consent to no concessions and to make no compromises. New Haven, on its part, at the subsequent meeting of its General Court, resolved to recognize no changes of government and to go on as usual with its internal affairs. In the face of the advice of Winthrop in the communication which he sent to Deputy Governor Mason, of Connecticut, that

colony, through its General Court, proceeded to appoint magistrates for the lately acquired New Haven towns and invited from those plantations deputies to the Connecticut legislature. As New Haven declined to treat with Connecticut for the consummation of the union, that colony addressed itself to the several towns of New Haven as separate communities.

The Connecticut charter formed the most important matter for consideration at the meeting of the Federal Commissioners in 1663, which was held at Boston. The credentials of Governor Leete and Benjamin Fenn, as commissioners from New Haven, were accepted without question. Winthrop, now returned from England, and Captain John Palcott were Connecticut's representatives. Massachusetts entered her protest against the claim of Connecticut to its territory in the Pequod country. The Governor of New Netherland also appeared, to enter a complaint against the encroachment of Connecticut upon Dutch territory. New Haven presented its grievance of the usurpation of its positions and powers by its sister colony. The representatives from Massachusetts and Plymouth gave judgment upon the merits of the dispute between Connecticut and New Haven. Their opinion was that "the colony of New Haven might not, by any act of violence, have their liberty of jurisdiction infringed by any other of the United Colonies without breach of the Articles of Confederation; and that, wherein the act of power had been exerted against their authority, the same ought to be recalled and their power reserved to them entire, until such time as in an orderly way it should be otherwise disposed."

The Connecticut charter proved an apple of discord thrown among the New Haven towns. All excepting three of the towns seceded from the old government, which was reduced to a condition of poverty, but still persisted in its claim to independence. An order received from England at this time, requiring the observance of the navigation laws, and which was addressed to the governor and assistants

of New Haven, was seized upon by the authorities of that colony as a virtual recognition of them in their separate capacity. They made it the basis of a claim to levy upon the seceding, as well as the loyal, towns for their arrears of rates in order that the demand with regard to the navigation laws might be met. They added that to do otherwise was to oppose the royal will, and persons taking such a stand would be proceeded against as disloyal subjects of his majesty and disturbers of the peace of the jurisdiction for New Haven.

In order to bring to an end a situation which had become intolerable, the General Court of New Haven prepared a paper to be transmitted to the Connecticut authorities, under the title *New Haven's Case Stated*. The full history of the New Haven colony was therein set forth and also its relations to Connecticut, and the course of events leading up to the issuance of the Connecticut charter. It then requested the Connecticut authorities no longer to attempt to draw it into a forcible union. To this plea Connecticut did not reply. The contest between the two colonies continued until the summer of 1664. Notwithstanding the award of the Federal Commissioners, the leading men of Massachusetts counselled New Haven to yield, and this advice was followed after a few concessions had been made. It felt that in its memorial, *New Haven's Case Stated*, it had amply justified its position and so could yield with dignity. The importance of the confederation of the two colonies lay in the strengthening of the wider ties of association which it effected as against the claims of independency which had been paramount with every town, until, by the process of concentrating influences, the associational idea had come to be more and more appreciated and availed of.

The full effect of the Connecticut charter cannot be understood without considering it as it involved New Netherland. The question of the boundary between Connecticut and New Netherland was taken up by Winthrop, who in 1664, along with three other representatives of Connecticut,

met Nicolls, the personal agent of the Duke of York. At this meeting Connecticut yielded all claim to Long Island, and Nicolls conceded any pretensions which the Dutch, prior to the recent appropriation of their territory by England, had made to the townships between Greenwich and Connecticut. The boundary line accepted by both parties ran parallel to the Hudson and twenty miles to the northeast of it. By this demarcation of its southern boundary was eliminated much future occasion of dispute between Connecticut and its western neighbor.

Following the extension of Connecticut by its new charter was a movement on the part of Rhode Island to extend its boundaries at the expense of Connecticut. At the time of the extinction of the Plymouth Company and the partition of its territory in 1635, the Marquis of Hamilton became possessed of all the land between Narragansett and Connecticut Rivers. This title continued to be a latent menace to the sovereign rights claimed by Connecticut, which were confirmed to it by its charter. A third party to the controversy over this strip of territory was the Atherton Company, which was made up in part of men of Massachusetts who had bought from the Narragansett Indians a tract of land on the west side of Narragansett Bay. When Connecticut was seeking to secure a charter, the affiliations of the Athertons dictated their preference to have their territory placed under that government rather than under the government of Rhode Island. They communicated with Winthrop to that effect, and he replied that the arrangement which he had made accomplished their desires. Rhode Island claimed the territory of the Atherton purchase as within its jurisdiction and addressed protests upon the subject to the General Court of Massachusetts, to the Atherton Company, and to the Federal Commissioners. Meanwhile, Clarke, who had been the associate of Coddington on his mission to England for a charter for the Rhode Island settlements and who had remained in England, was actively engaged in promoting ends favorable to Rhode Island's interests

and claim. Clarke had secured the favor of Lord Clarendon; and when Winthrop obtained a charter for territory for Connecticut extending eastward to Narragansett Bay, Clarke had the promise of a charter for Rhode Island which carried its boundary westward to Pawcatuck River and included within it a tract of land twenty-five miles wide and extending from the southern line of Massachusetts to the sea. In 1660, the Rhode Island legislature appointed a committee to treat with the Atherton Company. This negotiation failed, and the question at issue was given over to arbitration. The Board of Arbitration decided that the words "Narragansett River" in the Connecticut charter should be interpreted to mean Pawcatuck River, but that the freedom of the Atherton Company to choose which of the two colonies it cared to be associated with should not be affected. Clarke duly received his charter, which incorporated the freemen of the company and gave them authority to elect a governor, assistants, and deputies. The boundaries of the colony were placed at Pawcatuck River on the west, the line of which river was to be extended due north until it touched Massachusetts. The boundaries on the other sides of the colony were to be Plymouth, Massachusetts, and the sea. It was clear to the people of Connecticut that Clarke had secured the advantage over Winthrop in the matter of the disputed territory.

After the settlement of this question had been effected, Winthrop sailed for America, and at the same time the king issued an edict which was addressed to each of the confederated colonies, recommending the Atherton Company to their neighborly kindness and protection. The edict set forth as its inspiration the representations which had been made by persons resident in the disputed territory that they were molested in their "possession and laudable endeavors by certain unreasonable and turbulent spirits of Providence Colony in New England, to the great scandal of justice and government, and the eminent discouragement of that hopeful plantation." This letter, which was dated some weeks

later than the granting of Clarke's charter, which it contradicted, was issued by the king without knowledge on his part of the conflict of claims which it would bring about. There were now constituted four claimants to the Narragansett country: Connecticut, Rhode Island, the Atherton Company, and, in a remote way, the Marquis of Hamilton. The issue that was sharply raised was that brought about by the choice of the Atherton Company to acknowledge the jurisdiction of Connecticut. That colony had taken steps to accept the surrender of the territory, and had arranged for its government by local officers, when it was met by a resolute order from Rhode Island requiring persons who should come into the Narragansett country without express leave from the General Assembly of Rhode Island to depart at once on pain of imprisonment for contempt—an order that was followed by several arrests.

A similar dispute occurred over a strip of land which some men of Rhode Island had bought from a Narragansett chief, and which the Federal Commissioners declared to be a part of the country conquered by the forces of the allied colonies during the Pequod war, and had been assigned to Massachusetts. Massachusetts proceeded to defend its claim to these lands on the east side of the Pawcatuck, and several persons were arrested and fined.

Such was the mixed character of the relations of the other colonies with Rhode Island, when their attention was called to more important matters relating to their internal security and order. The conflicting terms of the Connecticut and Rhode Island charters had resulted in fomenting disorders in the confederacy and offsetting to a degree the centralizing influences which had been working toward the unifying of New England. The indifference of Massachusetts to the royal demands was not to remain effective in preventing the consummation of the royal purpose. Just after the granting of the Connecticut charter, the question of royal oversight of the New England colonies was debated in the Privy Council, and the determination was reached to

send royal commissioners to adjust the relations of the several colonies. In 1664, Massachusetts received word that royal commissioners were on their way, and the General Court ordered that the principal officials of the colony should repair to the vessels when they arrived at anchorage and accord to the royal representatives every courtesy; at the same time, a day of humiliation and prayer was appointed. Under the mask of courtesy and humility, there was hidden a spirit of stern determination to hold on to the charter which was the palladium of their liberties. It was ordered that "forasmuch as it is of great concernment to this Commonwealth to keep safe and secret our patent, it is ordered the patent, and duplicate, belonging to the country, be forthwith brought into the Court; and that there be two or three persons appointed by each House to keep safe and secret the said patent and duplicate, in two distinct places, as to the said committee shall seem most expedient." At the same time, the fortifications of the colony were looked to and the order was taken for the reorganization of the train-bands.

On the evening of July 23, 1664, there arrived in Boston harbor the warship *Guinea*, of thirty-six guns, and the *Elias*, of thirty. The colonial officials who boarded the vessels were told that a fleet of four ships had sailed together from England, but had become separated during the voyage. The missing ships were the *Martin*, of sixteen guns, and the *William and Nicholas*, of ten. They carried in all between three and four hundred troops, and had in conveyance four royal representatives commissioned to investigate the affairs of the colonies. These were Colonel Richard Nicolls, Sir Robert Carr, Colonel George Cartwright, and Mr. Samuel Maverick. Aside from the menace to the liberties of the colonies, which it was feared these commissioners represented, their presence involved a further complication of land titles. The king had given all the country lying between Connecticut and Delaware Rivers to his brother James, Duke of York, basing his right to do so on

the claim to North America which had been established for the crown by the early English discoverers. The commissioners were enjoined to take possession of the territory lying between Connecticut and Delaware Rivers for the Duke of York, its new owner, and to require military aid from the colonies for this purpose. The principal business of the commissioners, however, as set forth in their instructions, was to gain the consent of the people to such amendments to the existing charters as in the wisdom of the commissioners would appear to be for the furtherance of the good of the colonies and the cementing of them to the crown. Specifically, they were to arrange that the king should have the appointment, or the sanction of the appointment, of governor, and that the train-bands should be under the command of an officer of royal nomination. How these innovations were to be brought about was left to the diplomatic ability of the commissioners. The royal desire was for Colonel Nicolls to be chosen as the royal governor, with Colonel Cartwright as major-general. The next matter to which the commissioners were to give their attention was the reduction of the Dutch of New Netherland and the Delaware region, and to secure the aid of the colonies in effecting it.

This last matter was first advanced by the commissioners, and the magistrates informed them that they had taken measures to convene the General Court within a week to obtain the concurrence and advice of that body. The commissioners were not pleased with the delay which this action necessitated. At its session, the General Court extended its deliberations over the various matters involved in the commission of the royal representatives. They avowed their allegiance to his majesty and just as heartily their devotion to their charter. In compliance with the king's demand in his former letter, they repealed the law which made church membership a condition for the exercise of the franchise. Under the new law, all Englishmen of or over the age of twenty-four years who were householders and settled



inhabitants of the colony, who presented certificates from the ministers in the places where they dwelt testifying to their orthodoxy in religious belief and that they were not vicious in life, and who presented a certificate from the selectmen of their towns that they paid the public rates to the amount of ten shillings, should enjoy the franchise. This action amounted to little more than a reënactment of the old law under different terms. There were not many men in the colony who could be rated as high as ten shillings who were not members of some church, and the selection of the freemen of the colony was placed in the hands of the ministers, whose decision as to the competency of persons examined by them was final. A committee was appointed by this Court to draw up a petition for the continued enjoyment of the privileges granted by the charter. This petition set forth the difficulties and hardships endured by the founders of the colony and deplored the fact that the enemies of the commonwealth had received countenance from the king, to the discredit of the colony. The petitioners avowed that the restrictions they had placed upon the inhabitants of the colony were needful to ensure that the freemen should be of the class identified with the interests and the furtherance of the original purposes of the colony, and that, if an element unfriendly to these ideas should get control of the colony, then those who had made it all that it was would be forced to look elsewhere for habitation. In an impassioned appeal, they added: "let our government live, our patent live, our magistrates live, our laws and liberties live, our religious enjoyments live; so shall we all have yet further cause to say from our heart 'Let the King live forever'; and the blessing of them that were ready to perish shall come upon your Majesty, having delivered the poor that cried, and such as had none to help them."

The effect of the patent of the Duke of York upon the strained relations of New Haven and Connecticut was salutary. New Haven had no other recourse from absorption into New York, as New Netherland was now known,

than to join issues with Connecticut in an endeavor to obstruct the royal purpose. Upon the assembling of the Federal Commissioners, meeting at Hartford, there was little disposition shown to transact business of moment. The need of concerted action was strongly felt, and the General Courts of the several colonies under the federal jurisdiction were advised to send word to the other colonies upon receiving notice of the visit from the royal commissioners, so that the Federal Commissioners, representing the general opinion of the colonies, might confer with the General Courts as to their policy in regard to any action affecting their welfare which the royal commissioners might institute.

In the midst of these troublous times, Governor Endicott passed away. He was a man of sturdy integrity and pursued a consistent policy in order to preserve Massachusetts in its character of a Puritan commonwealth. He conducted to its shores the first band of immigrants; he arranged the religious comity established with Plymouth; and drove out the Episcopalians, who first contested the Puritan character of the colony. His spirit was not one of leniency, as was manifested by his attitude toward the Quakers, whom he looked upon as pernicious interlopers within the confines of Massachusetts. In the face of the cautionary sentiment of many of his fellows, and at a time when his act might lead to consequences detrimental to the colony, he slashed out from the English flag the cross of St. George as a Romish abomination. Of an imperious temper, he claimed for himself all the rights of his position and exercised them in a spirit intolerant of opposition.

The royal commissioners had not been long in New England before they became thoroughly cognizant of the temper of the colonists and realized the hidden fires under the placid surface of courtesy and humility. They were not unaware of the fact that, with all the apparent readiness to further their mission, the set policy of these New England men was to retard them and frustrate their endeavors at every possible point. Their conduct of affairs showed a

spirit of timidity and a hesitancy to come into conflict with the leading colony of the confederation; they esteemed it the part of wisdom to begin their operations with the smaller colonies, and even in their relations with them to manifest a spirit of moderation. At Plymouth the king's letter was presented, and it was proposed that all householders should take the oath of allegiance; that all persons of suitable estate and character should be admitted to the status of freemen; that all persons of orthodox opinions should have access to the Lord's Supper and the privilege of baptism for their children, either in churches already established or in congregations of their own; and that all laws containing expressions derogatory to his majesty should be repealed or altered. The Court of Plymouth acceded to the first, second, and fourth of the proposals, and to the third made the conditional response that it would be agreed to, provided that no persons should fail in their payment toward the support of the ministers in the places where they lived, until they had ministers of their own and a sufficient congregation for their maintenance. The compliant spirit of Plymouth evoked a letter of praise from the king, who contrasted the attitude of Plymouth with the refractory disposition of Massachusetts. The commissioners next proceeded to the Narragansett country, where they were received with sincere and enthusiastic loyalty. Taking advantage of the friendly sentiment toward them, they proceeded to adjust in a peremptory manner the question at issue between Connecticut, Rhode Island, and Massachusetts with regard to the Narragansett territory. They simply took possession of it in the name of his majesty and constituted it a royal province, whose boundary on the west they fixed at Pawcatuck River, and ordered that the Atherton Company, upon the repayment by the Indians of their purchase money, should relinquish all claim thereto. For the present, the king's province was placed under the administration of the magistrates of Rhode Island. Next proceeding to Connecticut, the commissioners obtained the easy submission

of that colony, whose action was now binding upon New Haven. Returning to Rhode Island, the commissioners received the protestations of the authorities of their acceptance of all the proposals in behalf of the colony.

Having received the submission of the other colonies, the commissioners prepared for the contest with Massachusetts. In the meanwhile, the king had replied to the petition, expressing his displeasure at its contents and his belief that the affairs of Massachusetts had been too long in the hands of a few men. The deputy governor, magistrates, and deputies entered into a discussion with the commissioners as to the several points in the proposals which they had to offer. The chief matter of complaint on the part of the commissioners was that the magistrates had failed the previous summer to publish the king's letter to the colony, and they demanded that the king's pleasure be complied with and a General Court be convened for the hearing of the matters of their mission. They alleged that the principal moral result they desired to achieve by their mission was the silencing of the calumnious reports against the colony that were circulated in England to its detriment, namely, that the subjects of Massachusetts did not own submission to the home government, but regarded themselves as independent. The commissioners stated what they conceived to be the principles upon which the king would like the elections of the next day to be held, and expressed the pleasant wish that the elections might result in a happy choice of governor and that he might have joy in his office. Bellingham was the man elected. The complaint of the commissioners of the attitude of the Court toward the king's demands centred about the studied courtesy with which the royal proposals were met, while at the same time all professions of loyalty were conditioned upon the preservation of the privileges and liberties given by the patent. They then proceeded to inquire as to the relation of the colonists to the natives, who were brought under the the royal protection, and the education of whom the king demanded. Other

particulars of their instructions which they communicated related to offences committed by persons in authority, to the apprehension of traitors, to the compiling of local statistics, and to breaches of the Navigation Acts. The Massachusetts authorities had a taste of something more than the theory of royal government in the colony by the action taken by the commissioners in the case of a criminal named John Porter, whose term of imprisonment had expired and from whom bond was taken that he would remove from the jurisdiction of the colony. At Warwick he made complaint to the commissioners, who appointed a day for him to appear before them in Boston, when they would give a hearing to his complaint. The feelings of the magistrates were greatly outraged by this assumption of authority on the part of the commissioners; and they made respectful protest, alleging that, under the terms of their charter, no authority extraneous to the colony was competent to review its judicial actions, provided that the laws of England were not violated. They contended that to admit of such appeals would be an intolerable infliction, and they interrogated the commissioners as to whether any trials that might be conducted by them would be heard by a jury, and under what law judgment would be given. They affirmed the right of the king's subjects in Massachusetts to jury trial.

In answer to the requisitions made upon them by the commissioners, they furnished all information respecting the basis and conduct of the government in all its branches, as well as full reports upon education in the colony, and of their relations with the Indians. The commissioners were by no means satisfied with the answer of the authorities respecting the several matters upon which information had been required. The commissioners expressed their dissatisfaction at the qualifications with which these answers were hedged about, and propounded to the magistrates the categorical question whether or not they acknowledged his majesty's commission "to be of full force to all the intents and purposes therein contained." To this the Court replied,

after an ineffectual attempt at evasion: "We humbly conceive it is beyond our line to declare our sense of the power, intent, or purpose of your commission. It is enough to acquaint you what we conceive is granted to us by his Majesty's royal charter. If you rest not satisfied with our former answer, it is our trouble, but we hope it is not our fault." The friction between the commissioners and the Massachusetts authorities was getting perilously near the point of danger. In a spirit of annoyance at what they conceived to be the dilatory answers of their disputants, the commissioners announced that at nine o'clock the next morning, at the house of Captain Thomas Breedon, they meant to hear and determine the causes of several complainants against the governor and the Court. Before the appointed hour, a herald of the General Court stood before the door of Captain Breedon and, with sound of trumpet, issued a proclamation in which the Court called attention to the proposed usurpation of their authority by the commissioners and declared to the people of the colony that their duty to God and to his majesty made it impossible for them to consent to the proceedings of the commissioners. The commissioners realized that they had been effectually frustrated at every point in their contest with the independent spirit of Massachusetts and announced their intention to appeal to his majesty for further instructions. They said: "We thought, when we received our Commission and Instructions, that the King and his Council knew what was granted to you in your charter, and what right his Majesty had to give us such commission and commands; and we thought the King, his Chancellor, and his Secretaries, had sufficiently convinced you that this commission did not infringe your charter; but, since you will needs misconstrue all these letters and endeavors, and that you will make use of that authority which he hath given you to oppose that sovereignty which he hath over you, we shall not lose more of our labors upon you, but refer it to his Majesty's wisdom, who is of power enough to make himself to be obeyed in all



Penelope Winslow, wife of Josiah Winslow.



Josiah Winslow, Governor of Plymouth Colony.

*From the originals, believed to have been painted in London in 1651 by Robert Walker; and now in Pilgrim Hall, Plymouth, Mass.*





his dominions." The Court put in possession of the commissioners a map of the colony according to their construction of its limits, and also a list of amendments which they purposed making in the laws. With this the commissioners departed from the colony. They next proceeded to New Hampshire, where they endeavored to weaken the attachment of the settlements to Massachusetts.

The reports of the commissioners to the home government were, in the nature of the case, prejudicial to Massachusetts. The king thereupon, through his secretary, wrote to Massachusetts that it was very evident to him that those in control of the colony did not believe that his majesty's jurisdiction extended over them. He had recalled his commissioners in order to hear their personal report, and he commanded the governor and Council of Massachusetts to select four or five persons, including Mr. Richard Bellingham and Major Hawthorne, to appear before his majesty to make answer for the colony to the complaints of the commissioners. He also ordered that the boundaries of the several colonies, as determined by the commissioners, should be observed, and the government which they had established for Maine be continued at his majesty's pleasure. The colony made reply to the king's order by saying that they had given sufficiently the reasons why they could not submit to the demands of the commissioners, and added: "to the substance whereof we have not to add, and therefore can not expect that the ablest persons among us could be in a capacity to declare our cause more fully." However, there came petitions from several quarters to the court advising acquiescence to the king's command. As a propitiation to his majesty, the colony sent over to England a gift of masts for the royal navy to the value of about £2,000: a very timely gift, as France had joined issues with the Dutch in the war between England and that people. The king having desired the colonies to endeavor to effect the subjugation of Canada, an exchange of views took place between them which resulted in a reply to the effect that the endeavor was

not feasible. However, the authorities were disposed to regard the Massachusetts masts as a factor in the victory over the enemy which was cemented by the Treaty of Breda in 1667. One effect of the war was to make the people of Maine realize how defenceless they were against their French neighbors and to lead them to return to the authority of Massachusetts.

## CHAPTER XI

### *FORTY YEARS OF LIFE*

IN 1665, at about the time of the incorporation of New Haven into Connecticut, the population of New England numbered from forty to forty-five thousand souls, of which twenty-five thousand may be assigned to Massachusetts, ten thousand to Connecticut, five thousand to Plymouth, and three thousand to Rhode Island. There were in all about one hundred towns, twelve of which were in Plymouth, four in Rhode Island, and the others in Massachusetts. The report of the royal commissioners as to the state of the colonies is instructive. It sets forth that Connecticut was made up of scattered towns, hardly worthy to be so dignified, with a scholarly minister to each. Rhode Island is described as having "the best English grass and most sheep, the ground very fruitful, ewes bringing ordinarily two lambs, corn yielding eighty for one." With all its religious zeal, Rhode Island had not a single place set apart for worship, "there being so many subdivided sects, they could not agree to meet together in one place, but, according to their several judgments, they sometimes associated in one house, sometimes in another." The industries of Plymouth are stated to be a saw mill and an iron works. The inhabitants were so poor that they were not often able to maintain ministers of education, and had to depend for their religious ministrations upon some gifted brother. The products of Massachusetts enumerated are: dried fish,—and it is interesting to note the wide distribution of this commodity, as

it is stated that it was exported to France, Spain, and the Straits Settlements,—pipe staves, masts, fir boards, pitch, pork, beef, horses, and corn. Some of the imports were: tobacco and sugar, from Virginia and Barbadoes, which they often reshipped to England. The Piscataqua towns had as their principal industry the manufacture of masts and pipe staves. The province of Maine is described as having a few towns, very much scattered. Boston's streets were reported as being "crooked, with little decency and no uniformity." The existence of a "wooden college" at Cambridge is the slighting notice given to the beginnings of Harvard University.

We may now notice the operative results of the constitution of the General Court of Massachusetts at this time. Freemen voted in the elections of magistrates, either in person or by proxy, and a list of persons from whom the assistants were to be chosen was prepared two months before the election by means of a sort of primary election system. The ballots employed were corn and beans, the former standing for an affirmative and the latter for a negative vote.

In matters of judicial procedure, it was necessary to have the testimony of two or more witnesses to secure a conviction in a case involving capital punishment. In lesser criminal actions, the depositions of witnesses might be taken if they lived more than ten miles from the place of trial. Arrests for debt or for fine were not permitted if satisfaction could be obtained otherwise. Executors of wills were required to have the wills recorded in less than thirty days after the death of the testator, upon penalty of being held accountable for his debts and being required to pay £5 a month for such delay. Burglars were branded with the letter B for the first offence, again for the second, and severely whipped for the third. If the crime was committed on the Sabbath, the loss of an ear was added to the branding, and a third such transgression was punishable by death. Small peculations were atoned for by the requirement to make treble restitution to the owner. Incendiaries, upon

conviction for their offence, were sentenced to pay double damages to the owner of the property destroyed and to be severely whipped. If a dwelling house, church, or storehouse were fired, or there were sufficient evidence of an intent to do so, the offender might be punished by death. Forgers were condemned to "stand in the pillory three several lecture days, and render double damages to the party wronged, and also to be disabled to give any evidence or verdict to any court or magistrate." A suicide was buried in the public highway and a cartload of stones dumped upon his grave "as a brand of infamy." The profane swearer paid ten shillings for the offence, and if he used more than one oath the penalty was doubled. Idlers were committed to the House of Correction. The province of the law was extended to take cognizance of amusements. The young person who danced was subject to a fine of five shillings, and one who indulged in a game of shuffle-board in or about a house of public entertainment, or indulged in gaming, or played either at cards or at dice, or brought cards or dice within the jurisdiction of the province, did so under penalty of a fine of £5. The same sentence was passed upon any who observed "any such day as Christmas or the like." Disseminators of pernicious or slanderous reports detrimental to the public weal or to any particular person rendered themselves liable to fines, the stocks, or scourging, the degree of the penalty being graded according to the nature of the offence.

The control of the military forces of the colony was invested in the General Court, which appointed the commissioned officers, who in turn appointed their subordinates. Passing from the military to the marital regulations, we may pause to notice the fact that marriages were performed by civil officers under appointment of the General Court, and not by ministers. The prevailing note of the statute books was religion. Puritanical conceptions were woven into the very warp and woof of the civil administration. The Sabbath was as susceptible of profanation as in the days when

the Master of the Sabbath declared to the Pharisees that the day was made for man. Any youth, maid, or other person, who "walked uncivilly" in the streets or fields, or travelled from town to town, or frequented public houses to drink, or otherwise misspent the time upon the Sabbath, was deemed a violator of its sanctity and amenable to the law.

The large shipping interests of the colony and the extent of its commercial relations had brought about a complete maritime law, which defined the duties of the various classes of seafaring men, as well as the rights of passengers and the complex relations of the ship owners with the shippers of commodities. The necessary officers were prescribed to ensure the building of ships in conformity with specifications fixed by statute. Officers were appointed to see that the provisions of the Navigation Laws were carried into effect. Sanitary and police regulations were in force to prevent disorderly conduct by seamen upon vessels in port and to preserve the harbor from contamination. There were inspectors, whose duty it was to pass upon the merchantable qualities of the dried fish offered for export. To ensure good workmanship, coopers were required to stamp their casks, in conformity to the law which required that a certain measurement and quality should be adhered to. When liquor, salt meats, or fish were packed in the casks, the gauger or packer certified under his seal their fitness for the market. There were various laws passed in the interest of the commonwealth for the conduct of trade. The municipal regulations in force in the different towns largely related to police control. Besides such matters of civil oversight and the apprehension of criminals, which would be supposed to come within the jurisdiction of the police, the constables were charged "to see all noises in the streets stilled, and lights put out," and to "examine all night-walkers after ten of the clock at night, to inquire whither they were going and what their business was," unless they were known peaceable inhabitants of the town. The municipalities had the election of their constables, supervisors

of highways, selectmen, and jurors. They were compelled to maintain schools. They sought the furtherance of manufacturing industries, had the custody of weights and measures, and were liable for the support of paupers.

The laws of Connecticut were very similar to those of Massachusetts, from which they were in part taken verbatim. The only difference between the election laws of the two colonies was that in the Connecticut procedure the General Court nominated the persons whose names were each year submitted to the electors at the spring election. In the matter of juridical procedure, crimes punishable by death were required to be heard before a special jury, whose vote must be unanimous. The criminal code of Connecticut was a parallel to that of Massachusetts, so also were the ecclesiastical regulations.

The bicameral system had not yet been established in Plymouth, as the magistrates and deputies continued to sit and hold their deliberations as one body. The various local officials of the different towns, as well as their deputies to the General Court, had to come under some sort of cognizance of the latter, thus giving the community a supervisory relation to the towns in the matter of their municipal officers. In other respects, the Plymouth procedure at the time of which we are writing was quite similar to that of Massachusetts. The Court of Assistants was the superior court of the colony; the tribunal below this was the Court of Selectmen in each town, which adjudged all cases affecting fellow townsmen, if the amount of the claim involved did not exceed forty shillings.

From this brief survey of the state of the colonies as to their internal order in 1665, it is apparent that respect for law was a fundamental fact of the Puritan's constitution. The intense earnestness of his spirit and the serious view which he had come to take of life by reason of his prior sufferings, and his profound faith in the Scriptures as not only the spiritual rule, but as the basis of the constitution of his commonwealth, account for the dignity of his conceptions

of law and government as well as for the spirit of severity in which they were executed. The determination of the colonists to preserve the rights and liberties which they had secured from the mother country when there was no prophet to point to the American wilderness, and to warn the English government of the tremendous issues which were to be wrought out by those immature and uncouth experiments in the founding of States, is no less creditable to their capacity for self-government than to the breadth of their conceptions as to the true basis of civil progress. Although the virgin wilderness held in its lap the treasures of untold ages, only awaiting the magical touch of labor in the promotion of agriculture, of manufacture, and of commerce to call them forth into forms of utility and wealth, it was not every nation of the Old World that could send forth to the New men qualified to work the wonders that were wrought by the New England Puritan. As a vivid contrast, we may cite the late Spanish-American War, the closing chapter of futile endeavor for centuries on the part of Spain to do even as much as was accomplished by New England in the space of forty years. So, too, the Louisiana Purchase marked the close of France's attempt to do in America what in a brief while had been done by the Pilgrim and the Puritan. If, without invidiousness, comparison may be instituted with the neighbors of New England, it may also be said that it was the sterner stuff of which the Puritan was composed that made him prominent in the development of English America.

In the fourth decade of their existence, the New England colonies were in a position to further by leaps and bounds the progress which they had so laboriously wrought out in their early experiences. There were only two conditions to retard their advance: one was the jealousy with which the British government regarded their measures, and the other the sin which so easily beset them of pursuing an intolerant policy when the danger, which at first they rightly apprehended, had been reduced to a chimera,—the phantasm



of a disordered brain and supersensitive conscience to which the preservation of the ideal of their commonwealths had become a veritable fetich.

A people cannot be understood as to their points of view or the elements of their progress without a knowledge of their mental characteristics. It will be interesting, then, to notice briefly some of the ideas common to the seventeenth century which were brought over to New England by the Puritans. In speaking of comets, which were viewed as great mysteries by all classes of people, Alexander Nowell, in the *Cambridge Almanac*, says: "experience Attests and reason Asserts that they had served for sad Prologues to tragical Epilogues." Comets were supposed to carry with them malignant effects: droughts and pestilences and the combustible elements of war, tidal waves, tornadoes, earthquakes, and other disastrous phenomena of nature were supposed to be induced by them; they were held to portend the approach of great events or disasters. When John Cotton, the eminent divine, drew near the end of life, it was noted that a comet, which had been observable for some while, faded out almost at the same time as the great preacher's life. In 1665, a great blight, which destroyed the wheat crop of Massachusetts, was presaged by "a great and blazing comet." These celestial portents were favorite topics for sermons by the New England preachers, who drew from them lessons and warnings for their congregations.

The migration of birds was a matter of great mystery. Cotton Mather, another of New England's early divines, wrote a letter to the Royal Society of England, advancing the hypothesis that the great flights of pigeons in America were due to a satellite to the earth from which these myriads of birds came and to which they returned. The belief in witchcraft was widespread, and we shall have occasion to notice later the sad story of New England's crusade against witches. Alchemy was another of the delusions which was brought from over the sea by the emigrants to New England.

The younger John Winthrop, whose scientific turn of mind we have noticed, dabbled in both alchemy and astrology, and acquired some reputation in these sciences. It was said of him by a contemporary rhymester:

“Were there a Balsam, which all wounds could cure,  
'Twas in this Æsculapian hand be sure.”

Potable gold, made by combining in some fashion the “masculine gold” with the “feminine mercury,” was supposed to have all the medicinal virtues of vegetable, mineral, and animal matter, and to be effective for “destroying the Root and Seminaries of all malignant and poisonous diseases.” The flesh of the American rattlesnake was supposed to invigorate the infirm. Among the American herbs which were used for medicinal purposes was dittany, which was thought to be efficacious against the virus of “serpents, mad dogs, and venomous beasts.” The attributes of dittany were transferred to the American pennyroyal. Many other American herbs were supposed to possess curative qualities and were cultivated in the gardens of the colonial dames, along with herbs which they had brought over from Europe and domesticated. The traveller Josselyn, who came to New England in 1663, made an examination of the weeds and woods and the various wild beasts in order to discover new remedies. The state of botanical knowledge of the day is best shown in the belief, prevalent even among the savants, that the use and benefits of all the flora were indicated by something in their structure or appearance; in a word, that every plant carried with it the sign of its service. Josselyn said: “We have the Scriptures to back it that God created nothing in vain.” If the one seeking for simple remedies was adept in reading the labels which Nature had affixed to her creatures, he could not go wrong in making use of the plants and vermin about him. Hence, as turpentine was procured by incisions, it was naturally an excellent thing for the healing of wounds and cuts. Green pine cones have a corrugated surface, and must therefore

be excellent for removing wrinkles from the face. The kidney bean, so named from its shape, bore evidence to its efficacy for the strengthening of the kidneys. The eggs of the turkey buzzard are mottled, therefore they were regarded as excellent for the restoration of "decayed nature." By some sort of association, the brains of the shark and the jelly fish were considered serviceable in obstetrical cases. Symbolism must have been interpreted by the rule of contradiction when the colonists reasoned that the brains of the screech owl were good for headache. As children, like their elders, were frightened by wolves, the fangs of those creatures strung about their necks must in the nature of the case overcome their terror. To cure ague, a necklace of caterpillars was prescribed, while a spider, wrapped in silk, and suspended at the neck, served to drive away intermittent fevers.

There were other remedies whose only merit appears to have been their loathsomeness. Of such a nature were doses of pulverized butterflies, crickets, and grasshoppers. Earwigs and emmets taken internally were good for deafness; tumblebugs cured rabies. The scrapings of human skulls, a liquid called "mummy," distilled from dead bodies, and many other unspeakably disgusting things were prescribed by the sincere but incompetent medical practitioners of the day. Nor were the colonists long in appropriating the rude surgery of the American savage and a great deal of his physic. Along with many things which had no merit, there were some herbs with cathartic and emetic value added to the medical knowledge of the English.

Medical practice was entirely in the hands of untrained men and outright quacks. The barber was the customary surgeon of the day; but as the men of the colonies came to shave themselves, the barber devoted himself more fully to his surgery, and finally set up in his curative capacity only. The bonesetters, as they were called, of New England were supposed to have peculiar talent for the setting of broken bones, and their art was handed down from father

to son. A record of the General Court of Connecticut in 1652 notes the employment of one of these men for the colony. In 1658, Boston was so much resorted to by persons needing medical and surgical attention that the authorities took measures to relieve the town from responsibility for the support of such out-of-town persons. The ministers of New England were considered generally as expert, as medical knowledge of the day went, in healing the body as in caring for men's souls. They were in almost all cases men of education and possessors of libraries.

The practice of medicine in New England was not confined to men. Women in England from an early period had been looked upon as possessing knowledge of simple remedies and were the ministering spirits in country houses to whom the tenants looked for medical advice, and in the seventeenth century women practising medicine professionally were not uncommon. In the early colonial period there were not only professional midwives in all the colonies, but also women who gave general medical advice and treatment. In this connection we may cite Mrs. Hutchinson, of Boston, as an instance of a gentlewoman ever ready to impart to her neighbors the benefit of her knowledge in obstetrical practice.

The intensely religious spirit of New England was abundantly tinged with superstition. The Massachusetts Company at one time wrote to Endicott to "make good laws for the punishing of swearers . . . if you ever expect a comfort or blessing of God upon your plantations." The organization of the first church in Massachusetts was due to an epidemic; it being thought that by this act the Lord's wrath would be pacified. With the literalness of the old prophetic spirit, the ministers of New England could point specifically to a particular sin as the precursor of every calamity which befell the community or an individual. A child having fallen into a cistern on a Saturday evening, which was the beginning of the Puritan Sabbath, it was attributed to the fact that the father had desecrated the holy

day by working late on Saturday evening. During the progress of King Philip's war, the destruction of a town by the savages was not attributed to the Indian foe that had wrought the havoc, but to the town's neglect to secure "an able, faithful dispenser of the Word of God." It is curious to note that the Connecticut statute against games of chance did not take cognizance of the moral aspect of gaming, but was enacted because in the use of cards and dice for such purposes "that great and sollemne ordinance of a Lott is expressly and directly abused and prophaned." Cotton ponderously disapproved of the young people's innocent game of choosing mates on Valentine's Day by drawing papers from a hat because by so doing they were making an appeal to God's "immediate providence for dispensing these ludicra," and this was a form of dishonoring God and taking his name in vain.

The Pharisaical Sabbath of the Puritan was the cause of more distress than any other of the irksome social constraints of New England. In New Haven a young man was sent to the whipping post on Monday because he had failed to appear at service on Sunday; and two brothers were beaten by their father for visiting their sweethearts on Saturday after sunset. It is recorded of these martyrs in Cupid's cause that from sheer mortification they remained unmarried until their death. It is related of Wigglesworth, one of the New England worthies, and the author of a popular book of his time, entitled *The Day of Doom*, that one Sunday he remained for a long while exposed to a severe wind as he meditated whether or not it was right for him to shut a neighbor's swinging stable door. He decided that in good conscience he could only leave the door in the Lord's hands. The theology which was preached on the Sabbath was as rigid as the decrees for Sabbath observance: it taught the damnation of unbaptized infants and all non-elect infants whether baptized or unbaptized. Wigglesworth, in the book mentioned, represents God as inexorable to the plea of the infants as to their personal sinlessness. The Judge

declares them under the sin of Adam and therefore out of the pale of salvation:

“ A crime it is, therefore in bliss  
you may not hope to dwell:  
But unto you I shall allow  
the easiest room in hell.”

Yet from such rigid theological moulds was fashioned a race of men and women of whom an eminent Catholic bishop of this country has said: “As for the Puritans, I know not where in God’s earth their equal could be found to-day.”

The New England colonist carried in his bosom a weight of religious scruples upon all manner of questions. It was a long debated topic whether Scripture songs should be sung in the church service, and it was decided in the negative. In lieu of these, the congregations were to be edified by singing songs “indited by some personall spirituall gift of some officer or member of the church,” and the matter was further complicated by such questions as whether women should be allowed to sing, and whether or not it were better to have one person sing the song and the whole congregation say “Amen.” Such grave concerns of public worship arose from the Puritan’s desire to avoid anything smacking of ritualism. It is not surprising, in view of the way the question of music in the public service was twisted and tortured, that when the Bay Psalmbook was compiled it was a veritable mass of untuneful doggerel. Another of the scruples entertained by the Puritans related to the giving of names to children. “Barbarous and superstitious names” were tabooed and those “expressed in sacred letters” were recommended. Accordingly, the younger generation blossomed out with the whole catalogue of Biblical names, diversified with such names of Christian suggestiveness as Unite, Increase, Preserved, Love, Hope, Waitstill, Supply, Hopestill, Humility, and many others given indifferently to both sexes. Still another scruple of the Puritans appeared

when it was proposed to enumerate the population in 1634; they feared to do so on account of David's example.

We have seen that the education of the youth was from the first regarded by New England as a responsible duty. The most important aim of education was to qualify men for the ministry. The prevailing type of school for popular education was the grammar school. Secondary schools were established in many places "for the better trayning upp of the youth, . . . and that through God's blessing they may be fitted for publique service hereafter, either in church or commonweale." The devotion of the New Englander to education is shown by the many odd sources of revenue for its maintenance. We find among other things devoted to education, the rent of a ferry, a wharf, a shop, a house, and a grist mill. In the first half of the seventeenth century, Harvard College received a contribution of £150 from a fund raised by the sale of pauper children sent to England as apprentices. The later adoption of a fixed tax rate by many of the towns tended to solve the problem of a regular and sufficient fund. We have already had occasion to notice the passage of the first public school law, from which was evolved the public school system of the country. In 1644, the Commissioners of the United Colonies urged that a peck of corn should be collected from every family for Harvard College in order that the supply of preachers might not fail. The records show that students trained at Harvard were already finding in England a wider field for their talents. It was this drain from the colony which led to the adoption of the school law. The frontier life of the colonists made the decline of education inevitable; the men of the second and third generations did not maintain the educational standards of the original settlers. What they lost in Latin constructions, however, they more than made up in the practical knowledge and seasoned qualities which fitted them to be the extenders and distributors of an energetic civilization. The educational opportunities of New England were not afforded to girls. The standards

of education for women at this time were very low, and such instruction as the New England girl received fitted her at best only to read her Bible and Psalmbook. At the age of thirteen or fourteen, her education was complete and she blossomed into a candidate for wifehood. Governor Winthrop expressed contemporaneous opinion with regard to female education when he said that "much learning was dangerous to a woman's wits."

The New England settlers did well to provide for their children an educated ministry and a public school system, which, while it could not be in advance of the standards of education of the times in which it was formed, nevertheless did afford the youth of the colonies opportunities for intellectual training to fit them for the larger responsibilities of life. While religion was emphasized as a matter of conscience, the demands of the situation brought out the capabilities of the Puritans for trade and manufacture. The hardness of their lives begot a spirit of shrewd calculation and a genius for economy, as well as an ability to exploit all the resources of the country. These have continued to be the mainspring of New England's progress. At the time of which we are writing (1664), when, as we have seen, there had been grave complications injected into the administrative problems of the colonies by the jealousy of the crown, a large majority of the men who had to deal with those problems were young men of a generation indigenous to the American soil. If the standard of education and the ratio of men of culture to the illiterate was not maintained on the plane of the first generation, it was not owing to an absolute decline in culture, but because, as already intimated, the rapid increase of the population, largely through immigration, had decreased the proportion of the educated to the uneducated. At no time in its early history were the affairs of New England more wisely conducted and its prosperity more quietly yet surely promoted than during the first twenty years after the English Restoration. The close relations into which the men of culture and the





Elihu Yale. *From the original painting by Enoch Zeeman, now in Alumni Hall, Yale University.*



uneducated portion of the colonists were brought tended to diffuse among the agriculturists, the artisans, and the laborers the loftier ideals and aspirations of the men at the head of affairs.

No estimate of the influences that tended to the cementing of the New England colonies and the uniformity of their life and aspirations would be complete which did not take into account the educational value of the New England confederacy. This was the tie that drew together the important interests of the several colonies and unified them. It brought into consultation the representatives of the people, and so tended to disabuse their minds of mutual jealousies and suspicions; it operated against the crystalizing of separate communities in the moulds of their local consciousness; it fostered the spirit of liberty and jealous carefulness of the rights and privileges which they had brought over with them to the New World; it constituted a forum in which could be discussed broad matters of policy, affecting the relation of the colonies with the mother country: it was the germ of the great American Commonwealth which was to follow.

This confederacy had been dissolved by the astute policy of Lord Clarendon, which had been successful not only in destroying the confederacy but also in dividing the interests of its former members.

The action of Connecticut in forcing the objectionable terms of its charter upon New Haven has been mentioned; this procedure was in violation of the terms of the federal compact, which expressly stated that no two colonies might unite without the sanction of the Federal Commissioners. Connecticut, because of the large favors it had received from the king, was less inclined to union than any of the other colonies interested. Through the obligation imposed on the colonies to make formal acknowledgment of the king's authority, one important purpose of the confederacy—the preservation of the colonial liberties against the royal encroachment—had become eliminated. Moreover, the

prospect of the resumption of an effective coöperation was rendered less encouraging by the attitude of Massachusetts. This colony was more than ever jealous of its superior position and was suspicious, almost to the point of hostility, of any proposition which had the appearance of infringing its rights. Nevertheless, there was an attempt to renew the confederacy in a conference held by the commissioners three years after its dissolution. In 1664, the representatives of Plymouth and Massachusetts at this conference were given authority to act in matters pertaining to Indian relations and upon any project looking to the resumption of the confederacy. Plymouth had previously taken its stand against reconstituting the league of the colonies, on the ground that a cardinal principle of the confederacy had been violated by the unsanctioned union of New Haven and Connecticut, and that it had been considered necessary to have a majority of six of the Federal Commissioners, representing the best wisdom of the colonies, to decide upon the important matters over which the confederation had authority, and that there had been no change in the circumstances of the colonies to justify the belief that the wisdom of four men would now suffice for that of six. In addition to these objections, it was pointed out that if, when the decision on any matter had been given by the six commissioners, there had been a disposition on the part of the colonies to dissent, the will of four men was not likely to be respected. This position of Plymouth had been set forth in a letter from the governor of that colony to the General Court of Massachusetts. It closed with a declaration of fellowship and helpfulness as follows: "We are the meanest and weakest, least able to stand of ourselves, and little able to contribute any helpfulness to others; and we know it, though none should tell us of it; yet, through God's goodness, we have not hitherto given you much trouble, and hope it shall be our study and endeavors, as we are able, to be serviceable to our countrymen, brethren, and fellow-subjects; and doubt not to find the like from yourselves, if need be." The declaration

of Plymouth contained an evident rebuke to Massachusetts for the position which it had taken in declining to make war upon the Dutch and the Indians.

In the present meeting, the commissioners of Plymouth and Massachusetts attempted to conciliate Connecticut and make its representatives agreeable to a renewal of the confederacy. Tentative proposals for a union upon a new basis were submitted. Among other matters, they provided for the return of runaway servants and vagabonds to the town of their habitation, for the calling of synods "indifferently out of all the United Colonies by an orderly agreement of the several General Courts" to compose differences of faith and of practice among the churches and to provide more comfortable maintenance for a qualified ministry. The matter of declaring an offensive war, which had occasioned the difficulty between Massachusetts and its allies, was left to the several General Courts, and the commissioners could act only upon special instructions given them by their respective general bodies. These amendments to the original articles of the confederation were submitted to the several General Courts. Three years later, in 1670, commissioners from the several colonies met again at Boston and agreed upon articles for a new union, which followed closely the lines of the original compact. The General Courts of Connecticut and Plymouth adopted them, but Massachusetts took exception to the articles in some particulars. The article which provided that the commissioners should "frame and establish agreements and orders in general cases of a civil nature" it desired to be modified so that this power should go only to the extent of proposing such action to the General Courts. The new articles retained the old plan of a military levy, and this the commissioners from Massachusetts desired to be left open as a matter for future settlement. Connecticut would not agree to the wishes of Massachusetts in the latter regard, and Plymouth was probably no better satisfied. Interest in the confederation having waned, there was no further effort

to reestablish it, but a year later commissioners of the three colonies met at Plymouth and agreed upon a basis of military contributions from the colonies. In case of war, the levy of Massachusetts should be in the proportion of one hundred to sixty for Connecticut and thirty for Plymouth. It was impossible, however, to infuse the old spirit into the new confederacy. Only matters of secondary importance came up for consideration.

## CHAPTER XII

### *SELF-DIRECTION AND DEVELOPMENT*

THE subject of baptism and the related question of qualification for church membership were a fruitful source of controversy in Massachusetts, and this had become centred in the churches of Boston. Though the details of the dispute need not concern us, it is instructive to see the position taken by the General Court on the subject of the theological controversy in a congregation. The question of baptism had opened up a fresh source of contention as to the degree of respect which a church should give to the judgment of a synod. The House of Deputies had in it a majority of anti-synodists. As usual, the disputants on each side were not sparing in their denunciations of those whom they opposed. In this situation the Court was appealed to by the synodists, who received the endorsement of that body, which professed its satisfaction that the memorialists should hold to the Congregational plan. The controversy resulted in the victory of the synodical party, whose plan received the derisive name of the Half Way Covenant. The accepted position of the Church on the subject was that only persons of Christian experience should be admitted to the covenant union which constituted the local church, but that, as in the Jewish Church of old, the children of such parents shared in the religious vows of their elders. Thus there was recognized infant membership in the Church, independently of infant baptism. There arose another party, which contended that persons who had been born of Christian parents, and

who upon arriving at the age of responsibility failed to ratify their church membership in their own behalf, were not to be regarded in a vital sense as Christians, and that their children could not enjoy the ordinance of Christian baptism. Hence, persons of moral life, who were regardful of the religious training of their children and desired that they should have about them the safeguards of the Church, were deprived of the right to have their children baptized, because they themselves could not point certainly to a regenerative change in their own natures. The curious compromise which was decided upon, and which was styled the Half Way Covenant, recognized such non-regenerate offspring of church members to be sufficiently under the covenant of the Church to pass on to their children the same degree of church membership, which carried with it the right of baptism; on condition, however, that such parents should make a public avowal of their purpose to walk in fellowship and accordance with the discipline of the Church. At the same time, this non-regenerate class were debarred from the Lord's table and a vote in the conduct of the church affairs. As such persons had received and could claim for their children the sacrament of baptism, but could not participate in the sacrament of the Lord's Supper, they were called "half-way covenanters."

While this controversy with regard to the right of baptism was in progress among the Puritan churches, the whole subject of baptism was brought prominently into public notice and resulted in the furtherance of the interests of the Baptist sect. There had been, moreover, a subsidence of feeling against the Baptists; and with lessened incentive for an attitude of defiance against the authorities, the members of the sect had become more orderly. The Baptists were in a fair way to lose their martyr spirit by lack of occasion for it and to resolve themselves into a settled, serviceable denomination.

The only other matter of note in the history of Massachusetts for the first ten years after the visit of the royal



commissioners in 1664 was the dispute that arose over the president of Harvard College. Dr. Hoar, who had come to America with flying colors and the commendation of the London ministers, was tendered the presidency of that institution, which had been made vacant by the death of President Chauncy. The salary of the position was increased from £100 to £150, and it was expected that the new president would inaugurate an epoch in the history of the college. These hopes were not realized, but, on the contrary, his administration proved a signal failure. The president volunteered to refund the £50 increase of his salary, and the General Court resolved that, if at its next meeting the college continued in its languishing condition, the president should be considered dismissed without further notice. Not succeeding in improving the affairs of the college, the president resigned before the next meeting, and the mortification of the situation so preyed upon him that he passed into a decline and died.

In the other colonies of New England, affairs had been pursuing their placid way without any especially noteworthy occurrences. In 1673, Plymouth was called upon to mourn the death of its aged governor, Thomas Prince. Josiah Winslow was chosen his successor. A governor's residence was built in the town of Plymouth, and a fixed salary of £20 was decided upon. The new governor and his associates magnified their offices beyond what any of their predecessors had done. The court ordered that four halberdiers should be in attendance on the governor and the magistrates at the annual elections. Before his death, Prince had advocated the establishment of a public school in the colony, to be located in the town of Plymouth. This project was carried out under the administration of his successor, and temporary provision was made for its maintenance until the freemen should have decided upon a fixed source of revenue.

The new government which was established in Rhode Island under the royal charter in 1664 did not find a

harmonious and pliant population over which to extend its jurisdiction. Its first act was to wipe from the statute books all laws deemed inconsistent with the character of the new government, and a new judiciary was established. The principal court was styled the General Courts of Trials. This consisted of the governor or deputy governor and six or more assistants, and it sat to hear cases at Newport twice a year. Two other courts, made up of three or more assistants each, sat every year, the one at Warwick, and the other at Providence. These lesser courts could not take cognizance of cases involving more than £10. Special courts could be convened by the governor. Grand and petit juries were in attendance upon the courts. The inhabitants of Rhode Island were seldom without material for disputes, and it was impossible that they should be satisfied with the character of their government or with its actions. There seems from the first to have been a lack of administrative ability in the colony that brought it into striking contrast with the colonies in the confederacy. It was impossible to inspire the deputies or even the magistrates with a sufficiently strong sense of either their dignity or their duty to gain their attendance upon the General Courts. It was useless to supply the places of the negligent officials with new men, for the new broom was no better than the old; neither awards nor penalties could induce them to honor their offices. It was enacted that a magistrate or deputy should receive three shillings a day for service when the General Courts were convened, and should be fined twice that amount for every day of absence, but this legislation proved ineffective and fell into disuse. Such a striking lack of public spirit was accompanied by as striking a zeal for contention over matters of public administration, a fact evidenced by the virulent discussion concerning the payment of John Clarke, the colony's agent in England. Upon the presentation of his accounts, it appeared that the colony was his debtor to the amount of £343. To satisfy this and other public claims, there was levied upon the

inhabitants a tax of £600; thereupon Providence and Warwick expressed dissatisfaction with their apportionments of the tax rate. Williams wrote to Warwick, rebuking the inhabitants for their parsimonious spirit, but this partisanship on his part made matters worse and brought out from the Warwick train-band a vote of remonstrance, in which it was declared that Mr. Williams's letter was pernicious and tended to foment strife in the town. The assistants of Newport thereupon emphasized the demand of Williams that Warwick should meet its assessment, and this paper also was declared to be impertinent; and it was ordered to be put on a separate file from the other records of the town, where all impertinent communications should be placed in the future. This case was typical of many disputes which originated in trivial matters.

The Quakers had become one of the most influential elements of the population of Rhode Island, and numbered among them such men of importance as Coddington and Easton. In 1665, George Fox, the English Quaker leader, visited America. On his way he touched at Barbadoes, and stopped at Jamaica; then, after paying a visit to Maryland, where he sought unsuccessfully to effect a union with the members of a peculiar religious communal sect called Labadists, who had established themselves in that province and whose tenets were in some respects the same as those of the Friends, he proceeded to New Jersey, Long Island, and Newport, where he was entertained by Governor Easton. He wrote an account of his visit, in which he expressed his satisfaction with things as he found them. He says: "Very good service we had amongst them, and truth had good reception. For having no priests in the island, and no restriction to any particular way of worship, and the Governor and Deputy Governor, with several justices of the peace, daily frequenting meetings, it so encouraged the people that they flocked in from all parts of the island." The eminent Quaker avoided the other New England colonies, but made a brief visit to the Narragansett country and attended a

meeting of the Friends at Providence. Here he did not find harmony, and commented upon the state of affairs as follows: "I had a great travail upon my spirit, that it might be preserved quiet and that truth might be brought over the people, and might gain entrance and have place in them; for they were generally above the priests in high notions, and some came on purpose to dispute." He adds that "the disputers were silent, and the meeting quiet."

During this visit, Fox did not come in contact with Roger Williams; but upon returning to Newport on his way South, Williams sent after him a challenge to a public debate upon questions relating to Quaker practices. This challenge Fox professed not to have received, but Williams contended that Fox had received the letter and had departed from Newport to avoid accepting the challenge. The sturdy controversialist, however, had the satisfaction of meeting in public three of Fox's companions. The debate was held at Newport, and the discussion, which lasted three days, was conducted amid scenes of disorder. As there was no referee satisfactory to both parties, each claimed the victory. Williams wrote an extended account of the transaction, which was published and elicited from Fox a reply garnished with the choicest invectives from the abundant supply which was at the command of the Quakers in their controversies, but in this respect Williams was not less resourceful than his antagonists.

The establishment of the king's province had shorn Rhode Island of the greater part of its territory, leaving to it only the four principal towns. Rhode Island, however, did not acquiesce in the situation and made a vigorous, though monotonous, contest. The conflict of the royal charters of Connecticut and Rhode Island had tossed the Narragansett country into the arena, to be fought for by its several claimants. During the time the royal commissioners were in the country, the dispute was held in abeyance, but they had hardly made their departure when the contest waxed warm. The advantage of the Rhode Islanders was

contiguity to the disputed territory; they were able to subject adherents of Connecticut's claim to various petty annoyances. As is usual in such border contests, hordes of Rhode Islanders invaded the territory claimed by their adversaries and made their presence thoroughly objectionable. Connecticut protested against these proceedings on the part of the Rhode Islanders, and finally secured the agreement of their colony to negotiate with regard to the boundary; only, however, under the spur of threats from its incensed neighbor. The Connecticut commissioners entered an absolute claim to the disputed territory, and the conference broke up without either party's making any concession. Acrimonious notes passed between the two colonies, and the dispute was embittered by acts of violence toward the persons and possessions of members of the respective factions. Finally, Rhode Island took the ground that it was not its right to alter the terms of the charter, and therefore it could not alienate any part of the territory which was included within its prescribed jurisdiction. At this point the controversy drops out of knowledge.

In 1666, when the British government sought to enlist the aid of the colonial forces in an invasion of Canada, the French were already active and threatening to cross the border with a force of seven hundred men to march upon Albany. Colonel Nicolls, of the New York forces, in alarm, wrote to Massachusetts, asking for troops to meet and repel the enemy, and a similar letter was addressed to Connecticut. The latter colony replied that its men could not be spared from the fields and that its relations with the Indians were such that it could not engage in the undertaking without exciting a revolt among the natives of its vicinity. Steps, however, were taken toward the calling out of the militia if conditions should warrant, and correspondence upon the subject was entered into with Massachusetts. That colony had already replied to overtures of the New York authorities for aid in their campaign that all needful precautions would be taken for the protection of its own towns in

the upper Connecticut region; and in regard to concerted aid on the part of the federated colonies, answered that it would be governed by the Articles of Confederation. However, the alarm led to a conference between Winthrop and the Massachusetts authorities, and the importance of having a navy to obviate the long overland marches of troops, in which they would be subject to the attack of Indian enemies, allies of the French, was discussed. As the season was well advanced, the difficulties in the way were augmented by the cold and snow. It was therefore the verdict of these colonies that at present "there could be nothing done by the Colonies in reducing those places at or about Canada." A treaty of peace between the European powers at war obviated any further need to plan for such an expedition.

The latitudinarian party in the church of Hartford had kept up its aggressiveness and had perpetuated the quarrel about baptism which had arisen during the pastorate of the Rev. Samuel Stone. A council of all the ministers of the colony, along with four from Massachusetts, was called to debate the question. The nature of this assemblage was itself an occasion of controversy and attracted the attention of the Federal Commissioners, who gave their judgment that when it was needful to call together such a body it should consist of "messengers of the churches, called indifferently out of all the United Colonies by an orderly agreement of the several General Courts, and the place of meeting be at or near Boston." Connecticut, however, was not well disposed toward the opinion of the commissioners that its local ecclesiastical affairs should of necessity be submitted to a synod of representatives appointed or approved by the General Courts of the several colonies. Both in Massachusetts and Connecticut it was becoming increasingly apparent that the connection of Church and State was not in all respects a satisfactory situation.

The reconquest of New York by the Dutch in 1664 sent a feeling of apprehension throughout the English colonies. The towns nearest to the Dutch territory submitted

without resistance, but that part of the territory of Connecticut which had been absorbed by the Duke of York's patent sought reannexation with that colony. Massachusetts, with its usual preparedness when its own interests were endangered, quickly raised a board of directors to assume complete control of the military matters of the colony and to make a special levy for an increase of the militia and to appoint additional officers. The Dutch had captured several English vessels in Long Island Sound, and there was an interchange of notes between New Netherland and Massachusetts which amounted to a practical declaration of war. A question of military defence called for a meeting of the Federal Commissioners, who convened at Hartford and prepared recommendations for the several General Courts to the effect that it was their duty to call out all their military resources and, by furnishing provisions, ammunition, and men, to stand ready to offer aid to any colony that should be invaded by the enemy. The magistrates and deputies of Massachusetts were called in special session to consider the counsel of the commissioners concerning military movements, and expressed their dissatisfaction at being summoned from their homes at the busiest time of the year without, as they deemed it, sufficient cause. They therefore took no other action than to declare that they did not regard the situation as critical enough to demand any further steps on their part than to see to the defence of their own colony. In agreement with this concern for their own preservation, they directed the purchase of sixty pieces of artillery and five hundred firelocks. At a later meeting it was decided to put in good order the fortifications of Charlestown, Salem, Portsmouth, and Boston, and to call out a force of five hundred and fifty foot soldiers and a hundred and ten horse. Two vessels were put into commission: one with a complement of twelve and the other of eight guns, "to repress the insolence of the Dutch." This was the answer which Massachusetts made to the taunts of the Dutch that they were not alarmed at

the declaration of the colony to defend itself and the interests of the English cause. Yet there was no anxiety to use these military and naval forces; it was believed that readiness to act would have a salutary effect of itself. But the war of words between the authorities of the two colonies did not lack activity and warmth; notes were exchanged breathing out threatenings as to what the belligerents would really do if they came into actual conflict.

In the meanwhile, the operations of the Dutch were confined to the sound. Southold was in a particularly exposed situation and Governor Winthrop, of Connecticut, sent out a force for its defence. On arriving at the town, they learned that four Dutch vessels were bound for that place. Reinforcements were raised in the neighboring English settlements; and when the vessels appeared and their commander sent a demand for the surrender of the town, a defiant refusal was given. There was an interchange of shots between the vessels and the town, without injury to either side, after which the squadron set sail on a homeward tack. These feints at hostilities on the part of the Dutch and the English in the colonies were brought to a close by news of the Treaty of Westminster in 1664. This news was so distasteful to the Dutch of New York that the governor imprisoned the bearer of it in a dungeon and warned him that in two days he would be put to death; but he obtained a more satisfactory indulgence of his bad humor by the confiscation of the goods and effects of all the English colonists found within his jurisdiction. Four months later, an English squadron entered the harbor of New York, having in conveyance Major Edmund Andros, who was commissioned to take charge of the colony as lieutenant-governor under the Duke of York. The new patent of the Duke of York gave him jurisdiction from the west side of Connecticut River to the east side of Delaware Bay; but the General Court of Connecticut did not acquiesce in this new infringement of its charter claims, and Andros proceeded to Connecticut in no amiable frame of mind. The Connecticut



authorities sent a hundred men to garrison the fort at Saybrook, and the General Court vigorously protested against Major Andros's arbitrary procedure and declared its purpose to use every endeavor to defend the colony from the attempts upon its integrity by Major Andros. The instructions to Captain Bull, of the Saybrook forces, were that he should allow Andros's people to make a landing at the Saybrook fort for refreshment only and unarmed; he was to keep flying the king's colors as representing the authority of his majesty's subject and representative, the Governor of Connecticut, and not to allow other colors to be raised; he was not to bring on hostilities, but "if they began, he was to defend himself, and do his best to secure his majesty's interest and the peace of the whole Colony." Andros met the Connecticut officers and found them determined in their attitude and indisposed to discuss with him the points at issue. They read to him the protest of the General Court, but declined to give him a copy of it. He returned to New York with protestations of good feeling, in which the Connecticut people concurred. The Connecticut magistrates, however, thought that their representatives might have gone to greater lengths and, without actual violence, have intimidated Andros by warlike demonstrations. So ended for the present the mission of Andros to establish the authority of his master over the Connecticut territory.





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the most honorable Governour of the Colony of Connecticut  
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Deed signed by Uncas, chief of the Mohegans, and by his son Oneco.  
 From the original in the State Capitol at Hartford, Connecticut.

## CHAPTER XIII

### *KING PHILIP'S WAR*

NEARLY four decades had sped their course unmarred by hostile demonstrations on the part of the Indians since the terrible chastisement which the Pequods had received at the hands of the English, when Indian alarms awoke New England from her sense of security in the professions of friendship on the part of the natives. It was fortunate for the colonies that their relations with the Dutch colonists and with New France had kept them alive to the need of military defence. The armament that they had accumulated was destined to be used against a stealthier and more resourceful foe than those for whom it had been prepared. During the period of peace, the English had sought to propagate the Gospel among the aborigines and had made feeble attempts to educate them. The first of these endeavors had met with a considerable measure of success, although the great mass of barbarism which flanked the English settlements on every side could be but little affected by the success of the missionaries in winning to a nominal Christianity some hundreds of the red men. The method employed by the missionaries was to segregate the small bands of converts and sedulously inculcate in them the teachings of Christianity and instruct them in habits of industry, which they encouraged by securing for them allotments of land in perpetuity. In 1674, there were in Massachusetts alone fourteen villages of "Praying Indians,"

as they were styled, numbering in all eleven hundred souls. The number in Plymouth was about six hundred, while Martha's Vineyard and Nantucket contained three towns of Indian converts grouped together. The method of the English missionaries was quite different from that of the French Jesuits of the north. Those zealous servants of the Church plunged boldly into the depths of the wilderness with crucifix in hand, carrying with them highly colored pictures of the state of the blessed and that of the damned, and with earnest, burning words adjured the natives to forsake their pagan practices and do homage to the symbols of salvation. The work of the latter had regard to saving of the souls of the savages from the torments of the lost, while the efforts of the English were directed to the civilizing of the natives and to their training in the arts and industries, as well as the faith, of Christian communities.

With the growth of their sense of security from Indian attack, the English had relaxed their laws against selling arms and ammunition to the natives, although in some of the colonies such trade could be carried on only by authorized persons. The venturesome spirit of the pioneer took him afield from the centres of population, and settlements sprang up along the coast and the river shores with great stretches of untracked forest intervening. The most exposed were those which had been planted along the shores of the Connecticut, and which drew the settlers into the remote interior. Far along the upper waters of the river had been planted Hatfield, Hadley, and Northampton, with Windsor twenty-five miles below them, and fifty miles' stretch of almost impassable forest intervening between them and the principal Massachusetts townships. But ten miles further up the river than these three towns was Deerfield, whose presence in the Indian country was a standing temptation to Indian attack. Simmsfield, located on a tributary of the Connecticut some miles above Hartford; Farmingham, south of it, and Worcester and Brookfield, on the other side of the river, considerably to the north and about midway

between the Connecticut and the main body of the Massachusetts towns, were other settlements that were peculiarly exposed to attack.

The relations of the various colonies with the Indians in the matter of territory had been scrupulously correct. What Winslow said of Plymouth might with equal truth be applied to its confederates. "I think I can clearly say that before these present troubles broke out, the English did not possess one foot of land in this colony but what was fairly obtained by honest purchase of the Indian proprietors. Nay, because some of our people are of a covetous disposition and the Indians are in their straits easily prevailed with to part with their lands, we first made a law that none should purchase or receive of gift any land of the Indians without the knowledge and allowance of our Court . . . . And if at any time they have brought complaints before us, they have had justice impartial and speedy, so that our own people have frequently complained that we erred on the other hand in showing them over much favour." So far as regards honesty in the colonists' dealings with the Indians, there was no excuse for the outbreak of the natives. In all the trade relations between the red men and their white neighbors, the Indians were largely benefited. They were paid liberally for the skin of every fur-coated animal they could catch; and when poverty or pestilence brought them into distress, the charity and the aid of the white men were generously given. They had been encouraged to cultivate the soil, and for that purpose there were made among them distributions of the seeds of English vegetables and they were instructed how to grow them.

The English were fortunate in having the friendship of the most powerful of the tribes to the west of the Connecticut who were near enough to be called their neighbors. Canada, by reason of its territorial extension, was brought into conflict with the powerful confederacy of the Five Nations, but the menace of the French secured for the English the good will of these Indians. Several events had

occurred to obtain for the colonists a sentimental regard from the powerful Mohawks. The people of Cambridge had been startled one afternoon in the late summer by the appearance of five young Indian braves in their fields, fully armed. A constable and posse were sent out to arrest them, and were told that they were on the warpath against some Indian enemies in the vicinity and had no evil designs toward the white men. The neighboring Indians claimed that the English owed it to them to deliver up the young Mohawks—for this was their tribe—for punishment. In asserting this claim, they used the reasonable argument that their wives and children, whose lives were endangered by their enemies, were as precious to them as were the herds and flocks of the white men to their owners; and if the latter had been the objects of the raid of the Mohawks, the white men would not have hesitated to visit them with condign punishment. To comply with the wishes of their Indian neighbors would be to bring upon the colonies the enmity of the Five Nations; and it was urged that it would be an injustice to the captives, who had yielded themselves up without resistance, to hand them over to their enemies to be put to death. The prisoners were accordingly set free, safely escorted through the country of their enemies, and sent to their homes with a present of coats and with letters to their chiefs forbidding them to molest the neighbors of the colonists or to come into the country of the English except upon business of importance.

Since the destruction of the Pequods by the English there had been a constant rivalry between the Narragansetts and the Mohegans for leadership. The friendly attitude of the English toward the latter engendered a spirit of sullenness among the Narragansetts. Thus, in every direction, the English were forced into the unenviable position of protecting their Indian neighbors, and so unwittingly became party to the feuds among the savages. The English had maintained their alliance with the Pokanoket Indians. When their chief, Massasoit, died, he left two sons, Wamsutta and



Metacom, whom the English nicknamed Alexander and Philip. Alexander succeeded to the headship of the tribe; he was accused of plotting against the English and summoned to Plymouth to answer the charge. There he probably contracted pneumonia, and on his return was taken with a fever and died. To the Indian mind, there was a readier reason to assign for his death; and judging their English neighbors by themselves, the Pokanokets suspected that the death of their chief was due to foul play. Nor was this tribe unobservant of the policy of the English toward it in the matter of territory. That policy, which the friendship of Massasoit had permitted, was to weaken the tribal feeling and union by purchasing Pokanoket land, thus isolating the Indians, and hemming them in; and this result was furthered by allotments of land in severalty. It is unlikely that the astute Philip, who succeeded to the position of his brother, did not see the trend of affairs and resent the weakening of his tribe which was being brought about. It seems unlikely, however, that he deliberately purposed joining issue with the English in a supreme contest to prevent the destruction of his race. It is more probable that the proximity of the white men to their red neighbors, bringing about, as it did, frequent instances of trespass by the natives upon the property of the whites, and the appropriation of additional territory by the English in compensation for such misdemeanors, bred a spirit of ever increasing irritation and resentment in the breasts of the Indians.

Philip had not been long elevated to the chieftainship of his tribe when a vague feeling of unrest began to spread throughout the English colonies. Rumors of the unfriendliness of the Indians increased, and in 1669 the Governor of New York sent a warning to the Rhode Island settlers that chief Ninigret was plotting with Philip an attack upon the whites. Rhode Island hastened to send this disquieting information to Connecticut, and that colony sent an embassy to confer with Ninigret, who allayed their apprehensions. Similar rumors led the magistrates of Plymouth to

call upon Philip to clear himself of the imputations against him, which he did, apparently to their satisfaction; but a renewal of the rumors in 1670 led the men of Plymouth to feel that their safety lay in anticipating the Indians by striking the first blow. The other colonies held Plymouth in restraint, and the following year Philip met three Boston men at Taunton and promised that his tribe would surrender all their firearms, and that in the future they would be the brothers of the English. A treaty was drawn up with the Indian chief, and he agreed to pay a yearly tribute of five wolves' heads and not engage in war without express permission of the governor. For three years he observed the terms of the treaty, but in 1674 the Indian alarm was again sounded. The first intimation of treachery on the part of the Indians was given to the Governor of Plymouth by Sassamon, an Indian convert. This Indian was of the Massachusetts tribe; he had studied a while at Harvard College, and spoke the English language with facility. He was well known to Philip through former confidential relations. The treachery of Sassamon was discovered by Philip and, shortly after, his dead body was found bearing upon it the marks of violence. Thereupon the authorities investigated the matter and fixed the crime upon three Indian braves, who were tried by a mixed jury of Indians and whites and condemned to death. While on their way to the gallows, one of them made full confession of the crime and implicated his fellows. The outbreak could no longer be stayed and the first attack of the Indians was made on Swansey, a prosperous little village of about forty houses lying within the precincts of Plymouth, but bordering on Rhode Island, near Mount Hope, which was Philip's customary abode. On Sunday, June 20, 1675, while the townsmen were at church, the Indians stealthily entered the village and set fire to two houses. When the news reached Plymouth and Boston, messengers were swiftly sent to demand satisfaction of the Indians for the outrage, under penalty of instant war. They arrived too late; the day

before, an attack had been made upon the village, and the messengers were sickened by the evidences of the massacre which they saw upon every hand. All the fiendish resources of the savage nature had been called forth to work the havoc of the little town and to wipe from existence its population. None had been spared; men, women, and children had been slain and their dismembered bodies thrown into the flames of their burning houses. The spirit of the colonists was now fully alive to the extent of the danger which threatened them. Philip had retired to the little promontory of Mount Hope; here he was ambushed by a detachment of colonial troops, who, however, could not cut off the escape of the Indians in their canoes to the mainland. Having thus escaped their foes, the Indians fell upon Dartmouth and there repeated the atrocities they had committed at Swansey; some of their victims they flayed alive; others they impaled upon sharp stakes, or roasted over slow fires. Middleborough and Taunton were next to feel the vengeance of the bloodthirsty savages. Plymouth and Massachusetts were now in the greatest alarm; a feeling of terror took possession of the inhabitants; every other settlement feared the fate that had befallen the unfortunate towns.

Philip was next located in the swamps of Pocasset, on the other side of the water, opposite Mount Hope. Whatever chance there was to effect his capture was lost through the fatuity of the English commander, who deemed it no hard matter to capture the blockaded enemy and thought it a needless charge upon the resources of the colonies to keep in the field so many companies of soldiers for so insignificant a foe. Accordingly, the blockading force was reduced to one company of a hundred men, whom Philip easily eluded, escaping with his followers in the direction of Connecticut, where he had allies awaiting him. Governor Leverett, of Connecticut, realizing how much more serious would be the menace to the English if the other Indian tribes were drawn from their alliance with the colonists, sent Edward Hutchinson to Brookfield to negotiate

with the Nipmucks. The envoy was the son of that Mrs. Hutchinson who had involved Massachusetts in the Antinomian controversy, and who with most of her children, of whom there were twelve, had been murdered by the Indians. The Nipmucks agreed to a parley with Hutchinson, but instead of holding it they set an ambush for him, and fell upon and slew him. Shortly after this occurrence Philip arrived in the Nipmuck country; and on August 2, 1675, an attack by the concerted Indian forces was made upon Brookfield. Thirty or forty men and above fifty women and children—the total inhabitants of the hamlet—took refuge in a large house, where they were besieged by three hundred savages. A force of fifty men had been sent out from Boston to act against the Indians in the west, and learning of the straits of the people of Brookfield they pressed forward to their succor. The rescuers were under the lead of Simon Willard, who, though more than threescore and ten years old, had lost none of the fire of youth or of the qualities of the soldier; he covered with his force the thirty miles to Brookfield, over a road that was hardly a bridle path, by an hour after sunset, having started out at noon, and put to flight the Indians before they had been joined by the reinforcements they were expecting. For three days the inhabitants had suffered all the horrors of an Indian siege, pent up in a house hardly large enough to hold them; threatened with momentary destruction by fire arising from the burning rags with which the Indians tipped their arrows, water was passed up to the men in the garret, who kept constant guard against the danger; while from the overhanging windows a brisk musketry fire was maintained. The defenders husbanded their ammunition, and few bullets sped that were not answered by an Indian yell of pain. Foiled in their endeavor to fire the building by other means, the savages constructed a rude device which they loaded with tow and chips and set on fire, and were about to push it by long poles against the house, when a sudden shower foiled their plans; this and the timely

arrival of Willard and his party of rescuers saved the otherwise doomed people.

The Connecticut valley next became the scene of the savages' attack, and Deerfield and Hadley were the towns that suffered, simultaneous assaults being made on the two places. At Deerfield several houses and barns were burned and two men were killed; the inhabitants of Hadley were observing a fast, and most of the garrison were absent, not suspecting danger; Indian yells alarmed the people at their devotions, and the men, seizing the muskets which stood by their sides, rushed from the meeting house and hastily formed into line of battle. The village green by this time swarmed with savages, at the sight of whom the courage of the men gave way and they were on the point of panic, when an incident is said to have occurred that has ever lent a dramatic charm to the recital of the story of the Indian attack upon that town. When they were about to seek safety in flight, there suddenly appeared among the men a stranger of reverend appearance and stately mien. At his sharp word of command, order was restored and musket and pike were again grasped with firmness. On his order to charge, the desperate townsmen rushed upon the Indian rabble and, after a short, sharp engagement, put them to flight. When the excitement of the conflict was over, the gratitude of the townsmen went out to the mysterious stranger, whom they sought for in order to express their profound thankfulness for the service he had rendered them; but he had disappeared. Some saw in it a special providence of God and declared that their salvation had been wrought out by an angel. The savior was Colonel Goffe, one of the fugitive regicides, who, while sitting at the window of the house of Mr. Russell, where he was in hiding, had seen the stealthy approach of the savages. All the old fire of the Roundhead again stirred him, and he rushed out to add another to the victories he had helped to win.

The woods all along the Connecticut from Springfield to Northfield were infested with roving bands of savages,

whose activity was not at all checked by their defeat at Hadley. On the 2d of September eight men were killed at Northfield, and Captain Beers and most of his company of thirty-six were ambushed and slain while marching to the relief of that village. Northfield, as well as Deerfield, was abandoned by its inhabitants, who crowded into Hadley. The fields of Deerfield had been only partly threshed, and the farmers were anxious to gather the grain; as there did not appear to be any immediate danger of attack, on the 11th of September eighteen wagons with teamsters and farmers were sent to finish the threshing and secure the grain. A train-band of ninety picked men, called the "Flower of Essex," under Captain Lathrop, furnished them escort; the work of the day was concluded, and under the shadows of night the party began the return journey. No alarm occurred till seven o'clock the next morning, when a considerable force of Nipmucks, estimated at seven hundred, opened a deadly fire upon them; only eight escaped to tell the tale. The chronicler of the event records this as a "black and fatal day, the saddest that ever befell New England." This victory inspired the Indians with a belief in their superiority over the English, and on the 5th of October they attacked Springfield and burned thirty houses. The wide isolation of the Connecticut River towns made it impossible to protect them from sudden assault, and the movements of the foe were so stealthy that their attacks could not be anticipated and prepared for by the massing of troops.

During the autumn the Federal Commissioners had been in almost constant session at Boston, deliberating as to the Indian war. It is curious to find that many people maintained that God had let loose the savages upon the colonies as a punishment because they had ceased to persecute "false worshippers, and especially idolatrous Quakers." The bitter feeling extended to the Christian Indians, many of whom had joined their kinsmen in their deeds of violence. Daniel Gookin, a superintendent of the "Praying Indians," was

warned that it would not be safe for him to show himself on the streets of Boston, and one extremist openly advocated a policy of extermination of the red men. The Federal Commissioners were very much disturbed at the demeanor of the Narragansetts, who had never entertained a cordial regard for the English. If they should join forces with the foe, the colonists knew that the dangers of their situation would be immeasurably increased. They were charged with harboring some of Philip's hostile Indians, and their chief, Canonchet, son of Miantonomah, promised to surrender the fugitives within ten days; but the victory of their brethren at Bloody Brook, as the place of the late disaster to the English came to be called, had so increased their indifference to the ill will of the English that they were now ready for any deed and prepared to take the war-path. The commissioners thereupon warned the Narragansetts that, unless they fulfilled their promises, they would be visited with the direst penalties of war. A thousand men were called into service and under the command of Governor Winslow marched against the enemy. Along with the expedition went Benjamin Church, of Plymouth, who gained a reputation for great daring and success in the warfare against Philip. It was arranged that the Massachusetts troops should meet those of Plymouth at a point on the northeastern border of the Narragansett country. The temper of the Indians had been shown by the burning of the houses of some of the settlers at Worcester and the home of Jeremiah Bull at Pettyquamscott, which had been fixed upon as the place of general rendezvous for the English. Here ten men and five women and children were put to death. Six companies of foot soldiers and a mounted troop from Massachusetts under the command of Major Appleton and two companies from Plymouth under Major Bradford came together at Wickford, where they received information of the arrival of Major Treat, of Connecticut, at Pettyquamscott with five companies of troops and fifty Mohegan allies. They thereupon proceeded to that place

under the superior command of Governor Winslow. When junction had been made with the Connecticut troops, orders were given to march upon the Narragansett stronghold the next day, notwithstanding it was Sunday.

The Indians had strongly fortified themselves on a piece of ground in the middle of an impassable swamp, approach to which had become doubly precarious because the ooze was not frozen hard enough to afford a footing. Many rows of palisades formed a wall twelve feet thick about their stronghold; within, and filled with sharpshooters, was a block house that overlooked the only means of access to the place. This was over a felled tree, slippery with snow and ice. Two thousand warriors, with women and children, awaited the attack of the English, who, breaking up their camp while it was yet dark, arrived at the place an hour after midnight; but, having been without shelter on a very cold night and having made a march of eighteen miles through deep snow, with hardly any food, they were in no condition for the attack which was immediately begun. Massachusetts had the place of honor and led the storming forces, with two Plymouth companies and the Connecticut men following. As the Massachusetts men rushed upon the narrow and slippery bridge, they were met with a well-directed and steady fire from the foe, which slew six of their captains and many of the rank and file. Those who first crossed over met the savages in a hand-to-hand fight, and by the sheer weight of numbers drove them into the swamp. Some of the Connecticut men in the meanwhile had discovered another path across the swamp, leading to a place where the palisades were thin, which had not been so well reinforced because the savages had not regarded that point of their stronghold as accessible. Under the lead of Treat, the company made a spirited charge in the face of a heavy fire; undeterred, they rushed on and fought their way to the rampart, which they attacked with spirited blows of their keen axes until they effected an entrance. At about the same time, the Massachusetts men made a second charge



and succeeded in getting within the enclosure; then, with all the grim determination of the Old Testament Judges in their battles with the Philistines, the Puritans fell upon the savages, and devoted that Sunday afternoon to the slaughter of those whom they believed to be the enemies of God and of his people.

Probably not less than one thousand Indians perished; but some hundreds, with their leader, Canonchet, escaped in a blinding snowstorm which began just after sunset. Their defeat was the more severe as they had brought within the enclosure the greater part of their winter's supply of corn, which, with the wigwams in which it was stored, was burned by the English, who then departed for the little village of Wickford, which they reached after a most weary march at two o'clock in the morning. Their losses had been severe: nearly one-fourth of their number had been killed or wounded.

The destruction of the Narragansett fort brought a feeling of relief to the English settlements. Friendly Indians were sent out as scouts to discover the whereabouts of the enemy, and brought back intelligence that they professed to be expecting assistance from the French and that they meant to fall upon some of the seaboard settlements. They reported the old men as weary of the war, but the young men as ardent for its continuance, and said that seven hundred well-armed fighting men were left of the Narragansetts. At Wickford the wearied soldiers suffered further hardships, as they were little protected from the severity of the weather and were in great want of food, so much so that horse flesh was resorted to in their extremity. The colonists did not flatter themselves that the overthrow of the Narragansetts marked an end to the hostilities of the savages, so in February the Federal Commissioners called for a new levy of six hundred men to assemble at Brookfield, because of the renewed incursions of the Nipmucks. Philip, who had dropped out of knowledge of the English, reappeared in February, 1676, in company with the Nipmucks, in a bloody assault upon Lancaster, where houses were surrounded and

set on fire, and men, women, and children were tomahawked; of some forty persons who had sought shelter in the roomy house of the minister, only one escaped, the rest being slain or taken prisoners. The minister's wife, Mary Rowlandson, was one of the captives; she afterward wrote the story of that dreadful ordeal. Those for whom the savages hoped to receive a substantial ransom were comparatively well cared for, but the treatment of the others was such as to make death a welcome release.

The attack upon Lancaster was followed by a massacre at Medfield. Worcester, Marlborough, Mendon, and Groton were sacked and destroyed, and Weymouth, though but a dozen miles from Boston, was attacked. Sudbury, Chelmsford, Springfield, Hatfield, Hadley, Northampton, Wrentham, Andover, Bridgewater, Scituate, and Middleborough were all subjected to murderous onslaughts. A force of five hundred Nipmucks ambushed and killed fifty of a force of seventy men under Captain Wadsworth, but they paid dearly for their victory that same afternoon, when Wadsworth's party slew one hundred and twenty of them. At another time, Captain Turner slaughtered three hundred warriors of the same tribe near a point on Connecticut River, which has since borne the name Turner's Falls.

In the meanwhile, Warwick and Providence had been burned by the Narragansetts and Wampanoags. Canonchet with his six hundred surviving warriors surprised a company of fifty Plymouth men, under Captain Pierce, near Pawtucket and slew them all, but not before he had lost one hundred and forty of his own men. Ten days later he was captured by Captain Dennison, of the Connecticut forces, and given over to the Mohegans, by whom he was tomahawked. The loss of this great chieftain, of whom the Massachusetts chronicler Hubbard could not refrain from saying that it appeared as if "some old Roman ghost had possessed the body of this western pagan," marked the speedy decline of the Indians' power. The attack of the English was aggressively kept up, and its wearing effect was now apparent;

King Philip had lost much of his prestige; he was next seen in July, 1676, near Bridgewater, with a mere handful of followers. Church had made his way to the wigwam of Awashonks, the squaw-sachem of Sogkonate, and persuaded her to form an alliance with the English. Many of the natives sued for peace and surrendered to the soldiers. Philip was hotly pursued by Church and finally besieged. When one of his men suggested to him that the only resource left him was to surrender, the proud chieftain slew the man for his presumption, whereupon the brother of the slain man made his way to Church's camp and offered to lead him to where Philip was concealed. The savages were taken by surprise, and the chieftain was slain by a ball from an Indian musket; his head was sent to Plymouth, where it was exposed upon the village green while the townspeople engaged in a special service of thanksgiving. A number of the leading chiefs were executed, and hundreds of the captives, among them the little son of Philip, were shipped to the West Indies to be sold into slavery. The war with the Indians had shown how superficial was the religious impression made upon their nature by Christian instruction. Many of those who had become converts to Christianity had entered as thoroughly into the scenes of massacre and carnage as their heathen brethren.





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Sir Edmund Andros.

*After the original painting in the State Capitol, Hartford.*

## CHAPTER XIV

### *ATTACK ON THE CHARTER OF MASSACHUSETTS*

THE Indian wars had been a great drain upon the resources of the colonies and left them impoverished. The recuperative powers of Massachusetts were much greater than those of Connecticut and Plymouth, but it is creditable to them all that by industry and frugality the enormous debt entailed by the wars was soon paid in full. They preferred, however, that the burden of their obligation should be borne by themselves rather than that by appealing to England added excuse should be given for intervention in their domestic affairs on the part of the mother country, their experience with the commissioners leading them to dread another royal inquiry into the state of the colonies. The Massachusetts leaders knew well that their triumph over the representatives of the king only served to mark an armistice in that contest for the preservation of their liberties, which they were determined to continue at all hazards. Two men who had been foremost in the affairs of the colonies died during the progress of the Indian war: John Winthrop, of Connecticut, and John Clarke, of Rhode Island. Of the former, who died on April 2, 1676, it is creditable to his amiability and reputation for justice that during the most momentous period of his public life, that of the charter dispute between Connecticut and New Haven, he was never referred to in a harsh way by the people of New Haven. Gentle, courteous, cultivated, a man whose personal qualities disarmed suspicion and malice, a man fitted to ornament

the best circles of English society, John Winthrop must be regarded as one of the potent influences in moulding the character and the conscience of the New England colonies. The meed of praise which may be accorded him will not, however, extend to the inclusion of his name in that brief but illustrious list of New England founders graced by his father's.

By the death of John Clarke, another of the influential men of the colonies was removed. If the title "Father of Rhode Island" is to be accorded to any man, it preëminently belongs to Clarke. He worked steadily and intelligently toward the one end of gaining for that colony the favor of England. In this he succeeded, and the charter which he secured must be looked upon as the crowning result of long continued and astute efforts to preserve the good will of the changing parties in the checkered politics of the mother country. He had never sought office in the colonies, but had been satisfied with the more important service which he could render his colony abroad. To him is the honor of a blameless life and the bequeathing of his property for the education of children of poor parents.

These men could be ill spared in the troublous times that were at hand, when the enemies of the peace of New England were not to be swerved from their purpose to bring the colonies, and particularly Massachusetts, under the personal direction of the king and the Privy Council. The claims of Gorges and Mason were revived to afford a pretence for intervention in colonial matters. The king was memorialized by Gorges and Mason and also by Lord Stirling, who had inherited the patent of Nova Scotia; they proposed to surrender their respective patents on condition that they should receive one-third of all the colonial revenues which should be collected by the crown, or, in lieu of these, such other compensation as his majesty should deem sufficient. The navigation laws continued to be a source of annoyance to the colonies and their evasion of them a source of irritation to the merchants and manufacturers of England. These



laws prohibited other than direct exportation of colonial products to English ports, thus cutting off the colonies from direct European trade, or the importation of European commodities by way of English ports. The English merchants argued that colonial commerce was detrimental to the trade of the parent country unless it was confined to that country, and that Navigation Acts were needful to conserve to the mother country the benefits which she had a right to expect from her plantations. They pointed out that New England was already competing with the kingdom in many of its exports because of the superior advantages which the colonies enjoyed from their chartered privileges, which saved them from a strict administration of the navigation laws, and because of their splendid facilities for shipbuilding. In these commercial arguments the colonies were treated as if they had no rights in themselves, but only such as might be accorded them after the selfish claims of the mother country had been entirely satisfied.

The representation of the merchants led the Lords of the Committee of Trade and Plantations to petition the king to send out to Massachusetts five commissioners, who, in case that colony remained refractory, should warn it that it would have to bear the imposition of the severest penalties of the navigation laws. At the same time, they recommended an examination into the claims of Mason and Gorges. With regard to these claims, the king was advised not to decide anything from *ex parte* testimony, but to send out to Massachusetts and hear what representations the colonies had to make in their own behalf. This recommendation was accepted by the Privy Council, and a circular letter was prepared for this purpose and despatched to Boston. Edward Randolph, a relative of Mason, was selected as agent to bear the royal letter to the colonies. Randolph sailed for Boston, and, upon his arrival, in 1678, waited upon Governor Leverett and made known his mission. The same afternoon he repaired to a meeting of the magistrates, and the king's letter was read in their hearing. After its reading,

the governor declared that the matters it contained were of little importance, and that it did not concern the government of the colony to take notice of them. Protesting that he had been instructed to wait one month for an answer, and that that answer must be forthcoming, the envoy retired. During his short stay in the colony he sought to brew factional contentions. The magistrates were glad to facilitate the departure of the unwelcome messenger and informed Randolph, after two days' consideration of the royal letter, that they were prepared to make answer to it if he would engage passage on a ship which was about to depart for England, and carry the letter with him. The governor informed Randolph that he looked upon him as the personal representative of Mason, and accordingly treated him with frigid and formal courtesy.

The attitude of the colony with regard to the Navigation Acts was a matter patent to the observation of Randolph. He himself protested to the governor that he had observed vessels from a number of European ports in Boston harbor. In his report to the king he gave the reply of the governor, which, as an expression of the independence of Massachusetts, and the determination of its magistrates not to yield a point of their liberties to the claims of the royal prerogative, is worthy to be quoted in the language of Randolph himself. The governor, he said, declared to me "that the laws made by your Majesty ought not to trench their liberties, but may enlarge them if your Majesty please; and said your Majesty had confirmed their charter and all their privileges by your Majesty's letter of the 28th of June, 1662, and that your Majesty could do no less in reason than let them enjoy their liberties and trade." Thus the governor made his declaration of the independence of Massachusetts as to the navigation laws of the mother country. The agent of the crown tarried in the colony, but received scant courtesy the while. He then proceeded to New Hampshire and Plymouth, where he professed to have heard many complaints against the spirit of arrogance of the

larger colony. The time that he had been ordered to remain in the colony having expired, Randolph returned to England with a duplicate of a letter which the magistrates had already forwarded to the English authorities; but before departing, he was sharply rebuked by the governor for having sought to create a disturbance in the country.

The Massachusetts authorities, after the departure of Randolph, concluded to take further action with regard to the king's demands, and a General Court was convened at which the substance of the question was fully discussed; and a committee was appointed to draw up a paper setting forth more fully the position of the colony and to despatch the same to some suitable person in England, who should deliver it to his majesty and report his reply. The paper, which was accordingly drafted and submitted to the Court at its next session, disclaimed any intention to wrong the claimants of any portion of their territory, and affirmed the loyalty of the colonists to the person of the king. It was decided that the address should be presented by two men of the colony, and William Stoughton and Peter Bulkely were appointed for this purpose. Other papers which they carried set forth in full the history of the Gorges and Mason claims. When the agents of Massachusetts arrived in England, they found that Randolph had been busily employed in disseminating gross misrepresentations about the colony, the spirit of its people, its arbitrary assumptions of sovereignty, the nature of its relations with the sister colonies and the territories of other nations, and many other matters. These misrepresentations had deepened the prejudice abroad against New England; and while the colonies still had many friends in England, there was now no organized party identified with their interests.

The Lords of the Committee, to whom the attitude of Massachusetts toward the Navigation Acts was referred for judgment, reported that there was no doubt that that colony had broken those statutes and recommended that officers should be appointed at the port of Boston and other places

in New England to receive the king's customs, or at least to see that the laws relating thereto were properly observed. Chief Justices Rainsford and North, to whom had been referred the claims of Mason and Gorges, reported that neither Maine nor New Hampshire was included within the chartered limits of Massachusetts and that the former belonged to the heir of Sir Ferdinando Gorges, but that New Hampshire had never been granted to Mason, and, therefore, could not lawfully be claimed by his heir. The Privy Council received the reports upon the navigation laws and the extent of the government of Massachusetts, and enjoined the agents that, as to jurisdiction, the authorities of the colony must confine themselves to the limits reported by the judges, that the king would inquire more particularly into their claim with regard to the territory of Maine, that their coinage of money must be discontinued, the Navigation Acts observed, their domestic laws revised, and that in their relations to his majesty the colonists must not expect to be treated with the formality of foreign powers. They were assured that their charter would not be abrogated, but that they would be given a supplementary one. In the matter of the repeal and revision of their legislation, the agents were informed that those acts which restricted the franchise to church members were particularly obnoxious; finally, they were called upon to sue for pardon from his majesty for having presumed to coin money without authority. The agents wrote home, stating the situation in which they found themselves; the General Court was at once convened, and an order was passed giving full recognition to all the Acts of Trade and Navigation and enjoining their strict observance upon all the officers whose duty it was to see to their execution. The agents of Massachusetts entered a claim for the recognition of the jurisdiction of Massachusetts over New Hampshire, but the influences brought to bear upon the Lords of the Committee by the enemies of Massachusetts led that body to pay little regard to the agents' claim. On the contrary, they recommended

a curtailment of the authority of Massachusetts and were inclined to favor the establishment of a royal governor over the colony. The proper legal officers were accordingly directed to examine into and report upon the full matter of the charter of Massachusetts; and if, in spite of the writs of *quo warranto* in 1635, it should yet appear to be a valid instrument, they were to give their opinion as to whether or not it should be forfeited on account of maladministration under its provisions.

A further complaint against the colony related to the oath of allegiance to the government of the country which the Massachusetts authorities had revived the year before, and had required to be taken by all persons who had not previously done so. It was represented to the king that this oath subtracted from the loyalty which was his due from his subjects beyond the seas. The report of the crown lawyers of their investigation into the charter of the colony was made; it avoided an opinion as to the original goodness of the patent, and advised that the writs of *quo warranto* had not dissolved it, but that its maladministration justified its voidance. In accordance with their report, it was recommended that a writ of *quo warranto* be issued against the charter.

Upon the recommendation of the Lords of the Committee, the Privy Council ordered the appointment of Randolph as collector of customs in New England. These proceedings were received by Massachusetts with feelings of dismay, and the Court set apart a day of humiliation and prayer. The oath of allegiance to England, which had been enjoined upon them by the Privy Council, was taken by the magistrates and administered to all persons of sixteen years and upward within their jurisdiction. Following its usual procedure, the General Court prepared an address to the king, suing for his favor, and at the same time sent to its agents a letter of instructions. The attacks upon their liberties, as the people of Massachusetts regarded them, were not, however, at an end. Randolph prayed the king and

Council that Churchmen might be admitted to public office in Massachusetts and that the Church of England might there be made lawful. With a feeling of dissatisfaction at the ill results of their mission to England, the agents, after having been engaged in three months of painful endeavors to vindicate their colony and to preserve its privileges, set sail for home.

Massachusetts was not now either in leadership or in spirit in a position to make a vigorous fight against the crown in its attack upon the charter. During the life of the sturdy Governor Leverett, his personal influence had been sufficient to unify the sentiment of the colony and to give it a fixed policy; but Massachusetts no longer presented the solidarity which had been the principal source of its strength. It had become broken up into parties, some of which advocated yielding to the encroachments of the king. But Leverett had died in 1679, and at the next election Bradstreet, who was at that time seventy-six years of age, was elected governor, with Danforth as deputy. Bradstreet was one of the lesser men among the original colonists, of whom but few remained alive. He had not the mind nor did he possess the force of character to carry Massachusetts successfully through the turbulent times which were upon her, hence Danforth represented the strength of the administration.

Upon the arrival of the agents from England, the General Court was assembled for the hearing of the king's letter. Massachusetts practically vacated its claims, and at the session of the Court passed orders providing for the execution of the will of the king in all respects. Randolph proceeded to exercise the functions of his office, and by virtue of the authority with which he was invested seized several ships with their cargoes, but he found that it was almost an impossibility to secure courts and juries that would give awards in his favor. The same spirit of obstruction he complained of in other ways, and sent an urgent plea to the king that a writ of *quo warranto* might not be delayed. The difficulties which the collector of customs experienced

are vividly recited in his letter of complaint to the Customs Commissioners: "I desired the Magistrates to assign me an attorney or a solicitor to assist me, in case any matter should arise in the practice of their courts in which I am not acquainted; but that was denied . . . Whilst I went for a marshall to assist me in searching [a warehouse], my servants [who had been placed to watch it] were set upon by four or five persons and beaten; in the mean time others removed the goods to another place." From his account of the treatment he received in performing the duties of his office, the collector must have dreaded their exercise. On one occasion, having to seize a vessel, he took with him a marshal and six men; his account of the matter is as follows: "Coming up her side I was threatened to be knocked at head; I returned, and told the Governor of it, who ordered men to be raised to seize her; but, before I came where I left her, she was towed away by Boston boats." He adds: "After all this trouble, I am verily assured that I have broken the heart of this Irish trade; and for all this am not discouraged, not questioning but, by degrees, to bring this country to better order in point of trade." His majesty is advised to write no more letters, for, says Randolph, they "will signify no more than a London *Gazette*." He alleges that the disturbed state of affairs in England encouraged insubordination on the part of the colonists, and says: "I have only hope and my life left, which I am unwilling to expose to the rage of a deluded multitude, who, under the pretence of great privilege from the King, take liberty to oppose his royal authority." The king, nevertheless, addressed another letter to the colony, which abounded in strictures upon its contumacious conduct and peremptorily ordered it to despatch to England agents with plenary powers to settle the matters concerning which Massachusetts stood accused; he added that effectual means would be found to compel it to respect the royal will.

It was not long after this that Randolph set sail for England. He lost no time in urging that the recommendations

contained in his various reports should be acted upon and that writs of *quo warranto* should be issued and a royal governor appointed for the colony. He used the arguments that such action would encourage the allegiance of the other colonies and further the interests of commerce, besides increasing the resources of the king. He also claimed that emigration to the colonies would be stimulated, and that New England would no longer attract so large a proportion of her immigrants from the Puritan element of England. With considerable astuteness, Randolph pointed out that the break-up of the confederacy left Massachusetts without the claim that it would otherwise have had upon the other colonies for their moral support, and that prospect of sympathy from that quarter was rendered improbable by reason of the many causes of complaint which the smaller colonies had against their bigger neighbor. He urged that no more opportune time could be wished for bringing Massachusetts under the complete control of the king. The delay of Massachusetts to comply with the king's peremptory order by reason of the difficulty of inducing suitable persons to undertake the undesirable mission did not improve the status of the colony in the eyes of the court.

In 1680, Randolph returned to Massachusetts with fresh orders from the king; the Massachusetts authorities again went through the form of compliance with the royal will, and at last the agents were despatched to England. They were instructed to conciliate the king by pointing out that, in all important respects, the colonists had carried out his commands. But with all the spirit of submission which pervaded the instructions of the agents, the General Court did not fail to add to those instructions the following with regard to the chartered rights of the colonists: "We do not understand that any alteration of the patent is intended. You shall therefore neither do nor consent to anything that may violate or infringe the liberties and privileges granted to us by his Majesty's royal charter, or the government established thereby; but, if anything be propounded that may tend



thereunto, you shall say you have received no instruction in that matter, and shall humbly crave his Majesty's favor that you may not be constrained to make answer thereto."

We may now pause to glance at the constituents of the parties in Massachusetts, and to notice briefly the opinions as to the policy of the colony entertained by these parties. Danforth, the deputy governor, in association with Gookin, Nowell, Saltonstall, and others of the magistrates, and Cook, Brattle, Hutchinson, Pike, and others of the deputies, were the leaders of the popular party. The most important name among those who made up the moderate party was that of Governor Bradstreet, and Stoughton and Dudley were his chief supporters. The one party was strong in its insistence upon the absolute preservation of all the claims that Massachusetts had ever made; while the other favored a policy of submission and conciliation to the home government. Randolph continued writing home letters full of complaints against the attitude of the majority of the magistrates and deputies, and filled his letters with his apprehensions of bodily harm. The General Court, on its part, conducted almost as active a correspondence with its agents, correcting their instructions as the need arose. In May, 1683, when the General Court convened for the annual election, Randolph was again in England with fresh proofs of his oft-repeated charges against Massachusetts. He did not have to wait long for the government to take the action against the recalcitrant colony which he had so ardently advocated. The Privy Council ordered that Mr. Edward Randolph should be sent back to New England with a notification of the *quo warranto*, which he was to deliver to the Governor and Company of Massachusetts Bay, and then to return to report to the king concerning their proceedings.

Upon the recommendation of Randolph it was decided to intimidate the colonists by a show of force, and it was advised that a frigate should be sent to the coast of New England for that purpose; but as no frigate could be spared and Randolph's return was to be so early, this programme

of the vindictive collector of customs could not be carried out. The colony's agents arrived home a few days before the coming of Randolph, upon which a meeting of the General Court was called to receive the writ. The only course open was that of submission, and in spite of the deep indignation and dismay which pervaded the colony, and notwithstanding the deep mutterings of discontent and words which might easily have borne a treasonable construction, the men of Massachusetts, through their representatives in the General Court, drew up a humble declaration of their acquiescence in the king's arbitrary action. They sought, however, to put the most hopeful construction they could upon the proceedings against them, and reminded his majesty that at another time he had declared it to be his purpose only to correct the charter in such a manner as to make it of greater service to the colony, and that such alterations would only seek to strengthen his government in the colony. Such, at least, was the action taken by the magistrates, but more force and character was found among the deputies, of whom the patriotic party was largely constituted. After two weeks' debate over the action taken by the magistrates, the deputies rejected the proposal of submission; and Randolph soon after sailed for England.

The complete humiliation of Massachusetts, however, was only delayed by this display of resolution on the part of the deputies. The tactics which had at other times stood the colony in good stead could no longer shield it from the inevitable blow. When Randolph made report of his mission, the government was already prepared for the radical step of vacating the charter of the colony. The Court of Chancery, to which the matter had been referred, returned the opinion "that judgment be entered up for his majesty as of this term; but if defendants appear first day of next term, and plead to issue, so as to take notice of a trial to be had the same term, then the said judgment, by Mr. Attorney's consent, to be set aside; otherwise, the same to stand recorded." It was in vain that the counsel for the colony

entered a motion in the Court of Chancery for an arrest of the proceedings, alleging that there had not been given sufficient time between the issuing of the writ of *scire facias* and the day appointed for its return to procure a power of attorney.

By this fell stroke the work of fifty-four years was undone and the commonwealth of Massachusetts was reduced to the ignominious position of a crown colony. It possessed no rights excepting those which the gracious will of its sovereign might extend to it. The fabric of its government was no more than a house of cards, needing but the touch of the king's finger to overthrow it. The prized religious liberties were no longer its by right, but might be enjoyed only upon the king's sufferance. The king proceeded at once to the appointment of a governor for his newly acquired province. Colonel Percy Kirke was appointed to the office, with the title of lieutenant and governor-general. The mood of the king toward the religious exclusiveness of the colonists was shown by his instructions to his representative to seize one of the churches in Boston for worship according to the usages of the Church of England. The secret of the passive compliance of Massachusetts is to be found not so much in the domestic condition of the colony as in the fact that there was no longer in England a great party with which it was identified in interest and to which it could look for support. When this drastic action had first been threatened, the colonists had sturdily prepared for the defence of their liberties and had replied to the English government that if the oppressive action should be taken, they would perforce leave all that they had created and retire to the wilderness to begin again the founding of a commonwealth wherein they might have full enjoyment of the things dearer to them than life. Since that time, the old generation of colonists had become almost extinct. The purely pioneer period had passed by. Considerable cities had grown up; the colonies had taken the form of settled order, and with their maturing they had lost much of their

former power of readaptation and, with the passing of the years, the patriotic spirit had waned. The break-up of the confederacy had shorn them of the strength of concerted action; each colony represented its own interests and was governed by its particular policy. Prosperity had brought with it the debilitating effects of luxury and venality. The principles of the Puritans had now to contend with the policy of men who sought their personal gains and were prepared to sacrifice all that the public spirit of an earlier period had esteemed priceless in order that they might reap the benefit of commercial advantage or other form of personal preferment. Religion was no longer sovereign in life, and its sway was resented by an increasing element in the colony. There had always been, as must needs be the case in spite of any and all legislation, persons whose moral standards did not conform to the high ideals of Puritan character. This element had steadily increased in numbers and only awaited an opportunity to express itself in terms of influence. There was much that conspired to prevent Massachusetts from standing fast in the liberties wherewith God had made it free.

## CHAPTER XV

### RECONSTRUCTION FOR THE COLONIES

*Maine might*

ONE of the points of displeasure on the part of the crown against Massachusetts was the purchase of Maine, which had been effected in 1678, after that province had been adjudged by the English authorities to be the property of Sir Ferdinando Gorges. By the fact of purchase, Maine sustained to Massachusetts a position of dependency. The Indian wars had almost denuded it of inhabitants, but upon the return of peace the fugitives made their way back to their homes. Deputies from the Maine towns were admitted to the General Court of Massachusetts, and a provincial government was established with Thomas Danforth as president. When it was decided that neither Massachusetts nor Mason had a clear claim to New Hampshire, the English authorities created it a royal province, and John Cutts, of Portsmouth, was constituted president in 1680. Provision was made for the appointment of the other officers and the creation of the machinery of government. Upon the death of President Cutts, Edward Cranfield, an ally of Mason, succeeded to the office in 1682. This was at the time of Randolph's activities in the province. Cranfield was a man without character or policy other than the furthering of his personal interests, and the administration which he inaugurated was one of oppression and venality. His official term of office was marked by internal disorders. Having pursued a policy of misrule, to the detriment of all the interests of the province, and having been disappointed in

his expectation of making a fortune, he finally became disgusted with the vexations which he himself caused, and wrote home asking to be relieved from his post. He was permitted to appoint a deputy and to go to Jamaica or Barbadoes for the recovery of his health, which he represented as having been impaired by the severity of the climate. After his departure in 1685, the chaotic condition of the province was not improved for some time.

The policy of dividing the interests of the other colonies from those of Massachusetts by bestowing upon them royal favors, until Massachusetts should have been humbled, was steadily pursued by the English government. In 1679, a memorial to the king was drawn up by the governor and sanctioned by the magistrates, in which was expressed the hope of a "renewed continuance of the King's favor," adding, "and also the honored Court renew the solicitation of his Honor to prosecute the said weighty design in their behalf, with all possible expedition, who lovingly undertook the same." The hope of a charter, which was alluded to in this memorial, was the ambition of Plymouth, and this was craftily played upon to fix the loyalty of that colony to the crown. A letter was addressed to the king on this subject in the following year, 1680, in which his majesty was implored to continue to the colony its civil privileges and religious liberties. The drafting of this letter was the last act in the public career of Josiah Winslow, who died on December 18, 1680. With him passed away one of the best types of New England character. A man of irreproachable life, tested bravery, and high capacity, a patriot in the truest sense of the word, he had endeared himself to his fellow colonists and given them great reason to mourn his loss. Yet the younger Winslow cannot be regarded as ranking with the very highest types of early New Englanders. For one thing, he was too amenable to the royal commissioners; and when Randolph came as the representative of the English policy of suppression of the privileges of the colonies, he found Winslow well disposed toward the crown.



Gurdon Saltonstall, Governor of Connecticut.

*From the original painting, now hanging in Alumni Hall,  
Yale University.*



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However, this disposition toward the English government and its pretensions need not be attributed to base or sordid motives; it is sufficiently explained by the long dream of Plymouth for a charter. Winslow knew well that the attitude taken by Massachusetts, if assumed by Plymouth, would destroy forever the prospect of obtaining the coveted document. It is clear from the course taken by the English authorities that their policy toward Plymouth was to keep before it this will-o'-the-wisp in order to lead it far enough away from Massachusetts to isolate effectually that colony and make easier the destruction of its charter. A more astute man than Winslow might have read the ulterior purpose of the courtiers behind their plausible words.

The attitude of Connecticut was one of complacency. It possessed a charter which conferred upon it wide privileges. A report of the governor and secretary to the Lords of the Committee for Trade and Plantation affords a picture of the condition of Connecticut in 1680. There were at that time over twenty-five hundred foot soldiers and a troop of sixty horse in its military contingent. The commodities of the colony were provisions, lumber, and horses. Trade relations were maintained with the Caribbean Islands, Madeira, and Fayal. The value of imports was £9,000 annually. There were about twenty small merchants within the colony, some of whom carried on trade with Boston and the other colonies, and some had commercial relations with the West Indies. There were "but few servants, and fewer slaves; not above thirty in the colony. There are so few English, Scotch, or Irish come in," the report continues, "that we can give no account of them. There come sometimes three or four blacks from Barbadoes, which are sold for twenty-two pounds each. We do not know the exact number of persons born, nor of marriages, nor of burials. But the increase is as follows:—the numbers of men [that is, of military age, between sixteen and sixty] in the year 1671 were 2,050; in 1676 were 2,303; in 1677 were 2,362; in 1678 were 2,490; in 1679 were 2,507. We

can not guess the estates of the merchants; but the property of the whole corporation doth not amount to 110,788 pounds sterling . . . Twenty-four small vessels belong to the Colony . . . There are no duties on goods exported, except on wines and liquors, which, though inconsiderable, are appropriated to maintain free schools. The people are strict Congregationalists; a few, large Congregationalists; and some, moderate Presbyterians. There are about four or five Seven-Day men, and about as many Quakers . . . We have twenty-six towns, and there are twenty-one churches in them; and in every one there is a settled minister, except in two newly planted. The stipend, which is more or less according to duty, is from 50 pounds to 100 pounds. Every town maintains its own poor. But there is seldom any want, because labor is dear, being from two shillings to two shillings and sixpence a day for a laborer; and because provisions are cheap. Wheat is four shillings Winchester, pease three shillings, Indian corn two shillings and sixpence, pork threepence a pound, beef twopence halfpenny a pound, butter sixpence, and so other matters in proportion. Beggars and vagabonds are not suffered, but, when discovered, they are bound out to service; vagabonds who pass up and down are punished by law."

After the Indian war, Connecticut again attempted to assert its authority over the Narragansett country and added to its other claims that of conquest, on the basis of the important part that it had taken in the defeat of the Narragansett Indians, while Rhode Island had remained neutral. Representatives of the Atherton Company, as well as settlers from various points in Connecticut, came into the country to locate, despite the protests and threats of Rhode Island; whereupon Rhode Island sent a complaint to the crown. The king wrote to the colonies directing that all matters pertaining to territorial jurisdiction in the Narragansett country or the king's province should remain *in statu quo*. The dispute was finally referred by the king to a mixed commission of New Hampshire and Massachusetts

men. The decision of the commissioners set aside the claim of Rhode Island and recognized that of Connecticut in matters of jurisdiction and that of the Atherton Company to the proprietorship of the soil. They regarded the agreement entered into by Winthrop and Clarke as not operating to invalidate the charter of Connecticut. This decision was reported to the Privy Council. Randolph, in the meanwhile, sought to revive the Marquis of Hamilton claim and induced the commissioners to reopen the case, which they did to the extent of receiving the documents that he had to submit and sending them to the Privy Council, which decided the claim adversely.

In 1683, Governor Leete, who had filled the highest administrative office in Connecticut for seven years, died, and was succeeded by Robert Treat, who had been governor during King Philip's war. Roger Williams died the same year. We may also note the end of the Federal Commission. It held its last meeting in 1684.

Having noticed the course of events in the several other colonies during the earlier period of reconstruction, we can now return to Massachusetts and observe the conduct of its affairs as a colony of the crown. Although Colonel Kirke had been appointed Royal Governor of Massachusetts, it was found impossible to spare the coarse and brutal soldier from more congenial home service. Upon the death of Charles II., James, Duke of York, was proclaimed king. In 1686, the new king provided a government for Massachusetts; Dudley was appointed president, and associated with him were a deputy president and a Council of sixteen. Their authority was to extend over Massachusetts, New Hampshire, Maine, and the King's Province, by which name the Narragansett country was known. No provision was made for popular representation by establishing a House of Deputies. Stoughton was selected as deputy president, and Randolph and Mason were members of the Council. Dudley, Randolph, and their associates presented their commissions to the General Court, although they declined to

recognize this body in its official capacity. The Court did the only thing that was left for it to do—it resigned under protest, after having by unanimous vote framed a reply to the newly constituted government. This document was mild in its tenor; in a respectful tone, it pointed out that the new government had no fixed rule for the administration of justice, and that the levy of taxes and matters of legislation had been taken out of the hands of the people, and closed with an assurance that the members of the Court would demean themselves as loyal subjects of the king under his constituted authority. The Puritan diarist Sewall comments in a melancholy tone upon some innovations which came in with the new régime. He laments the decline in the colony of the spirit of its early purity, and is shocked to find that two Anglican clergymen had already made entrance into it and had been permitted to officiate at funerals. He mourns the fact that the appointment of Dudley was celebrated by the drinking of healths, and that some barber had brought in the abomination of periwigs.

The younger Dudley, who now graced the highest position in the colonies comprising the newly constituted crown province, had had the benefit of the training and example of a father who was imbued with all the ideals and spirit of Puritanism, and yet had seen that father fail to acquire the degree of prosperity and worldly satisfaction that his position and prominence in the founding and furthering of Massachusetts seemed to promise. The son had no desire to follow his father's career of ill-requited service. There was within his breast an ambition which he sedulously cultivated and availed himself of every opportunity to advance. The most serious problem that faced him in his new position was to conciliate the colonies without estranging Randolph, to whom he owed his preferment, but the dissimilarity of their characters and views made inevitable the breach which soon divided them. Dudley was not a sufficiently conscienceless scoundrel to satisfy his associate, and it was not long before Randolph was making complaints against Dudley

to the Lords of the Committee that he was encouraging the "independent faction, and utterly discountenancing both the minister and those gentlemen and others who dare openly profess themselves to be of the Church of England, not making any allowance for our minister more than we raise by contribution among ourselves." He asserted that the government had been changed only in form, and that it was carried on in the same spirit and by the furtherance of the same elements of the population as formerly, and he added the hope that there might soon be sent over a more thoroughgoing governor. This chronic complainer went on to enumerate many specific cases of grievance to justify his assertions, nor did he spare invectives, but called Dudley "a man of base, servile, and anti-monarchical principle."

In 1686, the provisional government of Dudley came to an end; and he was succeeded by Andros, whose former brief relation with New England had been of an unpleasant nature and must have engendered a degree of ill feeling on each side. It was, however, only by contrast with the mild rule of Dudley that the administration of Andros was felt to be arbitrary and exacting; moreover, Dudley's brief rule had given New England time to recover from the stupor of despair into which she had been thrown by the appointment of a royal governor, and the patriotic party had become infused with some of its former spirit of devotion to its principles and faith in the power of them. Andros was given the title of governor-in-chief in and over the territory of New England; and was to have associated with him a Council, whose first members were to be royal appointees. The governor and his Council were to make laws which were to conform to those of England and to be transmitted to that country to receive the sanction of the king. The oath of allegiance might be required of all persons. The governor had authority to regulate the currency. With his Council, he had in charge matters of trade regulation. He was the commander of the military and admiral of any naval forces which might be developed. He was to give

countenance and encouragement to the Church of England. With the advice of his Council, he was to levy taxes for the needs of the government. During his absence from the colony Andros had been knighted, and returned to New England as Sir Edmund Andros. On his arrival at Boston, he was greeted by a concourse of citizens with a cavalcade of mounted soldiers and foot, and was escorted to the town house, where he read his commission and took the oath of office and administered the same to his councillors. A meeting of the Council was held later, at which representatives from Plymouth and Rhode Island were present. The initial needs of government were provided for and the oath administered to all officials. The Council was told that quarterly reports of their proceedings were demanded by the Lords of the Committee. A censorship of the press was established, and Dudley was chosen for the office. A declaration of liberty of conscience was made, with the qualification that the rites of the Church of England should be especially encouraged. The two things which were chiefly irritating to the people were the virtual establishment of the Church of England in the colony, for so they construed the new rule of religion when administered by Randolph and Andros, and their deprivation of their accustomed part in the conduct of the government.

The arbitrary imposition of taxes under the provision for the raising of revenues by the new government took out of the hands of the New England towns the right which they had enjoyed throughout their whole history of imposing their own taxes for the maintenance of their roads, their schools, and their poor. When a general levy had been made upon the colony by the General Court, each town, upon receiving notice of its proportion, had assessed the sum upon its inhabitants; but under the new arrangement, the governor and the Council imposed all taxes. Another feature of the administrative machinery which was equally as repulsive to the sensibilities of the independent New Englanders was that which related to land patents. Titles

to land were annulled, and Andros was authorized to grant lands upon quitrents. As the provision related to lands in the power of the crown, it really embraced the whole of New England. The title to every piece of land, whether acquired from the Massachusetts Company or from the Indians, was invalidated. With the loss of the land went also the loss of its improvements. The fact that under Andros there occurred no gross abuses of this theory of land reversal did not reconcile the New Englanders to a principle in itself pernicious and which contained so many potentialities of injustice.

In addition to the broad principles of injustice which were involved in the very nature of the new government, its administration inflicted many annoyances and hardships upon the people. All the public records of the late governments had been carried to Boston, and to consult them necessitated a tedious journey. All deeds and wills had to be registered in Boston, and the payment of excessive fees for such service was exacted. Ipswich was the first of the towns to resent the new system of levying the taxes. The keynote of opposition to taxation without representation was struck at a meeting called to elect a commissioner to join with the selectmen to apportion the tax rate among the townsmen. The machinery of tax collection was not greatly different from what it had always been, but the principle of making the levy by representatives of the towns was violated, and this was sufficient to arouse the resentment of men who had so long had the experience of self-government. The meeting passed a motion to refuse to impose a rate which had not been voted by a general assembly. John Wise, the minister of the town, was especially conspicuous among the leaders who counselled this action. He was thrown into prison, fined £50, and suspended from the ministry. Five others of the chief inhabitants of Ipswich were tried for the same offence and fined various amounts. The accused pleaded that their action was warranted by the terms of the *Magna Charta*; to which Dudley

replied that they were not to imagine that the laws of England could be carried to the ends of the earth; he went even further and declared that the people of New England had no other rights than those of personal freedom. By such declarations the inhabitants of the colonies were made to see that the government established over them was one of absolutism. They were not only deprived of the body of laws, which were indigenous to the country, but they had no right of appeal to the protection of the laws of the mother country. The rebellious attitude of Ipswich turned the attention of the authorities to those active units of the New England system as the source from which trouble might be expected. Accordingly, the next year a law was passed limiting town meetings to one a year. It was hoped that by depriving the colonists of the common privilege of freemen to meet in assemblies for the discussion of their public interests and to formulate protests against injustices the danger of the dissemination of rebellious sentiments might be averted.

While the contest between popular rights and arbitrary government was being waged, the ministers were engaged in a fight to prevent the encroachments of the Episcopal Church in the colony. In 1686, Robert Radcliffe, an Episcopal minister, petitioned for the use of one of the three churches of Boston. Naturally this was refused, but he was permitted to use a part of the town hall until he should be able to provide himself with a more suitable place of worship. Randolph was a main supporter of the efforts of Radcliffe to establish the Episcopal Church in Boston. When Andros arrived in the colony, Randolph renewed his efforts to secure one of the churches, and the governor gave a hearing to several of the ministers, who advanced reasons why their consent to such an arrangement could not be given. Andros did not press the matter. The following spring the Episcopalians renewed their agitation and Andros made demand for one of the churches, to be used jointly by the Independents and the Episcopalians; being refused, he



then took forcible possession of the building. The plan did not work smoothly, as the Puritans complained that the Episcopalians prolonged their services needlessly. So matters continued for about a year, when an appeal was made to the governor. Charges and counter charges of bad faith were made by the parties to the dispute; and after several stormy interviews, the matter, trivial in itself, but significant of the state of feeling, was dropped. Other grievances against the new government related to the custom adopted by the courts of requiring that when an oath was administered the witness should kiss the Bible. The New England conscience could not go further than the gesture of raising the hand while the oath was being administered; another matter which gave offence to the colonists was the disorderly and insulting behavior of the English soldiers.

The commission of Andros, like that of Dudley, brought the province of Maine within the bounds of his government. The extensive grant of land which the king, when Duke of York, had received from his royal brother included territory on the east side of Kennebec River, reaching as far as the St. Croix. While Governor of New York, Andros had sent a force thither and established a trading post for barter with the Indians. This eastern province had received the name of the county of Cornwall. John Palmer and John West, men not particularly burdened with scruples in conduct, had been despatched by the successor of Andros to order the affairs of the province. This they did by exacting of the inhabitants that they should buy of them new patents for their lands at exorbitant prices, at the same time appropriating large tracts to themselves. By such action they anticipated the annulments of land titles which were effected during the government of Andros over New England. Neither New Hampshire nor Plymouth offered resistance to the new government. The nearest approach to a spirit of resentment was the attitude of Taunton, which, when summoned to apportion its tax levy, replied that it did not feel free to raise money from the inhabitants without

their assent as expressed by an assembly. The town clerk, who transmitted this insubordinate response, was punished by fine and imprisonment. On his arrival in the country, Andros had demanded of Rhode Island its charter, and his demand had been complied with without resistance. The spirit of the colony had never been one of intelligent interest in the administration of its affairs, nor were the inhabitants now greatly concerned about the nature of the government under which they lived. Connecticut was next summoned to surrender its charter to the royal governor, but here there was no spirit of easy submission. Andros exerted himself to bring the colony to yield quietly to his demand, but was met by a spirit of respectful controversy and procrastination. When he had become weary of correspondence with the colonial authorities, he notified Governor Treat that, pursuant to the commands of his majesty, he was going to visit the colony and exact its submission. Attended by a company of over sixty grenadiers and officials, Andros proceeded to Connecticut, and at Wethersfield was accorded a reception by the train-bands of the various towns, which had been assembled to do him honor. The governor and assistants were warm in their friendly expressions and gave every evidence of regard for his excellency.

Tradition has preserved and history has delighted to repeat a dramatic incident which is said to have occurred at the time of this visit of Andros to Connecticut. Although it failed of its purpose, it is creditable to the spirit of Connecticut and foreshadowed the attitude of that colony when future and sterner demands were made upon it: it is related that while the discussion was proceeding, in the presence of a large company, the charter of the colony was brought in and laid upon the table; then the lights were suddenly extinguished, and the company was left in total darkness. Captain Wadsworth, who had planned the coup, possessed himself of the charter before the candles could be relighted, and hid it in the hollow trunk of a tree in the grounds of Samuel Wyllys, a magistrate; nevertheless,

Andros accomplished the aim of his visit to Connecticut, and incorporated that colony into his jurisdiction. The history of Connecticut as a separate colony was closed. New England had at last been confederated, but in a way that brought to the hearts of her patriots feelings of the deepest anguish. The consolidation of despotism was perfected in form, and New England was to experience the substance of the iniquities of arbitrary government. But she was to come forth purged by the fires of her tribulations and forged into a patriotic unity for the overthrow of despotism, not only in New England, but also throughout English America.



## CHAPTER XVI

### *THE CONSOLIDATION OF DESPOTISM*

ANDROS had now accomplished the destruction of the liberties of the several colonies, and their incorporation into one government under the personal direction of the king through his representative. The affairs of New England might now be administered in the interests of the mother country; no more slightly veiled seditious addresses and letters could be sent to his majesty from the colonies beyond the seas in response to attempts to exercise what his majesty deemed his lawful sovereignty over his separated subjects. Having accomplished so much, Andros returned to Massachusetts with, it may be believed, feelings of exultation over the easy conclusion of the first part of his mission. Massachusetts, however, prepared no welcome for the undesired governor. The first matter which demanded the attention of the Council after his return was significant of the temper of the people, as well as of the nature of the difficulties which were to beset him in the administration of his duties. Mr. Morton, the minister at Charlestown, was accused of preaching a sermon in which he gave expression to seditious utterances. He was bound over for his appearance at the superior court and to keep the peace. The consolidation of New England was given legal effect by extending to Connecticut the laws which had been passed by the Council prior to the submission of that colony and its annexation to the dominion of New England.

The declaration of indulgence to the Dissenters, which his majesty had granted in England, was celebrated by the issuance of orders by the New England authorities for a day of general thanksgiving.

The spirit of the administration of New England is shown by the character of its legislation. Restrictions were put upon trade by an act which prohibited dealers from trading outside of their own towns; his majesty's revenues were cared for by additional imposts and excise duties; the militia of the colonies was brought under the new commander-in-chief. All local laws were wiped off the statute books of the towns by an act which declared that no laws or orders were to have effect other than those issued by the governor and Council; the freedom of movement of the people was restricted by an order that no one might move out of the country excepting by license from the governor. Having thus remorselessly reduced the people almost to a position of serfdom, the process was perfected by savage attacks upon land titles. The records disclose a number of instances of gross injustice perpetrated under the claim that the land could not be legally held by its owners except by patent from the new government. Onerous exactions made the obtaining of these patents a costly process, while the disingenuous arguments against the validity of the old titles left the issuance of new patents for possession a matter of caprice on the part of the authorities. Alleging that the titles were entirely worthless, they could go a step further and assert that they were in violation of the rights of other persons, and upon such specious grounds decline to continue the owner in possession of his soil.

An instance of the arbitrary measures of the authorities relating to land ownership is afforded by the treatment accorded to Mr. Wiswall, a minister of Duxbury, which aroused the greatest indignation in Plymouth colony. A little island in Plymouth harbor that had been devoted to the support of the poor of the town was given by Andros to one of his councillors and sycophants. The minister

collected a fund to take the matter into the courts in an endeavor to vindicate the rights of the town, in spite of the fact that the governor and Council held over the heads of all remonstrants threats and penalties which usually discouraged any such action as that which Mr. Wiswall proposed to take. In his case, having dared to go to the length that he did, he was summoned to Boston to answer for his temerity. He applied to the governor for a postponement of the hearing, writing that "he was then lame in both feet with the gout, fitter for a bed than a journey." The governor was unaffected by his plea, and the minister had to repair to Boston, where, in deference to the august character of the Council, he was kept standing until he was nearly overcome by pain, and then dismissed without a hearing, after his recognizance was taken for a second appearance and he had paid fees amounting to more than £4. A second and third appearance were demanded of him; finally, he was "delivered from the hands and humors of his tyrannical oppressors, who had exposed him to great difficulties and charges, and to two hundred and twenty-eight miles' travel in journeying to and from Boston."

By such measures were the people taught the salutary lesson of non-resistance to the acts of their arbitrary masters. But the colonists were not in a mood servilely to accept the acts of despotism of their governors. It was useless to appeal to Andros for more generous treatment, and in their distress the people indulged the faint hope that they might obtain relief by an appeal to England. Just what conditions in England served to inspire the colonists with the hope that they might with some prospect of success appeal to the generosity of the king do not appear; it was resolved, however, that Increase Mather, pastor of the Second Church in Boston, should be deputed to make solicitation at court for more favorable treatment of the colonies. New England had recovered from the first shock that her reduction had occasioned. The old spirit of the Puritan—the spirit of resistance to oppression and of ardent

love of liberty—was not destroyed by the arbitrary action of the king, but instead, when the full effect of that action dawned upon the colonists, that old spirit was reawakened, and every act of oppression was but a fagot kindling the fires of resentment. Massachusetts had never lacked a select body of men whose judiciousness could be depended upon in any crisis of its affairs. At the present time, the counsellors preëminent in the confidence of their fellows were William Phipps and Increase Mather. The exigency of the colony brought these two men to the helm, and throughout the duration of the disturbed conditions of that troublous time their words and influence were paramount.

Both men were products of the Puritan creed and polity and held fast to the tenets of their fathers, although neither of them was shaped in the exact mould of his heroic predecessor. Increase Mather was minister of the Second Church of Boston and without a peer among the clergy of Massachusetts. He was acting president of Harvard College, having twice declined its presidency. His resolute adherence to the old charter had made him the idol of the patriotic party and had brought upon him the hostility of the royal governors. The career of Phipps is full of romantic interest. He began life as the son of a squatter near Pemaquid. Early becoming an orphan, he learned the trade of ship carpenter, and successively became a builder, owner, and navigator of ships, and finally engaged in an enterprise for the recovery of a sunken Spanish treasure ship. He had the support of the English naval authorities, and after one failure succeeded in interesting capitalists in his enterprise. He recovered the ship, which proved to be worth £300,000, and received as his reward knighthood and £16,000 of the recovered treasure. The availability of Phipps for the mission to England was increased by the fact that, although opposed to Andros and Randolph, he had refrained from identifying himself with the party of the patriots. Because of his noncommittal attitude in the



contentions of the two parties in the colonies, and of his position, wealth, and reputation, he admirably supplemented Mather, who possessed the qualities which Phipps lacked. Mather was a man of great sanity, whose mind was not beclouded by theological speculations or his conscience overloaded with Scriptural precedents to narrow and dominate his action. Personally of high courage, as was manifested by his continued resistance to the encroachments of the crown, he rose above the policy of equivocation by which Endicott and Dudley had sought to preserve Massachusetts in the possession of the liberties whose benefits they ungenerously withheld from those who could not pronounce their shibboleths. To his other admirable qualities was added that of self-restraint. He could be depended upon to bear himself with courtesy toward courtier and king. He was a graduate of Trinity College, Dublin, and had held preferment in England, and doubtless would not have returned to Massachusetts had not his hopes for a successful career been overthrown by the Restoration. With all his virtues, he had some of the faults of humanity, but he might be excused for ambition and a vanity which at times became obtrusive. Massachusetts was fortunate in having Increase Mather to look to at this critical period in New England's affairs. Some years before the time of his departure on his mission to England, Mather had been subjected to a clumsy attempt on the part of Randolph to have him convicted of defamation. A seditious letter was produced written over his initials, but on the trial of the case Mather was acquitted by a jury. Randolph had managed to keep the matter alive, and through it endeavored to prevent Mather from sailing for England. He had a writ for Mather's arrest placed in the hands of the proper official for serving, but Mather escaped in disguise by night and boarded a ship bound for England.

The governor now found time to devote to some of the lesser matters of his administration, and among other things he negotiated a treaty with the Indians of Maine. He then

proceeded to give attention to the affairs of the county of Cornwall and to place checks upon the rapacity and arrogance of Palmer and West. He also completed the extension of his jurisdiction over all the territory of which the king had constituted him governor by bringing New York and the Jerseys under his authority, the affairs of which were intrusted to a deputy governor as administrative head, with residence in New York.

The energetic Andros next turned his attention to ensuring the preservation of friendly relations with the Indians. The powerful confederation of the Five Nations was in a state of unrest, and it was feared that French influence was being brought to bear upon them to awaken their resentment against the English; already there had been sanguinary evidences of the Indian temper. In 1687, five Englishmen were slain by the savages near Springfield and six more at Northfield. In the same year, the governor proceeded to Albany in order to meet the leading chiefs of the Iroquois and to allay their suspicions of the English; on his way, he stopped at Hartford, where he had a conference with the leading men of the colony and some of the Indian chiefs. New England was increasingly conscious of approaching hostilities with the French, who were actively engaged in establishing along the western frontier of the English settlements a line of outposts, which were construed as a menace to the colonies. The restless French pioneers were ever pressing into the interior, and wherever they went they spread among the Indians distrust of the English. It was a matter of supreme importance to the colonists that they should retain the friendship of the great Indian tribes, who in the event of a conflict with the French would prove a remorseless foe, capable of depredations that would vastly magnify the horrors of such a strife. The English had secured an advantage over the French through the treaty and the league which were established with the Iroquois by the governors of Virginia and New York in 1684. The treaty was followed by the expedition of De la Barre against the

new allies of the English. A conference was held with the chiefs of several of the confederated tribes, who declared their purpose to maintain neutral relations in any war between their white neighbors, provided that their domain should not be invaded. In 1687, following an agreement entered into between the English and French courts, in which the relations of the settlers of the respective colonies and their attitude toward the Indians were defined, Denonville, the French leader, treacherously seized a party of Iroquois chiefs and sent them to France, where they were condemned to the galleys. He followed up this breach of faith by an expedition against the Senecas, one of whose villages he raided, putting to death a hundred of its inhabitants; but, far from intimidating the savages and separating them from their English alliance, such means only served to advance the English interests. It was after these events that the isolated cases of Indian attack upon the English occurred. It was of the greatest importance that the English should preserve the good will of the Mohawks above all others of the Iroquois confederation.

While Andros was consistently pursuing his policy of unifying the English colonies as far south as Delaware River, which marked the limit of his jurisdiction, Mather was busily engaged in England in seeking to enlist in espousal of his cause persons of influence. He had the favor of the Nonconformist party and so experienced no great difficulty in getting an audience at court. The policy he pursued was to seek to discredit Andros and Randolph personally in the eyes of the king, whose attitude of toleration toward his nonconforming subjects was not being adopted by Andros and Randolph in the colonies. He was directed to reduce his grievances to writing and received from the king, in this and subsequent audiences, promises of royal favor; Mather, however, was not encouraged by the superficial interest which the king manifested in his representations. The measure of his opinion of the effect produced upon the king by his pleas is found in Mather's surmise

of the king's thought: "I will see thy face again no more." Mather did not miss an opportunity of seeking to disabuse the minds of the London merchants of their apprehensions with regard to the competition of colonial trade, a subject that had estranged from active sympathy with New England many of the strong men of the Nonconformist party. One of the most conspicuous of these was the wealthy London merchant Ashurst, and one of the benefits resulting from Mather's alliance with this Nonconformist leader was that New England was thereby identified with that section of the Nonconformist party which was not satisfied with a proclamation of toleration, but insisted that it should have foundation in statute and become a part of the Constitution. Although Mather failed in the primary object of his visit to England, he accomplished no inconsiderable results in aiding so greatly to allay the apprehensions of the English merchants with regard to the commercial rivalry of the colonies.

In the spring of 1689, the English colonies were in a state of great excitement over the news that reached them of the extent of the discontent in England with regard to the king and the widespread suspicion that was entertained that he purposed establishing the Roman Catholic faith in the realm and extending it to the American colonies. The news intensified the strong feeling of bitterness toward the representative of the king, whose oppressive measures caused much indignation and alarm, and kept alive and fanned the flame of resentment toward his administration and prepared the way for its overthrow. He was severely criticised for employing in Maine the military forces of the colonies in an Indian campaign in which many men lost their lives through hardships and sickness, and sufficient occasion for which was disputed by most persons. It was even charged, upon the basis of rumor, that the governor had supplied the Indians with ammunition for the destruction of his own forces. An Indian told the story to the inhabitants of Sudbury and maintained its truth; whereupon certain persons

took him to the governor at Boston, who refused to see them until nearly midnight, during which time they were kept waiting in the cold and wet; and then the only satisfaction he vouchsafed was to command them to detain the Indian until it should suit his pleasure to see them again. The next morning, as they were about to depart from Boston to return home, they were summoned before the governor, but were not admitted to his presence until three o'clock in the afternoon, after having remained in waiting since nine o'clock in the morning. They were commanded to appear before the governor and his Council, where they underwent a rigid examination and then were sent to their homes. In the end, three "were each of them bound over in three hundred pound bonds, and each man two sureties in three hundred pound bond apiece." The contemporary record sums up the case as follows: "Although no man does accuse Sir Edmund merely upon Indian testimony, yet let it be duly weighed whether it might not create suspicion and an astonishment in the people of New England, in that he did not punish the Indians who thus charged him, but the English who complained of them for it."

It is not likely that public opinion in Boston during the winter of 1689 was anything like a full reflex of contemporaneous opinion in London. There seems to have been no attempt on the part of the Nonconformists of England to keep the Puritans of New England regularly informed of the progress of the movement for the overthrow of James II. It does not appear that it occurred to them that a coincidental revolution in the colonies ought to be sought. Yet, while there was apparently a lack of official apprising of the colonies of the plans and purposes of the Nonconformists in England, they must have been kept unofficially informed of the rising tide of popular power, and thus have been prepared for the action which they so readily and easily took for a restoration of the popular will in the colonies. The only force at the command of Andros which the colonies had to fear was the potential force of royal authority.

When this was removed, they might proceed to effect the overthrow of the royal government of the colonies without special jeopardy to their lives or interests. This was not so with their English brethren, who staked their lives and their possessions upon the success of their endeavor. On the other hand, the men of New England knew that it would go hard with them if, reckoning upon a successful consummation of the plans afoot against King James, they should by their actions attain themselves with treason or with rebellion, and then, upon the failure of the schemes of their English brethren, be forced to face the decrees of an irate monarch feeling the sting of his outraged authority. New England contented herself with maintaining a state of preparedness for whatever might occur in order to reap the advantage of any favorable turn of events.

What must have been the feelings of Andros when he found himself placed in the unenviable position of seeing no possible issue of the perturbed state of English politics which could be favorable to him? It mattered not whether the king or the popular party should succeed, he could not expect to partake of the benefits of success. If William of Orange should be crowned in the place of James, Andros would find himself discredited. If, on the other hand, James should be but partially successful in the contest, and should have to make compromises with his Nonconformist subjects and ensure to them a measure of the reforms they claimed, it was more than likely that the royal policy of conciliation would be extended to the colonies so far as to recall Andros, even if the king did not actually disgrace him. In the event of the complete success of his monarch, the deputy would probably still fare badly. Whatever may have been the secret designs of the king with regard to the Romanists, he had been openly designated as a Roman Catholic; and with that party triumphantly seated in the Council chamber of the king, Governor Andros, an ardent Church of England man, would no longer be a suitable representative for his majesty in the colonies.

The governor and the colonists were equally alert for intelligence which so largely involved their future and their interests. They did not have long to wait; soon the information was borne to them that English politics had assumed a new aspect, and New England hastened to rejoice in the liberty which the change ensured to her.





## CHAPTER XVII

### *REVOLT IN NEW ENGLAND*

THE first news that Boston received of the revolution in England which placed William, Prince of Orange, on the throne came from a young man named John Winslow, who arrived in the town from Nevis, April 4, 1689. He said that before his departure for Boston, there had arrived a ship bearing the intelligence of the success of the revolution. The people were thrown into a ferment by the extraordinary information. The young man brought with him a copy of the prince's declaration. Andros sent for him to learn his personal account of the matter as he had heard it, and sought to obtain the copy of the declaration, and upon Winslow's refusal to surrender it had him incarcerated for bringing traitorous and treasonable libels into the colony. The news brought by Winslow, however, could not have included more than the first month's movements of the revolutionary forces; the final outcome must still have been in doubt, and it behooved the colonists not to engage prematurely in rejoicings which might be turned into sorrow. Public demonstration was held in abeyance for a short time, but on the morning of the 18th of April the roll of drums gave expression to the unloosed exuberance of the people's spirits. Signal fires were lighted on Beacon Hill, and a citizen's meeting was convened at the town house. The militia was soon astir, and the sound of the drum and fife apprised the people of Boston of the arrival of fresh companies from the surrounding towns. The long pent passion

of the people for liberty could no longer bear restraint, nor was there need that it should. Under the escort of Captain Hill's company of soldiers, the men of the old government, Bradstreet, Danforth, Cooke, and others, were conducted to the Council chamber; at the same time, Randolph and many others of the governor's party were arrested and thrown into jail. About noon the conference of the magistrates in the Council chamber was brought to a close, and from the eastern gallery of the town house was read their declaration to the citizens of Boston and the adjacent country, which set forth the oppressions which had been inflicted upon the colony by the vacating of its charter and the maladministration of Andros, and lauded the Prince of Orange "as the preserver of the three kingdoms from the horrible brinks of Popery and slavery." The ministers received a message from Andros inviting them to a conference, which was declined. Instead they sent to Andros himself a summons of a different sort: they called upon him forthwith to surrender the government of the colonies and to yield up the fort, which should be held by them subject to orders from the English crown. They promised him personal security and the safety of all his associates and soldiers, but warned him that in any event the fort would be taken. The frigate *Rose*, lying at anchor in the harbor, under the temporary command of her lieutenant, was made ready for action, and that officer vowed that he would die before she should be taken. A boat that was sent ashore to bring off Andros and his associates was met by a party of the townspeople and prevented from accomplishing its mission, and Andros and his friends, who had approached the water front, hastily retired again into the fort, but the governor soon yielded to the inevitable and personally surrendered.

The next day, the occupants of the fort, upon advice to that effect which Andros sent them, surrendered its possession to a company of the colonial militia; but the frigate still remained defiant, although her captain agreed that, if he should be saved the humiliation of the surrender of his

vessel, the townsmen might come aboard her and by carrying away her masts and sails prevent her from escaping. This was done. Popular resentment against the governor and his councillors was at fever heat, and the people who came in from the adjacent country districts vowed that nothing would satisfy them but to see Andros in chains. The arrest of the governor was followed by that of his adherents as quickly as hands could be laid upon them. Andros made a last desperate attempt to escape, and, disguised in woman's attire, succeeded in passing the sentries, but his failure to change his boots led to his discovery. Dudley, who had been absent at Long Island, on returning home received the news of the revolution which was in progress, and escaped to the Narragansett country, where he hoped to evade arrest, but he was tracked to his hiding place and apprehended. The popular resentment against him was greater than that felt toward any of the others of the coterie constituting the late heads of government. That Dudley, the son of the sturdy and faithful emigrant governor, who had received from the colony all the advantages of training, culture, and opportunity which had fitted him for the exalted position he filled, should prove a traitor to what they believed to be their interest infuriated his countrymen.

When it was time to consider the matter of establishing a government to take the place of the one that had thus been overthrown, the persons who had assembled to deliberate upon the state of affairs constituted themselves a Council for the Safety of the People and Conservation of the Peace. The weakness of Bradstreet's administration did not prevent them from looking to the aged ex-governor as the head of the new government provisionally constituted; so, at the age of eighty-seven, Bradstreet again assumed the position from which he had been removed. In order to give validity to the important measures which must be passed, the principal of which was the reestablishment of the charter, the Council decided to call a convention to consist of two representatives of each town in the jurisdiction, except Boston,

whose quota was four. When the delegates assembled, they confirmed the old officers in their respective positions, upon the ground that the former government was still in force, and that the governments of Dudley and Andros constituted an interregnum of anarchy. The magistrates, however, were unwilling to agree to so bold a venture, but acquiesced in the desire of the delegates that they should at least continue as a Council of Safety for the time being. A second convention, held May 22d, put into effect the original plan of the earlier one, and the provisional government assumed the responsibilities of the direction of the affairs of the colony.

On May 26, 1689, the success of the revolution in England became a matter of certainty to the colonists through the arrival of a ship bearing an order for the proclamation of William and Mary. The people rejoiced beyond measure at the intelligence that put at rest all doubts that had existed as to the wisdom and safety of the steps they had taken. Boston became the centre of a concourse of people from far and near to hear confirmed officially the intelligence of their liberties. Never before had there been such pageantry in the town as was seen at this time. The grave and sombre spirit of the Puritans of a former generation would probably have been shocked at the effervescence of joy which overflowed in gayety and festivities. The officials of the government, attended by the gentlemen of the colony on horseback, with regiments of militia, marched in procession through the streets of Boston, and through the adjacent towns, to the stirring notes of military music and the clangor of bells. There was a great dinner at the town house for the citizens of better estate, and wine was served to the populace in the streets.

Three days after the arrival of the ship which bore the proclamation of the new sovereigns came another, with Sir William Phipps as its principal passenger. He had much of detail to communicate to his friends in New England, and Massachusetts learned from him that the revolution in

the colonies had been more drastic than that in England. There, much of the old order of affairs was continued in force until, in a deliberate and satisfactory way, the effects of the revolution could be fully developed. They also learned that it was the will of the king that Andros and his fellows should be permitted to continue in authority for the present in New England, until the governor should have time to make other arrangements for an orderly government there. At the time of the overthrow of James, Increase Mather was in London on a mission from Massachusetts, and, knowing better the state of affairs in the colonies than the king and his Council, he assumed the responsibility of suppressing a letter which the Prince of Orange had drafted to the people of Massachusetts, in which he advised them to preserve decorum and acquiesce for a while longer in the government of Andros. But even if Mather had not suppressed the royal missive, it could not have been received in New England in time to stay the rapid course of events.

Mather and Phipps knew the fickleness of royalty and seized the occasion of the king's accession to the regal power as a favorable time to seek his good will toward Massachusetts and the sister colonies. In a joint petition, they prayed him that Plymouth, Rhode Island, and Connecticut might be "restored to their ancient privileges" and that Hinckley, Clarke, and Treat might receive recognition as their respective governors. Although in Massachusetts the old government had virtually become reestablished, it was without warrant of the king. The only promise that Phipps and Mather could obtain from him and his councillors was that Andros should be removed from the government and brought to account for the evils of his administration. A meeting of the General Court was held within a week of the proclamation of the new sovereigns and proceeded to impeach Sir Edmund Andros and his associates in the crown government. Andros, Dudley, Randolph, Palmer, and others were accordingly accused of high misdemeanors and all imprisoned, bail being refused, except Dudley, who

on account of ill health was permitted to go to his home at Roxbury; but this leniency did not suit the temper of the people of Boston, a party of whom seized the sick man and brought him back to jail.

It was fortunate for New England that the orderly instincts of the people and their respect for discipline and law were strong. Whatever divisions of sentiment existed among the men of Massachusetts, they were satisfied to let the settlement of their differences await the construction of a government, and so the whole people united to place in power those whom they honored. Thus the government did not rest on the insecure foundation of the passing power of a revolutionary party in the colony; it was established on the broad basis of the whole people, saving only those who had so committed themselves to the governments of Dudley and Andros that they could not retrace their steps and honestly, or with the credit of honesty, join the acclaim for the old régime. Not only did the people come easily under the sway of their old governors, but the smaller colonies looked again to Massachusetts as their guide and inspiration.

So it was that the course of events in Massachusetts determined the policies of the New England colonies generally. In Plymouth, the news of the Boston *coup d'état* was followed by the imprisonment of Nathaniel Clarke, one of the councillors of Andros, and the recall of Governor Hinckley to preside over the old government on its reëstablishment. Connecticut caught the spirit of the English revolution and called an assemblage of delegates from the various towns to meet at Hartford to mark out its course of action. They determined upon three questions to be submitted to the freemen: the first related to the recognition of the officials who held the reins of government at the time of their dispossession by Andros; the second was whether the government should be continued in its present form; and the third, whether a Committee of Sixty should be chosen. The first of these alternate proposals was

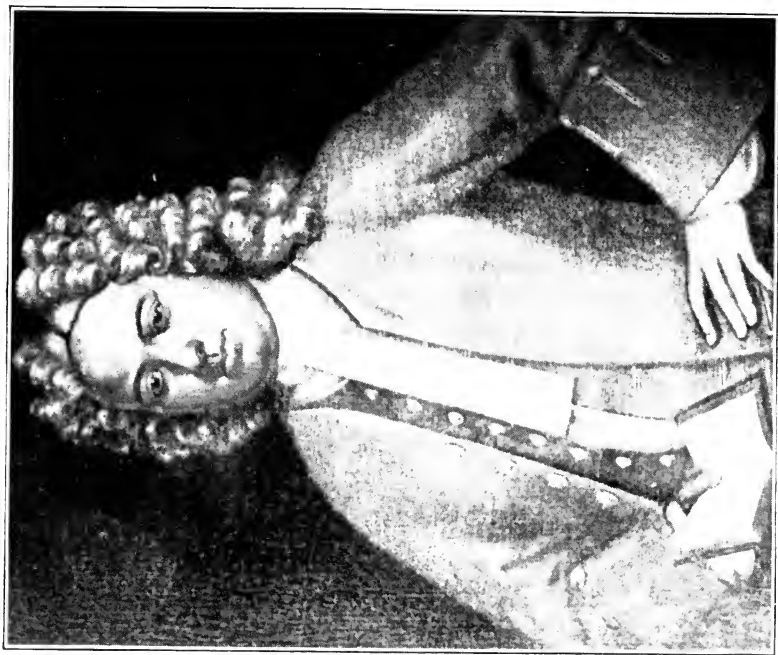
adopted by vote; a General Council after the old model was constituted, and the persons deputed from the towns making up the assemblage which took this action constituted the lower house. Treat reassumed the office of governor, and Bishop that of deputy governor, and the magistracy was filled by those who had been concurrently elected to it two years before. The first action of the new government affected the reestablishment of the former laws of the colony and the reconstituting of its system of courts. All the military officers were confirmed in their places and justices of the peace appointed to hear petty cases where there was no resident magistrate. The governor was authorized to convene the General Court in extraordinary session, in case there should arise any important matter relating to the charter or the government. A day of fasting was set apart and the Court adjourned. Upon receipt of the proclamation of the king, a day of thanksgiving was proclaimed and an address of congratulation prepared to be presented to the throne. In Rhode Island, as in the other colonies, a conference of the principal men of the towns was called, and it was decided to resume the government under the old charter, with the reinstalment of the same governor, deputy governor, and assistants. Walter Clarke, who filled the office of governor at the time of the appointment of Andros, did not rise to the point of patriotism demanded of him by his fellow citizens, and, having a mind to the possible hazards of the office, declined the honor. Rhode Island had to be content with its deputy governor as the highest acting official.

A general view of the state of New England at the time of the Restoration in England would show several significant tendencies of growth which marked a departure from the principles of the early period of colonial life. The prevailing influence of economic motives as compared with those of a religious type was one of the most notable changes that had come over the spirit of New England. Religion was the influence which had scattered abroad the

English Dissenters, as pollen borne by the summer breezes, to give vitality to the American wilderness and make it fruitful in commonwealths representing the strongest principles of character as well as the most forceful elements of economic progress; but New England had now attained the point at which economic forces became the most influential facts in her life and development. The increase of foreign commerce, the extension of intercolonial trade, and the disputes with the mother country about the Navigation Acts, foreshadowed the struggle which was already strongly indicated by the change of the centre of interest. Not acts of toleration in religion, but intolerable acts for the restriction of trade, were to inflame the people with the fire of patriotism which had acquired its strength by being fed in the stern contest of the colonies for liberty of conscience. The stages by which the colonies had come to the point of their economic consciousness can be clearly traced: first, the period of settlement, followed by that of the planting of new communities by the colonies themselves; then, the unification of the colonies in the confederation which was disorganized and destroyed by the English government, which had become concerned not so much with the religious liberty claimed by the colonies as with their more far-reaching assertions of freedom in their commercial relations. The Restoration in England did not bring to New England the restoration of the things which, in the nature of the case, had served their purpose as marking steps of progress, and the widening of the colonies into commonwealths. Henceforth the contest with the mother country was not to be for religious independence, but for economic sovereignty. Religion and economy, which we have observed were the influences that directed the settlement of New England, had continued in union, with the increasing growth of the latter and the decline of the former; the altered proportion, however, did not indicate change of feeling as to the relative importance of the two subjects, but rather the achieved success of the one and the urgent claims of the other.







William Ellery, Sr., Deputy Governor of Rhode Island.  
*From the original in the Redwood Library, Newport, R. I.*



John Bannister.  
*By Gilbert Stuart, in the Redwood Library, Newport, R. I.*

Another matter of note was the decline in immigration. This had risen and fallen with the political changes in England, and now it seemed improbable that the colonies could look for any considerable influx from abroad. The coming to the throne of Charles II. had disorganized the Puritan party, which retired from the contest in a sullen spirit. The Duke of York had not long enjoyed his title of James II. before the charter of Massachusetts was seized by him. Shorn of their liberties and humiliated at every point, the colonists were objects for commiseration, and their state was not such as to attract others to share it. It had yet to be found out whether or not King William would sanction the restoration of the old governments in the colonies and the reëstablishment of the charters of those that had possessed such instruments. It was unlikely that the divided interests of the colonies and the mother country would cease to be an occasion of mutual jealousy and suspicion. Such considerations, however, were not at this time in the minds of the New England leaders. They rejoiced that there was upon the English throne a prince whose Protestant sentiments were beyond question; a man who had been trained in the strictest tenets of the Calvinists. But William III. was not a sectary. Political motives had brought him into alliances not congenial to the Reformed faith, although the preservation of that faith was a cardinal principle of his administration. The Toleration Act, passed in 1689, permitted Protestants of the Trinitarian type who should take the oaths of allegiance and supremacy, and make their declaration against Popery, to absent themselves from the churches and attend the conventicles of the Non-conformists, provided only that the preachers should subscribe to the doctrinal articles of the Church of England.

The contest of Massachusetts with the king involved a constitutional question, in the determination of which was implicated much of the rights and happiness of the colonies. In all their protests against the arbitrary claims of the English authorities, the colonists had contended that the provisions

of the Magna Charta extended to them, and that under its provisions their lives, liberty, and property were sacred. This new question had been adversely passed upon by the crown attorneys. There was no more serious subject in the minds of the people than that of the nature of the government which would be provided for them, and, in all their speculations upon such matters, the attitude of the government toward the navigation laws—the test of the trade liberties of the colonies—was felt to be the object which would determine the policy of the king toward the colonies. They had reason to feel that they understood the king's position upon the matter of religious toleration. They also felt that they could depend upon him as a friend of popular rights, he himself being by birth in Holland a citizen of a republic. It was in this latter reliance that their judgment proved at fault: the new king had as much love of power and valued as greatly the principle of centralization in government as any of his predecessors. His personal character was not such as to inspire hope of generous and sympathetic feeling toward his colonial subjects. Of an arbitrary, harsh, and morose disposition, he had not attracted to himself warm personal friends, nor had he in his domestic relations manifested the considerate and tender feelings of an affectionate husband. The king was not long an incumbent of the throne before it became evident that he had an indisposition to attend to the domestic affairs of the country, and was disposed to leave such matters chiefly to his ministers. It was also clear that he prized the prerogatives of the English throne sufficiently to seek for the preservation of all that had been left of them by the revolution.

The colonies were especially solicitous as to the personnel of the judges of the high courts of the kingdom, for it had been these persons whose judgment adverse to Massachusetts had brought about the nullifying of its charter. By a narrow chance, the old chartered colonies lost the opportunity of the restoration of their former status. A bill, which had been introduced in Parliament, providing for

the restoration of charters to corporations which had lost them through the arbitrary action of King James covered by express statement the charters of the New England colonies. The advocates of the bill, however, attached to it some "riders" which caused its defeat. When Parliament was prorogued, the opportunity of the colonies vanished; for at the next session of Parliament new elections had given the majority to the Tories, from whom the colonies had no reason to expect warm sympathy.

The slight extent of the colonial interests of England prevented the matter of colonial administration from assuming large importance in the policy of the mother country. England had yet to learn the true relation between a parent country and its dependencies. Avarice and condescension, the latter attitude including protection, were the characteristics of her colonial policy. The colonies were to be protected, to be sure, and they were not to be tyrannized over by their governors, but the assertion of their liberties was not to be permitted to become arrogant and impertinent. Above all, their trade was to be sedulously cultivated and directed for the benefit of the mother country, care being taken that it should not come into competition with the commercial interests of the latter. This policy was a part of the mercantile spirit of the country, and was furthered by the doctrines of a school of economists whose teachings brought out the vehement protest from Adam Smith: "To prohibit a great people from making all that they can of every part of their own produce, or from employing their stock and industry in the way that they judge most advantageous for themselves, is a manifest violation of the most sacred rights of mankind." Among the acts which had been passed for the control of colonial trade was one in the time of the Commonwealth, which prohibited the colonist from exporting his products except in British bottoms, and from importing commodities from those parts whence he could most advantageously secure them. Other acts passed at different times restricted the export trade and prescribed

that the colonies should not send out any commodities from the country without first landing them in England, which limited the market to that country, unless the shippers were willing to bear the burden of double freights and other dues. The next step in this repressive trade legislation was to require imports by the colonies to come from England in English-built vessels. The colonial governors were bound by oath to observe these regulations of trade, and local revenue officers were provided to execute them.

The new committee of the Privy Council, which had in charge matters pertaining to colonial administration, urged upon the king the need of settling the circumstances and relations of the colonies to the government of England, and suggested that it was a matter for the consideration of Parliament, as such action was important in view of the revenues derived from the plantations by the crown. There also began to be fresh complaints made by merchants at English ports that the navigation laws were being evaded. Parliament took notice of these complaints and took action looking to the creation of a Council of Commerce. The king, however, revived the Board of Trade and Plantations, with a wide commission to consider all matters internal and external relating to the colonies, the appointment of colonial officers, and the acts of the colonial legislatures. This Board was composed of sixteen commissioners and, until the War of Independence, was prominently related to all the questions which marked the progress of the spirit of civil independence in America. Henceforth the colonies were to be regarded from the point of view of trade. There was no question now as to the complete supremacy of civil problems over religious scruples in the life and interest of the colonies. Whatever concessions or consideration the colonists might in the future expect from the mother country would have to be gained by gifts from the largess of their already considerable sources of wealth. But it was not agreeable to the spirit of the men of those colonies to be exploited for the good of the mother country, to which they

felt attached historically and sentimentally more than economically. The Board of Trade was not to administer the affairs of the colonies, but to act as the agent of the king and Council, furnishing them with sufficient information on all phases of colonial interest to guide them in their actions toward the colonies. Many considerations tended to obstruct the execution of the navigation laws in the severity of their intention, but these did not at any time cease to be a source of mutual irritation and suspiciousness on the part of the colonies and the home government. With the point of attack upon the colonies shifted entirely to civil affairs, religious questions ceased to be largely influential in deciding their fates, and with the shrinking importance of religion in the larger matters of polity it became more confined to the individual life and conscience.





## CHAPTER XVIII

### *NEW ENGLAND AFTER THE REVOLT*

THE provisional nature of the governments of the several colonies kept their internal affairs in an unsettled state while they awaited the king's pleasure as to the kind of government he would finally establish. In Massachusetts there were various parties with conflicting views as to what the best needs of the colony demanded in the way of administrative measures. The lack of a strong government with a settled and fixed policy led to various abuses of privilege on the part of officials and citizens. It made difficult the securing of men for military enterprises and obstructed the machinery for the collection of taxes. Meanwhile, the operations of Andros against the eastern Indians had left an Indian war as a legacy of his maladministration. The provisional government recalled the soldiers he had garrisoned in the eastern country, but this action did not improve the situation: it was rather a signal to the tribes in that quarter to renew their depredations. The Indians were in a state of unrest in the Kennebec and Penobscot region. The principal tribes of that section with which the English were in conflict were those of the Abnaki confederacy, who had come under the influence of the Jesuit teachers and were, consequently, not well-disposed toward the English. When the news reached the Abnakis of the terrible punishment received by the tribes under Philip, they were roused to a pitch of fury and attacked the English settlements in the

eastern country. The settlement of Dover was the chief sufferer by their depredations. This place, situated at a ford of the Piscataqua, was of the usual character of outpost settlements: the houses were strongly built and of such a character as to be easily fortified against Indian attack.

The story of the sack of the little hamlet reveals the duplicity of the Indian nature. In the quiet of a summer evening, Indian women came to the several houses, begging for lodging, and, except in one instance, they received the generous hospitality customary to the frontier people. After the inmates had retired to rest, the Indian women stealthily opened the doors of the dwellings and cautiously gave the signal agreed upon to call to the attack the warriors, who had, under the cover of darkness, massed themselves near by. The barking of a dog gave the alarm to the inmates of one of the homes, and that one which had refused admission to the Indian women appeared also to be safe. The owner of this house was, however, the son of his next neighbor, and when the Indians brought his father within hearing and threatened to kill him if the son did not surrender, he yielded up himself and his family to the savages. The members of the two households were put under guard, but their warders were too much under the excitement of the attack in progress upon the other houses to maintain close watch, and owing to this lack of vigilance the prisoners made their escape. The house of Major Waldron, who had rendered brave and conspicuous service in the late war against Philip, and by whose stratagem four hundred Indians had been taken prisoners, was the object of special attack. The old Indian fighter, who had reached almost fourscore years, leaped from his bed and, seizing his sword, drove out the Indians who had already gained access to his dwelling, but as he turned to grasp his musket he was felled by a blow from a tomahawk. He was then tied in a chair and placed upon a table, and the Indians gratified their fiendish instincts of revenge by gashing him with knives and cutting off his nose and ears, which they thrust into his mouth. At

length his sufferings were brought to a merciful end. This attack was followed by that upon Durham, where eighteen men at work in a field were killed, a number of women and children taken prisoners, and all manner of barbarities committed. At Pemaquid the officer and commander of the post surrendered with his fifteen men on condition that they should be allowed to depart in safety; instead, they were all put to death or carried away captives.

The incitement of the Indians to murder came from the French of Canada, and the General Court of Massachusetts raised a considerable force of soldiers and despatched them under the command of Major Church to chastise the Indians in the eastern country. Major Church proceeded by sea to Casco, and then, marching overland as far as the Kennebec, settled some garrisons and without an engagement with the Indians, other than an indecisive brush, returned to Boston, after having sent back in transports the troops he had not located in the military posts. These operations were all a part, in a preliminary way, of the contest entered into between William III. and France.

Upon the declaration of war by the English king (1690), New England was brought into a state of open hostilities with New France, which extended, with only one considerable period of peace, for about seventy years. The history of the French and Indian Wars is one of the most calamitous chapters in the story of the American settlements. The border history of that period is replete with incidents of treachery on the part of the Indians toward their allies, as well as of incitements of the savages by the French to deeds of the greatest barbarity against the hapless settlers. The French border was garrisoned by a chain of stations reaching from the mouth of the St. Lawrence to the mouth of the Mississippi.

The Indians principally concerned in the war between the French and the English in America were the Iroquois, or confederacy of the Five Nations. When they first came to the knowledge of Europeans they included the Mohawks,

the Oneidas, the Onondagas, the Cayugas, and the Senecas, and their territory extended over the wide area now embraced in the State of New York, besides a considerable region north and south. The Iroquois were friendly to the English, although not any more stable in this respect than they were in their friendly relations toward other Indian tribes. The attitude of De la Barre in leading a punitive expedition into the Seneca country had brought on hostilities between the French and the Indian races. The ignominious failure of his effort led the Marquis Denonville to seek to retrieve the reputation of the French in the eyes of the English. He fell into an ambuscade, suffered severe losses, and was compelled to retreat. The Iroquois warriors thereupon made a raid upon the island of Montreal, and burned and pillaged the houses, after killing more than a thousand of the inhabitants. Such was the state of Indian affairs just after the overthrow of James II. in England and of Andros in New England. New France was reduced to dire extremities; her fields were wasted, her trade routes blockaded, and, infested with hordes of Indians whose exasperation had not been allayed by their bloody victories, she was brought to a state of weakness that seemed to make her an easy subject for conquest by the English colonies. The unsettled state of these, however, prohibited a vigorous and united policy. Internal dissensions and disorders in New York prevented the men of that colony from presenting a united front to the French foe. The chiefs of the Iroquois exhorted the English to fall upon the French at this strategic moment to accomplish their conquest, but the colonists were still bent upon teaching the Indians of the eastern country an effectual lesson of respect; the Iroquois, however, declined to unite with them in an attack upon an Indian tribe with which they had no quarrel.

The policy of Frontenac, the new Governor of New France, who had lately arrived in the country, was to keep the English engaged in the protection of their towns and settlements so that they would not have an opportunity to

busy themselves in the country contiguous to Canada. He selected Schenectady, situated about twenty miles northwest from Albany, as the place for a united attack on the part of the French and some Indian allies, who were for the most part renegade Iroquois living in a Jesuit settlement. The surprise was complete, and the town was sacked in 1690, amid circumstances of Indian ferocity and French cruelty. This treacherous move on the part of the French and their Indian confederates led to counter military operations on the part of the New York authorities, which were so successful that Massachusetts was inspired with an ambitious desire to see Canada conquered by the English and thus be itself safe in the future from disturbances on the part of the eastern Indians. It was conceived to be politic to solicit the sanction and aid of the king in an endeavor to bring Canada captive to his feet; for such a manifestation of zeal in the royal interest was thought to be admirably suited to the advancement of the prospects of Massachusetts for the recovery of its charter. The application of Massachusetts for the aid of English forces and ammunition was ineffective, but preparations for the expedition went forward. Accordingly, a fleet of thirty-two vessels sailed from Nantasket, under Sir William Phipps, who had led a previous successful expedition against Fort Royal and effected its capture. The present expedition consisted of two thousand men, and provisions were carried for four months' supply. The authorities of Connecticut, New York, Plymouth, and Massachusetts planned a concerted land attack upon Montreal by the forces from the first three while the Massachusetts naval expedition attracted the attention of the French to the attack upon Quebec, which was its objective point.

In pursuance of the plan of attack, troops were sent overland, following the valley of the Hudson, with supplies of provisions carried in canoes and upon horses. After a fortnight's march, the southeast extremity of Lake Champlain was reached. Frontenac proved himself equal to the

emergency that faced him, and hurriedly despatched to Montreal all the troops he could spare to aid in the defence of that town. The commanders of the Connecticut and the New York troops had disagreed and could not effectively coöperate; the soldiers were disconcerted by false reports disseminated by the astute Frontenac as to the designs of the French and their movements; while the Indian allies were terrified by the appearance of smallpox. It was found, moreover, that the provisions and boats were insufficient for the needs of the expedition, and, as a result of the demoralized condition in which the expedition found itself, a retreat was ordered. With the danger by land at an end, Frontenac hastened to Quebec, and soon after his arrival the Phipps fleet appeared in the St. Lawrence. The vessels anchored off Quebec, and Phipps summoned Frontenac to surrender. The response made to this demand was a virulent denunciation of the people of New England and an emphatic declaration that Phipps might look neither for peace nor compromise. Hostilities were begun, and a brisk fire was kept up by the fort and the ships. Ineffectual attempts were made to effect a landing and to carry the town by assault. Smallpox had broken out among the crews of the ships and greatly affected the morale of the soldiers. Rumors of the failure of the Montreal expedition reached them. With heavy snowfalls day after day adding to the difficulties of an attack, the assailing force, which numbered only half that of the opposing troops, decided, after a council of war, to give up the enterprise. Thus was brought to an ignominious failure the first concerted movement of the English colonies against the French enemy. Quebec was not destined to fall into the hands of Phipps, but his expedition forecast the success which was achieved by Wolfe.

The ill success of Phipps's expedition deepened the gloom which rested upon the people of Massachusetts. They had hoped for much to develop from the undertaking, both in the way of practical results and prestige. Instead, however, they were faced with a financial deficit which necessitated the

imposition of a heavy tax. The clamor of the soldiers for pay would not admit of delay, and the colony had recourse to the issuance of bills of credit, thus instituting an unwise financial policy which brought mischief in its train. The immediate effect of the issuance of large amounts of paper money was to invalidate public credit, and the notes were almost at once discounted thirty per cent. But the colony was still intent upon a renewal of its charter, and for this purpose again commissioned Phipps to visit England. To an impoverished and dispirited condition was added the harass of trade annoyances produced by the war; while many homes mourned the loss of those who had fallen in the late expedition. In this state of domestic despair, attention was turned to England in the hope that greater success might attend the efforts in that direction for the promotion of the interests of the colony.

Phipps went to England in 1691, instructed to use all endeavors to secure the aid of the king in a renewal of the attack upon Canada in order to subdue the French, to relieve the colonies of the menace of Indian hostilities, and to secure a renewal of the charter. He found the colonial policy of William unsettled. At the time when the proclamation of annulments had been sent over to New England, the king and Council had ordered the preparation of a new charter, in which the supreme control was to be vested in two commissioners. These commissioners had not been despatched, but it was evident that the idea of a governor-general with wide jurisdiction commended itself to the English government. It was deemed important to have the colonies united, in view of the war with France, but the Council was not clear in its judgment as to the authority of the king to appoint such a governor-general for New England. The news of the revolt which had taken place there, and the arrival in England of a copy of the declaration which had been issued by the insurgents, caused the government to give more interested attention to the affairs of the colonies. It was even supposed from the

representations of the captain of the frigate *Rose* and others that the colonies were in a state of semi-anarchy, and the Commissioners of Customs went so far as to desire that an order should be issued prohibiting the furnishing of powder to New England on account of the disturbed condition of the country. However, apprehensions as to the order and character of the colonies were allayed by the receipt of the addresses which had been prepared by the Committees of Safety, or otherwise denominated provisional governing bodies. Orders were given to those at the head of affairs in Massachusetts to send in custody to the mother country the late governor and members of Council held prisoners. At this juncture the interest of the mother country in the colonies was again diverted by matters of home policy.

The rumor was current that the king and Council purposed to annex Plymouth to New York and to consolidate all the colonies, including New York, under a single government. This would mean much the same arbitrary course as had embittered the colonies against James II. Whatever might be the policy fixed upon by the home government, the colonies could no longer be regarded as isolated dependencies; their appeal to England for aid in their campaigns against Canada gave evidence of a sincere interest in the concerns of the mother country and an identity of welfare between them and her which could not fail of recognition, and which entitled the colonies to be regarded as directly concerned in the general policies of England. The question which presented itself to the home government was, how to impose upon the colonies an effective control and yet ensure to them a considerable degree of the self-government to which they had been accustomed. Mather had tired of his attempts to secure from the king the assurances craved by Massachusetts, and determined to make his appeal to Parliament. The old charter had been annulled by a decree of Chancery, and Parliament had authority to reverse this decree. It would then be needful only to appeal to the king for a revision of this instrument in some respects,



in order to fit it to this changed conditions of the colony. This appeal, as we have seen, had promise of success, but proved futile.

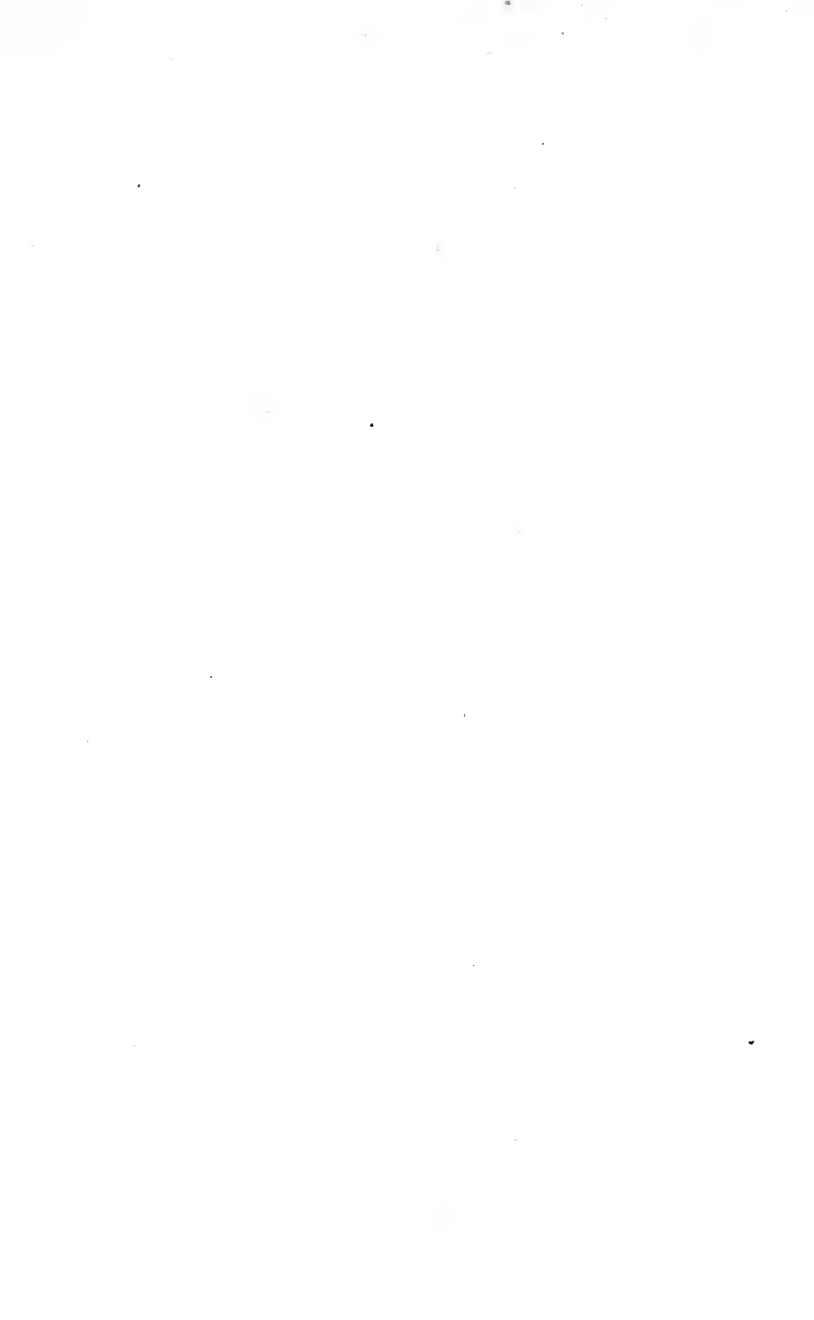
Mather's endeavors to renew interest in the scheme were met with formidable influences unfriendly to the aspirations of Massachusetts. Randolph and his associates had been actively penning letters from their New England prison to friends in England, earnestly dissuading them from furthering in any way the desires of the colonists. The malice and false representations which Randolph employed to alarm England with regard to the results of concessions to the colony are shown in the following extract from one of his letters: "This people having dared to proceed to this height upon hope only of receiving their charter privileges (as they term them), what can we expect upon the arrival of their agents laden with such favors, but that they proceed to try us upon their laws; or, if it be his Majesty's pleasure to direct other methods for governing this country, the guilt of their crimes already done, and the fear of deserved punishment, is such that they will massacre us, and at the same time cast off their allegiance to the Crown, accounting themselves his Majesty's nominal and not real subjects, as one of their chief ministers lately declared in public . . . Here," he averred, "is no government, no law; customs, excise, and the Acts of Trade and Navigation are cried down. All things are carried on by a furious rabble, animated and encouraged by the crafty ministers." He asserted the necessity of a large force of soldiers in the country, saying that it was absolutely necessary "for the honor and interest of the Crown, and for the lasting well-being of New England, that fifteen hundred, or at least a thousand, good soldiers be speedily sent hither to reduce this people to a firm dependence upon the Crown, and to regain what is already lost." Similar arraignment of the colonists in their attitude and intentions toward the mother country were addressed to all the departments of the English government which in any way took cognizance

of colonial affairs or could be induced to interest themselves in obstructing the wishes of the colonists.

Upon their arrival in England, Randolph and Andros and their fellow sufferers at the hands of the revolutionary party in New England exerted themselves to the utmost to discredit the colony. At the same time, Mather and his associates were at a disadvantage by reason of the changed complexion of the Parliament, which left them little hope of a successful appeal to that body for redress. The agents of the colonies were summoned, along with the deposed colonial officials, to appear before the Lords of the Committee. The former had prepared, by their counsel, the charges against Randolph and his associates, but for some reason they dissented from the indictment as prepared and would not give it their signatures. The Lords, accordingly, recommended that the accused men be discharged, and an order to that effect was passed by the Privy Council. The wounds of Dudley and Andros were effectively salved by the appointment of the former as Counsellor of New York and the latter as Governor of Virginia, much to the annoyance of the colonists. The campaign of unfriendly testimony against New England was vigorously sustained by those who had suffered humiliation at the hands of the colonists and by some of the colonists themselves, who for trade or other advantage were willing to betray the patriotic interests of their fellows. The agents were not remiss in their efforts to secure the coveted charter, and left no possible course of action unattempted. At last Mather concluded, after an ineffectual endeavor to secure a change of the Chancery decree by a writ of error before the Court of King's Bench, that "there was now but one way left for the settlement of New England, *scil.*, to implore the King's royal favor. It was not in the King's power to reverse the judgment against the old charter; nevertheless, his Majesty had power to reincorporate his subjects, thereby granting them a charter which should contain all the old, with new and more ample privileges."



Samuel Sewall, one of the Salem witchcraft judges. *From the original painting in possession of the Massachusetts Historical Society.*



Mather succeeded in having his petition for a new charter favorably reported upon by the law officers of the crown, when it was in shape to be considered by the Lords of Trade. The absence of the king in Holland on business pertaining to the war with France prevented Mather and his associates from gaining an audience to petition the king's favor until the following autumn. At about the time of the report of the crown attorneys upon the plea for a charter, which was in February, 1691, Phipps arrived in England. Every favorable step obtained in the progress of the efforts of the agents of Massachusetts was bitterly contested by their adversaries. The Board of Trade considered the malevolent representations of this coterie of aggrieved spirits, and summoned the Massachusetts agents before it to answer to the charges preferred against the people in regard to the late rising against Andros and the alleged incapacity shown in the expedition against Canada. After the hearing, they reported to the Privy Council that they could not give judgment upon the plea for a charter which had been referred to them by the Council until they knew the king's pleasure as to whether there should be a single governor for the colonies, of his appointment. The Council understood this to be the king's intention, and the attorney-general was ordered to frame the instrument accordingly.

It was in vain that Mather and Ashurst, the merchant who had so constantly supported the colonists, wrote to the king, seeking to have the attorney-general otherwise instructed. The king paid no attention to their letter. When the Lords saw the draft of the charter prepared by the attorney-general, they were dissatisfied to find that the governor was not given the veto power over legislation, and that power was given the freemen to elect their representatives to the Assembly; so they ordered that another draft should be made, correcting these too liberal features. To this action Mather and Ashurst entered a vigorous protest, and the former declared that he would not consent to any form of government that invaded the rights and liberties

of the colonists. The ministers informed him that it was not a point with them to meet his pleasure, but to provide a suitable government for the colonies, and that if they were not disposed to submit to the king's pleasure they must bear the consequences. However, they realized that the temper of Mather, if expressive of the feeling of his fellow colonists, boded trouble for the administration of a government so distasteful to them, and they modified their position to some degree. The colleagues continued their struggle for colonial liberty and urged that the colonial judges, as well as other officers, should be appointees of the General Assembly instead of the governor in Council, as provided by the charter; that the councillors themselves should be appointed by the two branches of the General Court acting together, and that, in the exercise of this power, the governor should not have authority to reverse their decisions. These views they embodied in duplicate memorials to the Privy Council and to the king in the Netherlands, with the prayer that final action should be deferred until the king's return to the country. The answer of the king sustained the position of the Lords of the Committee and expressed disapproval of the objections advanced by Mather thereto.

With admirable tenacity of purpose and guided by a full appreciation of the finality of the instrument for the weal or the woe of the colony, the agents entered a further plea in regard to other matters of privilege. They petitioned that the new charter might not in any way abridge or affect the right of the colony or any of its citizens in matters of property, and that the province of Maine might be confirmed as such. They also asked to have Nova Scotia added to Massachusetts, and that New Hampshire, which by its own request had come under the jurisdiction of Massachusetts after the revolution, might be preserved in that connection. In behalf of Plymouth, Massachusetts prayed a charter for that colony, and, failing this, that rather than it be annexed to New York it might be added to

Massachusetts; but the petition was not noticed. Mather succeeded in having the instrument amended, however, so as to relieve from swearing upon the Bible those persons whose conscientious scruples opposed the ceremony, and to assure the recognition of the validity of land titles.

Under the amended charter thus obtained, the colonists were constituted a body politic under the name of the Province of Massachusetts Bay, in 1692. This province included the former colonies of Massachusetts and Plymouth, as well as the territories of Maine and Nova Scotia, and embraced all the territory lying between the latter jurisdictions. A governor, a lieutenant-governor, and a secretary, to be appointed by the king, were provided. The legislature was to be in two branches. A House of Representatives, chosen as formerly by the towns, and a Council consisting of twenty-eight members, chosen in the first instance by the king, and after that annually by the General Court, subject to the governor's rejection, constituted the legislative machinery of government. Not less than eighteen of the councillors were required to be landholders or inhabitants in Massachusetts proper; four in the old Plymouth colony; three in Maine; and one in the country lying between the Kennebec and Nova Scotia. The towns were limited to two representatives each, a provision which was subject to change, and these men could be elected only from the freeholders. Large powers were vested in the governor; he had the right of veto over acts passed by the Assembly. When approved by him, they became immediately effective, although they had to be transmitted to the crown, by which they could be annulled within three years. The colonial militia was brought under the direction of the king through his governor, who was to be the commander-in-chief and was to appoint the lesser military officers. Judicial appointments were to be made by the governor and Council, excepting in the Admiralty Courts, whose incumbents were appointed by the English Lords of the Admiralty. The regular sessions of the General Court were to be held annually on the

last Wednesday in May, and at other times when especially called by the governor.

It is interesting to note the absence of religious specifications in the charter. The franchise was based, not upon theological convictions or religious experience, but upon property responsibility. The qualification of a voter was that he should possess a freehold, the returns of which should be not less than £2 a year, or personal property to the amount of £40. No Protestant was to be under political disabilities, or suffer hindrance in worshipping according to the dictates of his conscience. The laws of England were extended to the colonies, and it was expressly stated that the colonists were to enjoy on terms of equality the liberties and immunities of English subjects born within the realm. There could be no more hardships inflicted through an arbitrary ruling in the colonial courts at variance with the statutes of the country. The elimination of the religious requirements for civil status lifted from the disenfranchised elements of the colonies a heavy burden, even though the measure must have been odious to the religious conservatists. Whatever may have been the justification in the first instance for a religious stipulation for the exercise of the rights of freemen, or whatever may have been the fancied need for such restriction, the fact that it could be done away with without creating disorders in the colonies, or even evoking serious protest, evinces the progress which the colonists had made toward a more enlightened and liberal apprehension of the rights of man. They would never have been in a position to array themselves with the other colonists of America in a struggle to secure civil liberty so long as they countenanced religious despotism.

The particulars in which the new charter most seriously curtailed the liberty of the colonies were in the matters of the admiralty, the customs, and the post office. These departments were brought into direct dependence upon the corresponding departments in England. Thus, not only had the crown the appointment of the governor and his



immediate associates, but three of the crown departments had the direction of as many important divisions of the colonial administration. The bureaucracy which this last feature represented had in it many elements of possible friction, and, when conjoined with the crown prerogative, it made a quality dangerous to the freedom of the New Englanders. Upon the recommendation of the Admiralty, there had been appointed in New England an officer known as Surveyor of the Woods, who was to secure timber for the royal navy. A provision of the new constitution revived this office and provided that trees of two feet in diameter, growing on common land, were to be appropriated for the uses of the royal navy. The colonies had always viewed with disfavor the extension to them of the navigation laws of the realm, from the operation of which they had had exemption until the reign of Charles II., and the continuance of these exactions and the appointment of royal customs officials were looked upon as subjects of real grievance.

Among other features of the new instrument which were distasteful to many of the more thoughtful men of the colonies were the power to repeal legislation, which was vested in the king, and his authority to entertain appeals from the courts of justice. But there were aspects of the charter which commended it to the colonies. They had the nomination of members of the first branch of the legislature through their electors, although such nominations were subject to the governor's approval. A signal advance in their condition over that under the government of Andros was marked by the return of the taxing power to the Court; besides which, the governor could not draw money from the treasury except by express warrant from the Council, and so could not use the moneys of the colonists without their consent. The agents of Massachusetts knew that a degree of odium would attach to them for their part in bringing about a condition of formal subjection to England, but Mather accepted the arrangement as the best terms that could be secured. There were many who were keenly

disappointed, having felt sanguine from the first that the charter would be restored. The attorneys employed by the agents assured them that the annulment of the old charter had been accomplished under proper legal forms, and that, whatever may have been the motives which inspired the action, it was undoubtedly clothed with all the validity that English legal procedure could give it; hence it was impossible to obtain its reversal at that time, while the acceptance of the new charter would not operate disadvantageously toward the securing of a more satisfactory one at some later time. The agents were advised that the part of wisdom was the part of submission. Every effort had been made to appeal to the king's generosity, but without success. To resist the royal will was to place themselves in a position of contumacy which could not benefit the colony, while it would work serious detriment to its interests. Mather and his associates realized how their position was weakened by the letters and remonstrances which were coming from citizens of Massachusetts against the renewal of the old charter. Nor were the interests of the other colonies identical with those of Massachusetts, excepting in the general features of their liberties; it was of no importance to Rhode Island, or to Connecticut, or to Plymouth, that Massachusetts should have a restitution of its charter.

Before the new charter had passed the seals, Mather was asked by the English ministry to offer nominations for the officials under the new government, and they were appointed in conformity with his suggestion. Phipps became governor; Stoughton, lieutenant-governor; Isaac Addington, who had served the provisional government as secretary, was appointed to that office; and Bradstreet was appointed one of the assistants. Mather obtained an audience with the king, and expressed to him in behalf of New England his pleasure at a charter which restored English liberties to his subjects beyond the seas and which confirmed them in their properties, as well as invested them with peculiar privileges.

The appointment of Phipps commended itself to the good will of the people of Massachusetts, although he would probably not have been their selection. In spite of his lack of antecedent connection with Massachusetts affairs and of his not possessing the genuine Puritan stamp of character, he was, nevertheless, a man who had proved worthy to be intrusted by his fellow citizens with grave and important interests. Under the new charter, New Hampshire was separated from Massachusetts and established as a proprietary government; the change of relation pointed to some intrigue, and the explanation is found in the fact that Samuel Allen, a London merchant, had bought from Mason his rights in that colony; and to ensure its preservation as a separate jurisdiction in order that he might benefit by it, he distributed shares in it to several noblemen close to the crown. These men appear to have retired from their engagement, and he next turned to the clerk of the Privy Council as an ally. This man, Blathwayt, was to receive from Allen £3,000 in the event that his claim to New Hampshire was maintained, as in fact it was, and in 1692 Allen was commissioned as Governor of New Hampshire, with his son-in-law, Usher, as lieutenant-governor. Associated with him was a Council nominated in part by the crown and in part by himself; he was also empowered, although not required, to summon an Assembly of elected freeholders.

Connecticut was not unaffected by the issue of the struggle of Massachusetts for a charter. Although in 1690 the decision of the crown attorneys was given to the effect that the submission of the colony to Andros did not invalidate the charter, nevertheless Phipps, as Governor of Massachusetts, was authorized to take command of the military forces of Connecticut, Rhode Island, and New Hampshire; but when Phipps attempted to put in force his right to direct the militia of Connecticut, the Court of that colony insisted that such a claim was in violation of their charter, and the Massachusetts governor did not press it. A claim of a similar nature was made on the part of Governor Fletcher,

of New York, in 1693, who had been given a commission to command the militia of the neighboring colonies. Fletcher attempted to make his right effective, but Connecticut was unyielding. Upon the further insistence of Fletcher, the Connecticut freemen assembled and drafted an address to the king, in which they pointed out that, as the military forces of the colony embraced all males capable of military service, the effect of Fletcher's claim would be to bring the lives and property of the whole community under an extraneous authority. The home government, accordingly, limited Fletcher's control to a contingent of a hundred and twenty men. Connecticut's charter remained therefore practically unchanged.

It was not until 1693 that the charter of Rhode Island was expressly ratified. The inhabitants then received the legal opinion of the attorney-general that, as in the case of Connecticut, the interposition of the Andros government had not affected the validity of their charter.

It is not necessary to notice the unimportant administration of Governor Bradstreet before entering upon the consideration of Massachusetts under Phipps. After the failure of the expedition of the English forces against those of New France, the attention of Canada was given to the Iroquois Indians. The expedition of Church into Maine had not been without effect, and a treaty was made between three commissioners from Boston and six representatives of the Abnakis. Massachusetts was still suffering from the depression incident to her losses in the Indian war; and the military service against the French and Indians, which was necessitated by the continued menace from those directions, made a continual drain upon the domestic resources and caused a multiplication of depreciated bills of credit. There was the constant fear of the French taking advantage of its depressed condition to make a serious attack upon the colony. Trade was paralyzed, and, except for agriculture, industry in the colony was at a standstill.

## CHAPTER XIX

### *THE WITCHCRAFT SUPERSTITION*

THE saddest chapter in New England's history is that which relates to the witchcraft superstition. Belief in devil possession was not restricted to any period in England's history; in fact, the dark shadow of the hallucination rested upon all Europe. During the Middle Ages over a million persons had been put to death under conviction as witches. The belief, however, did not flourish with equal intensity at all times. There were periods in the history of England when this popular notion was little heard of, but it never became extinct; and when religious excitement grew intense in the sixteenth century, it experienced a revival, and continued throughout the seventeenth century. Ordeals for the detection of witches went to the length of ingenuity, as well as of cruelty. One of the popular but brutal pastimes of English townspeople was the "swimming of witches." It was ranked with bear and bull baiting as a harmless diversion. When an old woman was suspected of being a witch, it was a common practice to put her in the balances with the large church Bible, or else her thumbs and toes were tied together and she was thrown into the water to determine whether or not she could float. Nor did the horrible belief lack eminent jurists for its support. Coke and Hale used their erudition to support the plausibility of the belief in devil possession, and philosophers like Lord Bacon and Sir Thomas Browne floundered in the delusion. It was restricted to no class of persons, no school of thinkers, no

portion of the clergy, no type of intellect. It was as widely and commonly accepted as any of the evident and axiomatic beliefs of the mind. The notion of devil possession was a part of the diabolism of the age. The belief in haunted houses, which still survives in some quarters, was commonly accepted, and the devils inhabiting lonely and deserted houses were described as performing all sorts of antics. In Newbury, New Hampshire, in 1679, one such spirit was described as throwing sticks and stones upon the house, lifting up the bedstead and dropping it upon the floor, and throwing the bedstaff out of the window. It flung a cat at the mistress of the house, gave her husband a sound drubbing with a broomstick, and made a pole on which the kitchen utensils were hung dance up and down. It tossed a pot lid into the fire, set a chair in the middle of the table when dinner was served, and strewed ashes over the victuals. It ran away with an inkhorn, threw a ladder against a door, and hid an awl. Then occurred the process which was described as God's shortening the chain of the wicked demon, by which was understood the curtailment of the freedom of the spirit with mischief-making propensities. As the chain shortened, the devil cried out six times: "Alas! me knock no more."

The antics of this demon were paralleled by another, in Hartford, in 1683, which amused itself by flinging corn-cobs through windows and down chimneys. This spirit, however, had a moral mission to perform; for when the occupant of the house returned to its owner a chest of stolen clothing, his home was no longer haunted. There was another devil, which was known as the whistling devil, because of a whistling noise that it made. This one disported itself by hanging haycocks in the tops of trees and scattering wisps of hay all about the kitchen. These spirits were ordinarily invisible, but sometimes they permitted themselves to be seen. Various descriptions are given of them. One is described as a "black-a-moor child"; another appeared as a woman clad in a combination of blue

and green attire, with a white cap. The head of a man was seen floating in the water, followed, a little way off, by the white tail of a cat.

If the notion of devil appearances had been restricted to the naïve belief in demons that performed such innocuous pranks as have been described, the delusion as it existed in New England would serve to form only an interesting chapter in American folklore; but this was the innocent phase of the subject. The tragedies of the belief are inexpressibly sad. The setting of New England's persecution of witches, which was the common credence of the time, serves to palliate to some extent the atrocities which were committed under the influence of the superstition. In the early years of the colonies, there were sporadic instances of persons being accused of being in league with the devil. Springfield was the first place to receive the unenviable distinction of having discovered a witch. Plymouth was the scene of two prosecutions, which resulted in acquittal. In Portsmouth, New Hampshire, a woman who was so accused turned the tables upon her accuser by suing him for slander and obtaining a verdict. In 1647, the first authenticated case of an execution for witchcraft occurred in Connecticut. This was followed by the execution of Margaret Jones, of Charlestown, Massachusetts, and two women of Dorchester and Cambridge. The first case to excite an unusual degree of public interest was that of Mrs. Ann Hibbins, the wife of a man of position. He suffered the loss of his property, and his wife became so dispirited and melancholy that she exposed herself to misconstruction and became the subject of accusation on the part of ill-disposed persons, and was tried for witchcraft and hanged.

In 1684, Increase Mather published his *Illustrious Providences*, in which occurred a number of stories relating to persons who had sold themselves to the devil. When popular suspicion had been aroused, very slight circumstances sufficed as proofs of devil possession, and the malice and imagination of accusers did the rest. A quarrel occurred

between the daughter of a mason of Boston and an Irish washerwoman concerning some missing articles of clothing. The young woman's mother became a party to the quarrel and scolded provokingly. The wicked child thereupon simulated the actions of a person bewitched, and cried out against the washerwoman for bewitching her. Others who had taken the part of the child now seemed to come under the influence of the hypnotic suggestion and acted much after the manner of the bewitched child. They mewed like kittens, barked like dogs, and lost either their hearing, their sight, or their speech. Their bodies were distorted and their limbs alternately dislocated and set "with a force like that of a spring-lock." These persons appear to have continued in this state for some time, for it is said that when they went to the table to eat, their jaws were firmly set as though they had the lockjaw. The credulous neighbors declared that, while they could read Popish and Quaker books, and the *Book of Prayer*, they were unable to read the *Westminster Catechism*, the books of Increase Mather, or John Cotton's *Milk for Babes*.

Such epileptic symptoms, whether induced hypnotically or not, were beyond the erudition of the times; and before such indisputable evidence the minds of even serious and thoughtful men wavered, and they were forced to aver that such actions could not be explained except upon the ground of devil possession. "Dr. Thomas Oakes found himself so affronted by the distempers of the children, that he concluded nothing but an hellish witchcraft could be the original of these maladies." Children as young as five years were among the group thus affected. When Cotton Mather prayed with one of these persons, he says that she lost her hearing when he began his petition and remained deaf until he had finished. Sympathy for the youngest of the children in this distressed state led some of the ministers of Boston and Charlestown to hold a prayer meeting for the deliverance of the child from the devil with which it was possessed. The young washerwoman, who had been the source of all the trouble,



was so worked up by her own excitement and the attitude of her neighbors toward her that, in seeking to defend herself, she so rambled in disconnected utterances and in such unintelligible English that she was declared to have made a confession. There was not wanting a witness to testify that she had seen the woman six years before come down a chimney. When the accused was required to recite the Lord's Prayer as a test of her innocence, she, being a Roman Catholic, did so in Latin, having never learned it in English. This evidence was considered to be sufficient, and she was sent to the gallows.

Young Cotton Mather, deeply imbued with the superstition of witchcraft, became, like his father, a writer upon the subject and an investigator of its phenomena. In the present instance, he undertook an examination of the oldest of the girls who were thought to be possessed. He got from her all the evidences of her league with the devil which he sought. The girl did what she felt was expected of her and played upon his credulity, making him feel that the devil regarded him as his most formidable foe. When he attempted to hold family devotions, the girl whistled, sang, screamed, fought, and kicked; but as her blows came short of Mather, this was taken as sure evidence that he was unassailable by the Father of Lies. Such circumstances were graphically detailed by their self-satisfied and credulous narrator, and circulated, not only throughout Massachusetts, but in England as well. Cotton Mather was so convinced of his own omniscience that in his *Late Memorable Providences* he declared: "I am resolved after this never to use but just one grain of patience with any man that shall go to impose upon me a denial of devils or of witches. I shall count that man ignorant who shall suspect, but I shall count him downright impudent if he assert, the nonexistence of things which we have had such palpable conviction of. I am sure he cannot be a civil (and some will question whether he can be an honest) man that shall go to deride the being of things which a whole country has now beheld, a house

of pious people suffering not a few vexations thereby. But if the Sadducee, or the Atheist, have no right impressions by the *Memorable Providences* made upon his mind, yet I hope those that know what it is to be sober will not repent any pains that they may have taken in perusing what records of these witchcrafts and possessions I thus leave unto Posterity."

In the town of Groton, in 1671, Elizabeth Knap, when under the influence of hysteria, was thrown into contortions and raved so wildly that the minister of the place was convinced that she was a subject of "hellish torments." When he heard her call out: "What cheer, old man?" he was convinced that she was addressing the devil. Accordingly, he questioned her as to her supposed compact with Satan, and, being in a mental state peculiarly susceptible to suggestion, the woman answered appropriately to the nature of the questions, and so convicted herself of being possessed by the devil. At the same time, she made accusations of a similar character against some of her neighbors. In her calmer moments she disclaimed these "confessions." She described to the awed bystanders an apparition visible to her at the time, which had a dog's body and a woman's head and was running about the room and up and down the chimney. The credulous company were so excited by her statements that some of them declared that the imprint of the dog's foot was clearly traceable in the clay with which the chimney was daubed.

Such evidences of diabolism were incontrovertible to the minds of the people of New England; and the ministers, who by reason of their calling were supposed to be immune from such visitations of Satan, and were thought to be especially acute in discerning the true evidences of devil possession, became the leaders of the people in detecting and punishing witches. No stories were too improbable or too foul and revolting to be received and disseminated as religious reading, and to discredit such tales was to brand one's self as a stubborn opponent of the truth and to risk being brought under accusation of being in actual league

with the infernal powers. The literature of diabolism had great popularity, and served to spread abroad in the community an acquaintance with prurient subjects from a knowledge of which the youth would better have been preserved.

The town of Danvers, then known as Salem, became the centre of the delusion. A frontier settlement, it had all the primitive customs and manner of life of an uncouth community; the scholastic habits of mind of the earlier generation were no longer characteristic of the inhabitants, and the actual, practical needs of life had served to turn their attention to matters considered by them of more importance than classical education. At the time of the outbreak of the witchcraft mania, the placid tenor of the life of the village had been disturbed by a quarrel which had arisen between the minister, Mr. Parris, and some of his parishioners. Mr. Parris was a man of talent, but of temper as well. He was regarded as avaricious, stubborn, and ill-natured. The congregation had not been unanimous in his election as minister, and the dissensions brewed in the church disturbed the harmony of homes. The minister's little daughter, nine years of age, his niece of eleven years, the twelve-year-old daughter of the clerk of the parish, and other young people, the oldest of whom was about twenty years of age, met at the minister's house and for pastime tried to simulate the actions and speech of the children of the Boston mason when under the supposed influence of Satan. It was not long before their mimicry became realistic, and one and another of them passed into a state of hysteria. Their hysterical symptoms became contagious, and several married women also had "fits." The doctor who was called in to attend them decided that they were afflicted by "an evil hand."

The persons thus painfully affected were liable to be taken with "spells" at any time. Public worship was interrupted by them. Parris's niece called aloud at one time during the service for the minister to "stand up and name his text." Another of the young women declared that she saw a yellow

bird sitting on the minister's hat, which hung near the pulpit. The kinsfolk and neighbors of the children, with the pastors of some of the nearby churches, gathered at Mr. Parris's house and observed an all-day prayer meeting for the exorcism of the demons. While the service was in progress the children went through their performances. They were pressed to make avowal as to the person who had bewitched them; and the recourse was left them either to confess the fraud which they had been perpetrating,—for, with all due allowance for the effects of genuine hysteria, the children had been encouraged to all sorts of imposture by the repute in which they were held,—or else to make charges against someone. With perhaps little realization of the enormity of their action, they pronounced the names of Goode, Osborne, and Tituba. Sarah Goode was a village pauper; Sarah Osborne was a woman of unsavory reputation, but who at the time was bedridden; and Tituba was a half-breed Indian servant of Mr. Parris. A trial of the accused was arranged and conducted with great solemnity. The village meeting house was the place selected, and John Hathorne and Jonathan Corwyn, members of the colonial Council, were the judges. When Sarah Goode was confronted by the children, she declared she was falsely accused, and the children were commanded to look steadfastly at her. The record of the trial recites that when they did so, "presently they were all tormented." The young persons had by this time become adepts in the fraud which they had been practising, so that when the prisoner touched them their contortions ceased and the theory was established that, by the touch of Goode, the malign influences returned to herself. These proceedings were typical of those of the trials of the other persons. The examinations being finished, the evidence was thought sufficient for the commitment of the accused, and they were, accordingly, remanded to jail for trial.

The excitement created by the outbreak of witchcraft in Salem had attracted wide attention, and a concourse of persons attended the various trials that took place in the town.

When the unfortunate women and the Indian had been examined, Martha Corey and Rebecca Nourse, both women of excellent character and in good standing in the church, were cited to appear before the magistrates, and were sent to prison, along with the five-year-old child of Sarah Goode, who was accused of participating in the mother's diabolical practices. Sarah Cloyse was the next victim of the malice and superstition with which the very atmosphere of the village was now surcharged. Mr. Parris, apparently being given to preaching on timely topics, thought that he had excellent materials with which to furnish a striking text. He preached from the words of Christ: "Have not I chosen you twelve, and one of you is a devil?" Sarah Cloyse believed that the preacher was directing his pointed remarks at her relative Rebecca Nourse, and indignantly got up and left the church. This was the occasion of her arrest and incarceration. Elizabeth Proctor was the next unhappy victim. The situation was deemed important enough to receive the attention of the magistrates, five of whom, with the deputy governor, constituted the court of trial. Elizabeth Proctor and Sarah Cloyse were arraigned before them. It was in vain that the former appealed to the child who was testifying against her to declare that the charges were false. The young accusers next fastened the same guilt upon the woman's husband, who was at her side.

The delusion rapidly spread, and in the course of a week warrants were issued for the arrest of four more suspects, and included in this number was Philip English, the leading merchant of Salem. One of the girls next accused George Burroughs, who had been a candidate for the church at Salem in competition with Parris, and, failing to receive the call, had gone to the church at Wells, Maine. An order was sent for his arrest. His accuser also declared that he had murdered his first two wives, as well as other persons whose spirits appeared to her and made accusation against him. Charges now rose to flood tide, and, dictated either by the nervous tension they were under or by malice, many

persons joined the hue and cry against witches and named those whom they charged to be the authors of their own misfortunes or of the distresses of others. To such a pass had things come that the surest way to preserve one's self from the taint of the heresy was to assume the character of accuser. The general suspiciousness made the lives of all insecure, and even in families those sustaining the dearest ties of relationship would have one another haled before the magistrate and committed for trial.

The excitement occasioned by the witch trials was at its height when Phipps landed in Boston in 1693, with his commission as Governor of Massachusetts. John Willard, formerly town constable, was himself arrested on the charge for which he had carried others to the jail. His offence was that, after having become disgusted with the whole miserable business, he had intimated that if any persons were possessed by the devil, it was the magistrates and those who aided them in their work of persecution. In all, nearly a hundred persons were awaiting trial for witchcraft. The governor appointed a special commission consisting of seven magistrates, with Stoughton at its head. Bridget Bishop, whose trial was the first held, suffered because of an accusation made years before and which had been retracted by her accuser on his deathbed: she was convicted and hanged. At its next session the court sentenced five women to be executed, all of them protesting their innocence. As the case of Sarah Goode is one of those that we have especially mentioned, it may be well to follow it out to its issue. At the trial one of the young women fell in a fit, and when she had come out of the spell she declared that the prisoner had stabbed her in the breast with a knife, and had broken the knife blade in doing so. She was accordingly searched and a part of the blade of a knife was found about her. A young man produced the knife to which the broken blade apparently belonged, and affirmed that he had happened to break his knife the day before and had thrown it away. This had occurred in the presence of the young woman

who was preferring the charge against Sarah Goode. She was dismissed with the admonition not to tell lies, but, nevertheless, was used in other cases as a witness. Rebecca Nourse was fortunate enough to receive a verdict of acquittal, but Stoughton sent out the jury to reconsider their decision, and they returned with a verdict of guilty. The governor was inclined to pardon her, but Parris, who held a grievance against the inoffensive old woman, prevailed in having the judgment stand and the sentence executed.

When malevolence is wedded to superstition, let the testimony be what it may it is found to bear a construction favorable to the spirit in which it is considered. This was strikingly shown in the trial of George Burroughs, the minister of Wells. When he was confronted by the young people who were responsible for his arrest, they remained mute; and when Stoughton asked what prevented them from speaking, Burroughs interposed with the remark that it was probably the devil. This elicited from Stoughton the question: "Why should the devil be careful to suppress evidence against you?" This was the sort of thing that had weight with the jury and was regarded as conclusive evidence. Burroughs was found guilty and was condemned to death. When ascending the scaffold, he made an earnest speech, declaring his innocence, and closed with an affecting prayer in which he quoted the Lord's Prayer in its entirety, and with such evident sincerity and fervency that many of the spectators were deeply impressed. His accusers found a sufficient explanation of his composure and apparent Christian integrity and preparedness for death by saying that the devil stood at his side and dictated the words to him. Among the martyrs to the prevailing mania was an old man named Giles Corey, who, when arraigned, refused to make any plea, and was pressed to death by a slowly increased weight of stones being piled upon his chest. The action of Corey is the more heroic because he believed that his conviction for a felony would make his estate forfeit to the crown and so deprive his heirs of the inheritance.

The name of Joseph Putnam must also be held in honor, for he was of those who despised the detestable doctrines which had infatuated the intellect of the day. He defied the sentiment of the community and kept a horse saddled and bridled for six months to make a hasty escape, if there should be need. He armed the members of his family and let it be known that if he were taken it would be at the muzzle of a gun. When the mania was at its height, he refused to have his child baptized in the village and carried it to the neighboring town. Many persons who received intimations that they were under suspicion deserted their homes and their possessions and fled from the country. There had been twenty executions; fifty persons had obtained pardon by confessing; a hundred and fifty were awaiting trial, and charges against two hundred persons were awaiting a hearing. The accusations, which in the beginning had been preferred against persons in lowly positions, were now aimed at men and women of prominence. Among these was Hezekiah Usher, one of the old magistrates. It became a matter of danger to prefer a charge, because the accused had only to make confession of fault to become a competent witness against his accuser. Among those who were accused after having been instrumental in the prosecution of others were Mrs. Hale, of Beverly, and Bradstreet, the son of the one-time governor. Even persons of such especial eminence as John Allen, secretary of Connecticut, Lady Phipps, the governor's wife, and Mr. Willard, the minister of the Old South Church of Boston, were caught in the maze of accusations and counter accusations which, in the morbid state of the popular mind, spared no age, sex, or condition.

When matters had come to such a pass that no one could feel secure from accusation, a reaction against the terrible delusion set in. The effect upon the town itself had been disastrous; business had suffered, population had decreased; and the place never recovered its former position. There dawned upon the minds of the people the realization that they had been swept from their feet by a wave of sentiment,



unaccountable in itself, and fraught with incalculable harm. The peculiarity of the superstition was its local character. Salem was its centre, and it never extended much beyond several of the towns of Essex County. The people of Plymouth generally regarded the tragedies being enacted by their fellows with a sense of disgust, and dreaded lest the infection should spread and there should be repetitions of those proceedings at other places. After having handed in the batch of convictions last mentioned, the court adjourned, never to meet again.

When the General Court of the province assembled at its next regular meeting, the special commission of Governor Phipps was superseded by a regular judicial tribunal, such as was provided for in the new charter of Massachusetts. When the new court met in its first session, the tide of excitement was on the ebb and the grand jury refused to find bills in over half of the cases awaiting its consideration. Out of twenty-six persons against whom true bills were found, only three were found guilty, and these were afterward pardoned. Stoughton, who had been made chief justice, showed his displeasure at the pardons by withdrawing from the bench.

With the subsidence of the fever, many persons who had been prominent in the persecution of so-called witches marvelled that they should have been borne away by the delusion, sincerely repented of their conduct, and, as far as possible, sought to repair their errors. Judge Sewell was one of them. At a general fast, he presented to the minister a humble confession of his fault, and remained standing while it was read; and ever after he annually kept a day of humiliation and prayer. The jurymen who had rendered sentence against the persons executed drew up a paper in which they humbly confessed their error and asked forgiveness. Cotton Mather, who more than any other man was responsible for the generation and spread of the delusion, and the strength of whose opinion had fortified the wavering minds of many persons to whom the whole proceedings were repellent,

never acknowledged himself in fault. He neither sought nor obtained forgiveness. The honor of stemming the tide of public feeling with regard to the persecution of witches must be accorded to Thomas Brattle, a Harvard graduate and a young merchant, more than to any other one person. His later career showed that he was not a man to be bound by any fashion of faith. He wrote a splendid arraignment of the witchcraft delusion, which, though it lacked the arts of the special pleader, was a piece of advocacy of superior quality. Hysteria, credulity, and self-deception were the three factors which wove together the whole fabric of the witchcraft superstition. The study of the phenomenon is of great interest, whether viewed from the standpoint of the sociologist as a manifestation of the abnormality of the human intellect, or from that of the criminologist as a chapter in criminal procedure and testimony. The record of the cases is a strange story of human credulity, as well as an object lesson of the readiness of even sober and respectable people to perjure themselves in obedience to popular demand. The passing away of the witchcraft delusion may be said to mark the decadence of the last considerable element of mediævalism that was brought to New England by the *Mayflower*.

## CHAPTER XX

### *THE STATE OF THE COLONIES*

THE administration of Governor Phipps, December 31, 1690, inaugurated a new era in the history of Massachusetts. We have seen that the efforts of the colonists to obtain a charter modelled after the instrument upon which all their progress had been built had failed; defeated thus in their dearest hope, they had to be satisfied with powers of government which, though operating in much the same manner as under the old charter, nevertheless embodied such grave infringements of the right of self-government which they had enjoyed that they could not fail to realize that they had been reduced to the position of a crown dependency. Yet the new charter was not altogether retrogressive, for it reserved to the colonists much of the spirit of the liberties which had been wantonly violated by Dudley and Andros. In view of the changed conditions, however, the administration of Governor Phipps could not be a brilliant one; nor were the times favorable for striking statesmanship. Debarred from the exercise of the initiative further than was allowed by the royal will, and dependent largely upon the home government, to which he was responsible, the governor was too much alienated in interest from the colonists to receive a large measure of their sympathy in the work of government. In this unenviable position, he was forced to take a stand of open opposition to the rights of those whom he really loved, or to invite the king's

displeasure by being recreant to his majesty's trust, or else by seeking to make his administration inoffensive in reality to make it weak and colorless. This latter course Governor Phipps followed, not so much as a matter of governmental policy as because it best represented the measure of his abilities. The rough sea captain altogether lacked the administrative qualities of a statesman and was in no wise fitted to be an able executive; hence, at the close of his term of office he had become thoroughly discredited in the eyes of the people. It was evident from the first that the appointment of Phipps by the king had been made in order to temper the disappointment of the colonists at the terms of the new charter; and while it was not disagreeable to Massachusetts, it failed to awaken a great amount of enthusiasm. Phipps was not a man to appeal either to the popular affections or to the judgment of men of discernment; moreover, the failure of the late campaign against Canada had quite impaired his prestige as a military leader, and the burdensome taxes which followed that campaign so deepened the feeling of resentment toward Phipps that it required little to make his name odious to a considerable element in the colony.

The double veto upon legislation, which the new charter reserved to the governor and the crown, was a cumbersome provision whose only effect could be to destroy the sense of the security and fixedness of their legislative actions which it was important that the colonists should feel. The result of this veto power was to keep in a state of unrest for three years the important interests which might be affected by any measure passed by the colonial legislature; this being the period during which the king might impose his veto. If the king had exercised this right only as an extraordinary provision, the colony would have felt practically secure in its legislative activity; but, in fact, the colonial Assembly did not have to wait long for evidence that the power of the king to interpose in its legislation was not to be a passive one. In 1692, an act was passed prescribing that all the local laws of Massachusetts and Plymouth

should continue in effect, provided that they should not be found to be out of harmony with those of England. This act was followed by another, which declared that there should not be imposed upon the colonists any tax or assessment excepting such as was passed by their own Assembly. These measures were not objected to by Phipps, either because he did not see their full intent, or because he was too mildly disposed to enter into a contest with the law-makers of the colony. Neither did the king give evidence of his disapprobation of them until the three years' limit of his reversal power had nearly expired, when he vetoed both of them. Another act of the Assembly that was directed to the preservation of its control of all appropriations was passed in 1694; it was also vetoed by the king. The purpose of the act was to prevent a grant of funds being made without the object for which the money was to be used being at the same time stated.

One of the questions which first engaged the attention of the Massachusetts legislature was that of the governor's salary; it was determined that the principle of a fixed salary for the king's representative should not be established; accordingly, toward the close of the first year of his incumbency, an act was passed for the appropriation of the sum of £500 to the governor "for his service and expense since his arrival." Phipps approved the act, but complained to the Board of Trade that there had been no settlement made with regard to a salary, and requested that the king should "nominate" to the Assembly a salary sufficient for his support. The Assembly remained unmoved by this action of the governor, and allowed him to continue throughout his second year of office without making an appropriation, until, at its expiration, they again passed a grant of £500 in the same guarded manner, and appropriated a similar sum for the ensuing year.

An important departure in the election of deputies was made in the second year of Phipps's administration. It had been lawful for towns to go outside their own borders in

the selection of candidates for the popular branch of the legislature, but at this time a measure was passed restricting the towns to the choice of representatives from among their own freemen. The effect of this legislation was to reduce the standard of ability in the legislature. It had been customary to select from the whole body of freemen of the colony men who were deemed best fitted to represent the towns, but now the representatives had to be chosen from the population of the towns which they represented, without regard to the fact of the lack of good legislative material which was in some instances the case. Nevertheless, the departure was in conformity with the growth of democratic institutions, and the measure aided in furthering a sense of local responsibility; representatives to the House of Deputies carried to the legislative halls a stronger feeling of interest in the passage of measures which would be agreeable to their constituents. The appeal to local pride which inspired this measure grew out of the particular fact that many of the town representatives had been chosen from the inhabitants of Boston, who were unfriendly to the governor.

Indian affairs in the eastern country pressed upon the governor's attention. The garrison at Wells had been attacked by a large force of Indians and French, who had been driven off only after a hot engagement. For the better security of the country, Phipps constructed a fort of unusual strength at Pemaquid. In his expedition to Maine, Phipps was accompanied by a force of four hundred and thirty men, and was joined at Pemaquid by Major Church, who was intent upon chastising the Indians, but failed to come up with them. In the following year Major Converse built a stone fort on Saco River in the Indian country and brought the natives to terms. Thirteen chiefs, who professed to represent all the tribes eastward as far as the Passamaquoddy, signed a treaty guaranteeing their future good conduct. These several enterprises in the eastern country did not receive approbation; the people felt that too much money was being spent on forts in the frontier region.

Notwithstanding the late defeat of the colonial forces in their campaign against Canada, it was decided to seek to enlist the services of an English fleet then in the West Indies, and in the spring to have the English seamen and the colonial troops move against Quebec. The orders sent over by the English Admiralty were delayed in receipt, so that, when the English fleet arrived at Boston, it had no instructions to join the colonists in the proposed campaign. Accordingly, the governor and the English admiral prepared a plan of attack to be carried out the next year. It was proposed to have two thousand men from England join an equal force raised in the colonies. These were to proceed as secretly as possible to an obscure point in the eastern section of Nova Scotia, and thence one section was to sail up the St. Lawrence as far as Montreal, while the other simultaneously attacked Quebec. This project was not carried out.

Neither prior to his gubernatorial appointment nor subsequently had Phipps, as a man of wide affairs, shown a sufficient degree of capacity to ensure for him a continuance of the regard in which he had once been held. His administrative inefficiency, however, did not account for his decline in popular favor more than did his personal characteristics. He could not brook opposition, and, when thwarted in any of his plans, lost his temper and his dignity as well. His belligerency and irascibility kept him in a state of hostility toward the men with whom he ought to have coöperated. In dealing with opponents, he did not hesitate to resort to his fists to emphasize his disagreement or dislike. On one occasion, an officer of a frigate whom he greatly disliked contravened an order of the governor, and when Phipps met him on the street he heaped reproaches upon him; a fight ensued, which terminated in the governor's having the unhappy officer sent to jail and thence transported to England under charges. Other acts evidencing the governor's temperamental unfitness for the responsible office which he filled led the home government to send him

his recall in 1694. On his arrival in England he was treated with every consideration.

The government now devolved upon Lieutenant-governor Stoughton. A fresh outbreak of the Indians in an attack upon Dover and Groton was the first matter which engaged his attention; nor was he wanting in resolution to meet the situation. The inhabitants of Dover had been lulled into a sense of comparative security by the lapse of several years without signs of serious danger. Early on a midsummer's day, between two and three hundred Indians, under the lead of a French officer and accompanied by a French priest, swooped down upon the silent town. A number of persons were massacred, and others who surrendered under promise of their lives being spared experienced the usual Indian perfidy and were put to death. The settlers valiantly resisted their Indian foes until the latter, fearful of the arrival of reinforcements from the other settlements of that section, retired from the attack, carrying with them several prisoners. In the attack on Groton twenty persons were killed and almost an equal number taken prisoners; Portsmouth, Kittery, and Haverhill were also called upon to pay tribute to the cruelty of the savages. While the eastern Indians, in violation of their recent treaty, were harassing the outpost settlements, the powerful confederacy of the Five Nations continued in a general way to extend its good will toward the English. The lieutenant-governor was quick to institute punitive measures against the offending savages, but the difficulties of the situation were greatly increased by the French, who were, as usual, the abettors of the Indian foe.

During the spring of 1695, the scattered English frontier posts suffered a series of attacks which could not be foreseen and provided against. A Huguenot settlement in Worcester County was broken up by the Indians, who were incited by the French. The hatred of the Indians for the English was intensified by an act of Captain Chubb, who commanded the garrison of Pemaquid. A party of the savages appeared



before the fort one day in February, with a proposition for an exchange of prisoners. Chubb could not contain himself at the sight of the treacherous hostiles and permitted them to be attacked, four being killed and the others taken prisoners. In June, a formidable expedition was sent out by the French governor of Quebec against Pemaquid. Part of the forces proceeded by water and, meeting by the way two English armed vessels, engaged them in battle, capturing one of them. The soldiers from the French ships, reinforced by four hundred Indian allies, besieged the garrison, and, having no alternative save death, Chubb surrendered at discretion, the French promising that his command should be sent in safety to Boston. The Indians, however, could not be restrained, and fell upon the English, killing many of them. The French then dismantled and blew up the fort. This second serious defeat by the enemy filled the people of Massachusetts with consternation. A large force of soldiers was quickly enlisted for a campaign of retribution, and Benjamin Church was placed at its head. Four armed vessels which were immediately sent to the Penobscot to intercept the French squadron did not arrive at their destination until the enemy had sailed; they returned to Boston, having accomplished nothing. The General Court thereupon petitioned the king to order the governors of the several English colonies in America to aid Massachusetts in an effort to bring Canada to terms. Indian marauding expeditions continued their depredations and kept the settlements in a state of alarm, and often gave them occasion for bitter mourning.

A greater reason for apprehension than the desultory attacks of the savages and the French was given by the news that the French king was planning to send an expedition to Massachusetts Bay, and that this fleet was to be coöperated with by an army of fifteen hundred French and Indians, who were to cross the border and attack the colony from the north. These were stern times for New England, and in facing the serious issues presented to them the

colonists kept alive the heroic spirit and the love of independence which were to carry them to a successful conclusion at arms with the mother country. Realizing that it was futile to appeal to England, Massachusetts proceeded to take effectual measures for its own protection. Companies of minutemen were organized and sent to the Kennebec region, where a bloody engagement with the savages took place. The Treaty of Ryswick, in 1697, to which France and England were parties, saved the colony from further fears of French attack, although the Indians continued unmollified until they came to understand that they could no longer rely upon the enmity of the French toward the English. They made a proposition of submission to Massachusetts and their pacification followed. It was estimated that during the ten years of the hostility of the eastern Indians, at one time or another almost all the settlements of Maine had suffered attack, no less than seven hundred of the colonists had been slain and two hundred and fifty carried away captive.

While the colony was engaged in these long years of conflict, royal prerogative was becoming more entrenched in its administrative matters. The three years' time within which the king might veto the act passed by the colonial Assembly in 1692, declaring in force all the laws operative at the time of the institution of the new government, had almost expired before the king and his Council took cognizance of it. The act, as we have seen, was then vetoed, and it was declared that, in any new law of the sort which might be passed, the Assembly should specify particularly the laws which it thereby reënacted. This action did not stand alone, for the purpose of the king to take an active part in the administration of colonial matters was signally evidenced by the fact that out of nearly fifty laws passed during the first two sessions of the legislature fifteen of them were annulled in one day.

No less rigorous than the supervision of purely legislative matters was the oversight on the part of the home government

of matters of colonial commerce. With sleepless watchfulness, the Commissioners for Trade and Plantations enforced the navigation laws. To such painful minuteness was the process of emasculation of colonial enterprise carried that a law was passed forbidding the conveying into any other colony of any woollen fabric, in whole or in part, manufactured in any of the English plantations. The establishment of Vice-admiralty Courts also showed the determined spirit of the home government.

The question of a successor to Governor Phipps was settled by the appointment of the Earl of Bellomont. In the autumn of 1697, he set sail for the New World to assume the duties of his office. Thus, for the first time in its history, Massachusetts had designated for its highest administrative office a man who had not previously been long identified with the colony or with one of its neighbors. The appointment of Bellomont to the responsible position of Governor of Massachusetts was due to several considerations. The colony in some respects had been suffering because of the vacancy made by the recall of Phipps. The war with France had bred a company of privateersmen who failed to discriminate sharply between operations countenanced by international custom and acts of undisguised piracy. It was felt by the home government to be desirable to break up the nests of freebooters who infested the coast. It was also regarded as important that, in case the peace brought about by the Treaty of Ryswick should not be permanent, the management of colonial affairs should be better conducted than had been the case under Phipps. It was believed that an English governor of the colony could be depended upon to carry on its affairs in the interests of the mother country, and that, in case of a renewal of hostilities, Bellomont would not make appeals for aid from England of an unnecessary or inconsiderate character. Richard Coote, to refer to him without his title, possessed qualities which were not found in his immediate predecessors. He was not hampered, as Andros had been, by a commission to

administer the affairs of the colony under conditions incompatible with popular content. He had neither the boorishness nor the weakness of Phipps, and his Protestantism was of an order to satisfy the most intense Puritan requirements. At the same time, Bellomont had the qualities of a statesman and the graces of a courtier. A year after his appointment to the governorship, in June, 1697, he arrived in Boston. His public acts leave no question as to his zeal and sincerity in the administration of the government; but such encomiums do not imply wide acquaintance with colonial conditions. His relations with the colonial leaders were undoubtedly controlled by politic considerations, yet they do not lay him open to the charge of duplicity. The courage, capacity, and sincerity of Lord Bellomont admirably fitted him for the task of bringing about a state of better feeling in the colony toward the mother country, while at the same time he had not the obtrusiveness of a professional peacemaker. The delay of the governor in starting for the colony led the Court of Massachusetts to send him a petition beseeching him to come speedily. On his arrival, he met the Assembly, and in a well-considered speech engaged their good will and coöperation in the programme of administrative measures which he made known.

The colonists, while agreeably impressed with the new governor and disposed to coöperate with him in the performance of the duties of his office, nevertheless had in mind those measures of administrative reform which they proposed to secure. One of these related to the judiciary. The ends of justice and of equity were weakened and at times frustrated by the provision which handicapped the local courts, making it possible to carry all cases by appeal to the crown courts. Another was the matter of voting a permanent salary to a government official: this they were determined not to do. Bellomont received a yearly grant of £1,000 on the same terms as the lesser amount had been granted to his predecessor. The principle which the





colonists contended for was as unsatisfactory to the governor as it was dear to them, and, had his incumbency been permitted to continue long enough to enable him to do so, he would doubtless have brought the matter to an issue.

The General Court repeatedly sought to curtail the right of appeal in judicature to specified cases, but the right of veto vested in the king and Council prevented such legislation from becoming effectual. However, the colonial courts were strengthened under Bellomont and, by degrees, the judicial system of the province was established upon a permanent basis. Then, too, there was an extraordinary court—the Vice-admiralty—in operation: its officers were a king's advocate, a registrar, and a marshal, and its purpose was to administer justice in cases of breach of the Laws of Trade. The claim of the Common Law Courts to pass upon the decisions of the Admiralty Court brought about a clash of jurisdiction.

As has been stated already, one of the considerations which led to the appointment of Bellomont as Governor of Massachusetts was the acts of piracy which were attributed to vessels equipped at and resorting to New England ports. Before the coming of Lord Bellomont, Stoughton had turned his attention to the matter of piracy. The case of a vessel that had put into Narragansett Bay under suspicious circumstances was investigated, and it was learned that she had sailed the year before from Gravesend for Borneo on a trading voyage. When six months at sea, a portion of the ship's company conspired to seize the ship, and, after landing the rest of the crew and the passengers on an island, elected one of their number captain and set out on a voyage of pillage. They divided the plunder they gained from this voyage, and then sought a place where they could land and disperse. In effecting this, the captain and ten others were arrested in Massachusetts. Another criminal of the New England coast whose name has passed into the legendary lore of the section was the redoubtable Captain Kidd.

The governor had had experience in dealing with pirates. Some years before coming to New England, he had become identified with a project for clearing the eastern seas of the pirates who preyed upon European commerce. It was then that he made the acquaintance of Kidd, who was recommended to him by Colonel Robert Livingston, of New York, who affirmed that he was a bold and honest man, one possessing considerable knowledge of the rendezvous of pirates and personally acquainted with many of them. Accordingly, Bellomont secured for Kidd a commission under the Admiralty seal, and the latter, equipping his ship at Plymouth, sailed with a small crew, which he increased at New York to a hundred and fifty men, and then turned the prow of his vessel toward the eastern seas. The adventurous sea captain found the excitement and profit of a piratical career more tempting than the virtuous enterprise on which he had embarked. It was not long before his name became a terror to the merchantmen whose trade routes he infested; nor did he confine his operations to the sea, but, landing on the Portuguese coast, or wherever else his fancy dictated, he burned and pillaged towns, intimidating their inhabitants and making them yield up their money and valuables. His career was blackened by excesses of cruelty beyond those of any other rover of the seas in modern times. The members of the East India Company were particularly alarmed at the possible effects of Kidd's depredations upon the coasts of India, and the Lords of Trade sent out to those in authority in England's various possessions instructions to use all efforts to bring to an end the man's desperate career.

Lord Bellomont was greatly chagrined at his degree of responsibility for the furtherance of Kidd's piratical course and was especially anxious to apprehend him; nor was it with him a mere matter of personal feeling, for the fact that Kidd held a captain's commission issued under the Great Seal constituted the career of Kidd a political issue in England and brought odium upon all who had been connected with the unfortunate occurrence. The daring



adventurer did not remain in the eastern seas, but, despite the fact that many armed vessels were on the alert for his capture, he made his way to America and appeared in Delaware Bay, whence, after having taken in supplies, he proceeded to Rhode Island and sent word to Lord Bellomont that "he was come thither to make his terms in a sloop, which had on board goods to the value of ten thousand pounds, and was able to make his innocence appear to many witnesses." After conferring with his Council, the governor sent word to Kidd to come to Boston. He did so, was subjected to an examination before the governor and Council, and, with a number of his crew, was committed to jail. The governor had the satisfaction of sending him to England, where he was tried for piracy, condemned, and executed.

The eastern Indians had remained quiet since their last pacification, and the fugitives, who had abandoned their homes in the Maine settlements, gradually returned as their confidence in the good faith of the natives with regard to the keeping of their engagements was strengthened. They were not long permitted to remain in this comfortable state of mind, as a disturbing rumor got afloat that a formidable combination of the Indians, which included even the Iroquois, had concerted a plot to destroy the English settlements. At the same time, a report was circulated among the Indians that the whites intended to extirpate them. This rumor doubtless accounts for whatever evidences were discovered of Indian preparations against the whites. The governor believed the story of prospective Indian hostilities and issued a proclamation upon the subject. He convened the General Court and had laws passed for the raising of troops and the defence of the towns, but the months passed without any more serious occasion for alarm, and the colonists' sense of security returned. Meanwhile, the political enemies of Bellomont had been active in England, and his reputation was weakened so that the latter part of his administration was embittered by the thought

that he had come unmeritedly under the frown of his sovereign. His death soon followed, and Dudley was appointed to the vacant office.

We have noticed the circumstances under which New Hampshire was kept from incorporation with Massachusetts; as a result, the position in which it found itself was one of isolation, and was attended by many disturbances. The loss of the strength which it had formerly derived from its association with Massachusetts was keenly felt. New Hampshire's frontier position, moreover, made it especially liable to attack by savages. The colony had little regard for its proprietor, and the method by which Allen gained his end did not give it confidence in his administration of affairs other than those personal to himself. Lieutenant-governor John Usher was at the head of the administration of New Hampshire, representing Allen. He had to contend with the savages on the one hand, and on the other with persons who took up residence in the colony in an unauthorized way; and in endeavoring to oppose these squatters, he won the ill will of the people. At the same time, he did not seek to sustain good relations with the authorities of Massachusetts. In 1697, William Partridge, treasurer of the province, succeeded to the position of Usher. Partridge was a shipbuilder, and had extensive connections in England. He owed his appointment by the Board of Trade largely to the influence of Sir Henry Ashurst. Usher, who had never shown appreciation of his office, was irritated at his removal, and before the arrival of his successor vented his ill feeling toward the colonists by writing home an account of what he was pleased to term the "Piscataqua Rebellion." This consisted only of some proceedings by the Council and Assembly which were displeasing to him. Usher was instructed by the Lords of Trade to retain his place until the coming of Partridge, or until Lord Bellomont should arrive in the province with his commission of Governor of New Hampshire as well as Massachusetts. In the meanwhile, Allen came over and assumed the direction of the colony, to

the displeasure of Usher, with whom he came into conflict in a way that led him to dissolve the Assembly.

When Bellomont finally came to New Hampshire, he sought to stimulate the colony to build a fort in Portsmouth harbor and to undertake other measures of defence, but was told that the poverty of the colony prohibited it from undertaking many things it would be glad to do. The new governor had been particularly instructed to exploit New Hampshire as a source of supply for the masts and other timber needs of the royal navy. Bellomont found things in New Hampshire at cross purposes, and Allen tried to involve him in the old question of rights to the soil *versus* jurisdiction over the territory. Bellomont refused to enter into its entanglements, referred Allen to the courts, and in a letter to the Lords of Trade rehearsed the trials of his position. Allen had proposed a settlement of his claims to the soil by the marriage of his daughter with the youngest son of the earl, and a dowry for the lady of £10,000, but Bellomont declined to barter the equity of the case. He described Usher as a crabbed individual who refused to take his place in the Council, and Blathwayt, who had formerly been secretary to the board, he charged with having been corrupted by Allen. Not satisfied with the decision of the colonial court, Allen took his claim, by appeal, to England, and was instructed by the king and his Council to prepare his case for prosecution within eight months.

While the other colonies were contending with the French and the Indians, Connecticut, removed from such difficulties, was enjoying an existence whose even tenor was not marred except by occasional fears lest its charter, which had been permitted to continue in effect, should be attacked. It had, however, the same experience as Massachusetts with regard to the matter of appeals to the home government. The Court of Assistants having denied a suitor the right to appeal his case to England, the Privy Council directed that the appeal should be heard. The order was not obeyed, and the question thus raised was not settled until

forty years later, when the position of the colony was confirmed.

A glance at the condition of Connecticut at this time reveals a situation of quiet prosperity and placidity which New Hampshire and Massachusetts lacked. Each of its thirty towns had its church and minister; free schools afforded the children educational advantages and prepared them for the responsibilities of life; the demands of costly military service had not depleted its treasury and made burdensome its tax rate. Its relations with the mother country were generally harmonious. In this happy condition, Connecticut was able to give attention to the improvement of its domestic matters.

The internal affairs of Rhode Island and its relations to the home government were so peculiar to itself that the effect of the revolution in New England upon that colony was quite different from that upon its neighbors. Under the rule of Andros, Rhode Island had enjoyed a degree of domestic quiet that it had seldom before experienced; and when called upon by King James to yield up its charter, it did so with none of the resentment felt by Massachusetts when similarly deprived. After the departure of Andros, it experienced the same difficulty in agreeing upon persons and measures in its governmental orderings as had formerly been the customary experience of Massachusetts. Finally, John Coggeshall, the last deputy governor, was placed at the head of the administration until someone could be elected to the governorship and induced to fill the office. Henry Bull, to whom the unappreciated honor fell, served for one year and was succeeded by Coggeshall, who in turn was followed by John Easton, from the time of whose election the records lapse for five years. We then come to the name of Caleb Carr as governor, who was succeeded by Walter Clarke, under whom the legislature was divided into two branches. In 1697, Samuel Cranston filled the office, and was repeatedly reelected until his death, nearly thirty years later. The Rhode Island governor enjoyed a salary

of from £10 to £30, granted annually. The character of the Rhode Island administration may be gathered from a report made in 1698 to the Board of Trade, in which it was affirmed that the laws of the colony were "so meanly kept, and in such blotted and defaced books (having never yet any of them been printed), that few of his Majesty's subjects were able to know what they were." The Quakers and the Baptists, being so largely predominant in the colony, were almost wholly concerned in its government. Rhode Island up to this period had no public schools. Its relations with the neighboring colonies were seldom amicable.

Being bound to respect the charters of Rhode Island and Connecticut, King William was unable to appoint royal governors over these colonies, or to include them in the jurisdiction of Massachusetts. In order, however, to effect as much centralization in the administration of the colonies as was possible, and at the same time to provide for a compact military force, the king invested the governors of Massachusetts and New York, respectively, with the direction of the military forces of Rhode Island and Connecticut. This arrangement was not pleasing to Rhode Island, and a protest was sent to England, in response to which the law officers of the crown reported that "their Majesties might constitute a chief commander, who might have authority at all times to command or order such proportion of the forces of each colony or plantation as their Majesties might see fit."

Lord Bellomont's imperative orders from the Board of Trade to suppress the buccaneers who infested the seaboard brought him into conflict with Rhode Island, as Narragansett Bay was particularly resorted to by piratical vessels. A week spent in Rhode Island was sufficient to give the governor a very unsatisfactory impression of that colony, and this was reflected in a report to the Board of Trade, in which he described the domestic condition as deplorable. He said "a brutish man, of very corrupt or no principles in religion, and generally known to be so by the people is . . . in the place of Deputy Governor," and he asserted that it

was through this high official that commissions were secured by the masters of piratical ships. He even charged that "the place has been greatly enriched" by the spoils of such adventurers. He goes on to describe all persons filling public offices as being illiterate, some of them unable to write their names. "Their General-Attorney is a poor illiterate mechanic, very ignorant." In regard to their laws, a copy of which, on demand, had been transmitted to the Board of Trade, he said: "I believe the world never saw such a parcel of fustin," and concerning the state of education, "they have never erected nor encouraged any schools of learning, or had the means of instruction by a learned, orthodox minister . . . The generality of the people are shamefully ignorant."

The appointment of Dudley to the governorship of Massachusetts, upon the death of Bellomont, in 1701, was apparently a further effort on the part of the home government to conciliate that colony. His administration in Massachusetts was coincident with that of Queen Anne in England. It was expected that, because of his knowledge of the people he was to govern and of his abilities and industry, he would more satisfactorily represent the English policy toward the colonies than had either of his predecessors. Aside from the conquest of Canada, the only military project in which England could be aided by the colonies, the government of William had embraced the object of a reduction of the colonies to a greater dependence upon the crown, and their exploitation for the commercial advantage of the mother country. It was hoped that Joseph Dudley would prove to be a satisfactory agent in effecting these ends, but the appointment of the recreant New Englander was not calculated to please any important element of the colonists. His forfeiture of the respect of his countrymen made it impossible for Massachusetts to feel the complacency which it was expected that his appointment would evoke. Dudley had made use of all the influences he could command in Massachusetts; he had secured the endorsement

of a number of New England merchants, as well as that of Cotton Mather; and as there was no concerted opposition interposed, his appointment was made.

After ten years of absence from the colony, Dudley returned with *éclat*. He was conducted thither in a man-of-war, whose guns sounded in salute as the new governor, upon landing, made his way under escort to the chambers of government. In striking contrast was this to his departure from Boston after a five months' imprisonment!

A few days after the new governor had met the General Court and delivered to it a speech couched in terms of politeness, but clothed with a spirit of arrogance, intelligence of Queen Anne's declaration of war against France reached the colony. This news awakened renewed apprehensions with regard to the Indians of the eastern country, whose hostility the colonists believed would again be inflamed by the French. The General Council was prorogued, and military and other measures were attended to. The governor then repaired to the eastern country and persuaded the native tribes to renew their engagements of friendship with the English. He advocated the rebuilding of the fort at Pemaquid, but the representatives could not be brought to agree to this proposition, alleging that the site was too remote from the settlements to be of real value to them. The Council was inclined to regard the governor's proposition with favor and suggested a conference with the House on the subject, but the latter body refused and the matter was dropped. Another difference arose as to the governor's salary and proved a bone of contention between the two branches of the legislature. The House had voted an allowance of £500 to the governor, but was finally persuaded by the Council to increase this to £700, which, finding that the House would not grant a further advance, the Council advised the governor to accept.

The policy of Dudley toward the colony was largely influenced by personal considerations. He was not satisfied that all the deference was shown toward him which he

believed was his due by reason of the important position he held, but, however much he might have complained to the Lords of Trade, his attitude toward the General Court was one of conciliation. He sought at its next session to have its adverse judgment upon the matter of the Pemaquid fort reconsidered, but failed. Feeling now that it was time to substitute firmness for conciliation, and to employ the prerogatives of his position, he set aside five of the councillors nominated by the General Court, giving as his reason that they were not men sufficiently representative of the colony, and that there were others not included in the list submitted who were men of importance and estate. The reason assigned for his action was ostensible rather than real, and can be better interpreted in the light of a communication which he addressed to the Lords of Trade on the eve of the Court's assembling, in which he said: "It is every day more apparent that nothing will proceed well here till her Majesty will please to name her own Council." The General Court retaliated by refusing to sanction an appointment made by the governor.

Dudley pursued his policy of preserving the peace with the eastern Indians, and in the spring of 1703 invited some of their chiefs to a conference at Casco, when he secured from them earnest avowals of their pacific intentions; yet in spite of this, the following autumn the savages were again upon the warpath. Without any provocation on the part of the English, hostilities were begun. The Peace of Ryswick had extended longer than either of the parties to it had expected, and the war which began afresh was destined to involve the colonists in a struggle with their French foes and Indian enemies for a period of ten years. During the time of the cessation of hostilities, the French had been actively at work endeavoring to poison the minds of the Iroquois Indians against the New Englanders. In this, Frontenac, the Governor of New France, was measurably successful, but after his death all that the chiefs of the Five Nations would consent to was an agreement to



remain neutral in the existing war. Such was not the case, however, with the eastern Indians. Only a few weeks had passed after their compact of friendship with the English, when numerous bands of the savages under the leadership of French officers attacked the scattered settlements. They killed about three hundred men, and all the horrors in which these savages were adepts were perpetrated in their ravages upon the frontier towns. "As the milk-white brows of the grave and ancient had no respect shown, so neither had the mournful cries of tender infants the least pity; for they triumphed at their misery, and applauded such as the skillfullest artists who were most dexterous in contriving the greatest tortures."

The General Court, hastily called together by the governor, passed measures for putting troops in the field to stay the inroads of the Indian foe. The governor reported that he had already despatched to Maine four hundred soldiers. After their first unexpected assault, the Indians remained passive for a while, but, renewing their ravages, Blackpoint, York, and Berwick were in turn subjected to assault and suffered grievous losses. Deerfield, which had experienced such severities at the hands of the savages in the last war, and which had not recovered, was sacked on a cold February night in 1704, and subjected to the whole range of fiendish cruelties practised by the savages. A description of the occurrence is preserved in the report of one of the persons taken captive and afterward redeemed. The enemy approached the town just before the break of day and completely surprised its inhabitants. They spent four hours in plundering, burning, and destroying, and, as a result of the attack, sixty persons were slain and a hundred taken prisoners. These attacks were but preliminary to a succession of inroads bringing terrible suffering and distress to the whole eastern border. An expedition sent out under Major Church proved ineffective.

A considerable force was sent out by Massachusetts to make a descent upon Nova Scotia, New Hampshire and

Rhode Island coöperating. Under the convoy of an English frigate and an armed vessel of the province, a thousand men sailed from Boston for Port Royal in 1707. The fortifications of the French proved impregnable to English attack, and two weeks after landing the troops reëmbarked for home. Massachusetts was thrown into a passion by this display of pusillanimity on the part of March, the commanding officer of the expedition. March was superseded by Wainwright, and the enterprise was repeated, with disastrous results. The troops were dispirited and disorganized, as well as broken in health, while the enemy had employed the interval in strengthening its position, hence the result was a foregone conclusion. The expedition failed miserably, and the troops, while embarking for home, were set upon by the French soldiers and suffered loss. The Indians had taken advantage of the concentration of the forces in the attack upon Port Royal to continue their dreaded forays upon the unprotected settlements.

Massachusetts next appealed to the home government for aid in carrying out a plan of attack upon New France on a large scale. It was proposed to enlist twelve hundred men from Massachusetts and Rhode Island, to supplement five regiments of English regulars and what was deemed a sufficient naval force. These united bodies of troops were to attack Quebec while a force of fifteen hundred men from the other colonies should move against Montreal, but the plan failed of execution because English reverses in Portugal made it inexpedient to send to the colonies a considerable force. Great was the disappointment of the colonies, for the western contingent of the colonial forces was encamped at Wood Creek in the vicinity of Lake Champlain, awaiting word of the arrival of the English ships at Boston. In the following year, however, the conquest of Nova Scotia, which was a part of the original programme, was effected.

The next project for the subjection of Quebec was that conceived by Lord Bolingbroke. His plan was to raise a naval expedition, with the ostensible object of effecting a

landing in the south of France. This plan was put into operation; the commander sailed with sealed orders, which were not to be opened until he should reach the fortieth degree of latitude. Nicholson, who was in command, on reading his instructions, ascertained that his destination was New England. Boston was elated at the arrival of a fleet of fifteen men-of-war and forty transports, conveying more than five thousand troops. The General Court arranged to borrow sufficient funds for the conduct of the expedition and called for a levy of nine hundred men. The colony was in a state of military fever, and three Iroquois sachems were called to Boston to consult upon a plan for the coöperation of their tribes. The large expedition was speedily provisioned, and in three weeks' time the fleet, carrying seven thousand well-accoutred troops, was at the mouth of St. Lawrence River. Ascending the river in a dense fog with pilots who had little acquaintance with the channel, the expedition, superbly equipped and planned, came to a disastrous end. While many leagues away from Quebec, a number of the ships grounded on the rocks, where they went to pieces. Nearly a thousand persons were drowned, and with the remainder of his fleet the distracted admiral set sail on an ignominious return. The force which had concentrated against Montreal, hearing of the disaster to their naval allies, withdrew in time to save themselves from condign punishment at the hands of the French military commander. Although so signally defeated, and burdened with the heavy debt of the ill-starred expedition, Massachusetts was not discouraged, but sent a request to the queen, praying a renewal of the oft-attempted capture of Quebec. In 1713, the Peace of Utrecht brought the war to a close, and Massachusetts breathed more freely. The loss of life among the frontier settlements had been large, and they were reduced to a state of abject poverty as well. Many families had become entirely extinct; indeed, a large area which had lately been populated was now without a vestige of human habitation.



## CHAPTER XXI

### *MASSACHUSETTS UNDER DUDLEY*

THE temperament of Dudley was not such as to permit any question as to the exercise of the full prerogatives of his office. The matter of a stated salary was a fruitful source of trouble between him and the representatives. The Council, siding with the governor in his contentions for what he esteemed to be his rights, was brought into discord with the more popular branch of the legislature. When the Council asked to see a copy of an address which the representatives on their own account had sent to the queen, the representatives refused; whereupon Dudley entered into the dispute and ordered that the journal of the House should be brought to the Council. This was not done, and the acrimony thereby engendered was fruitful of further dissensions. Dudley petulantly wrote home that he found it impossible to do anything with a body of men who had no love for the crown and the government of England when obedience was involved. He avowed his purpose to abate not one jot of his determination to support her majesty's government in the colony, and certainly he had ample opportunity to measure his strength with that of his recalcitrant legislature.

The discord between the governor and the representatives was prohibitive of the transaction of public business. In one form or another, the governor persistently brought up the issue of his prerogative and, with a spirit of determination

that would not concede defeat, he also continually agitated the question of his salary. Ere long, representations against Dudley were made in England and an earnest effort was put forth to have him displaced. On the other hand, there were not lacking among the colonists some to take the governor's side and vindicate him of all aspersions.

The spirit of opposition to the governor took a malevolent form, and a rumor was circulated that he shared in the profits of certain questionable transactions of William Rouse and others with the French, but, as to the governor personally, there existed no basis for this charge. In opening the next session of the legislature, Dudley adverted to the crime for which these men and others who were charged with being their accomplices were under arrest: he dwelt upon its gravity, and counselled the Court to proceed with the case in a temperate manner. The accused were tried, convicted, and sentenced to both fine and imprisonment, but the latter part of the sentence was remitted. The governor and members of the Court were voted special allowances as recompense for the exactions of the trial, but the governor refused assent to these gratuities and appealed to the Lords of Trade in behalf of the convicted men, alleging that they were to some extent victims of popular passion and for that reason had been fined beyond a just amount. His personal interest in the welfare of these men served only to deepen the feeling that he himself was culpable. The wave of sentiment against the governor continued to rise, and took form in an address to the queen framed by twenty of the New England men, many of whom were then resident in London. After recounting in a general way the charges of corrupt administration and oppression, of which they alleged Dudley to be guilty and of which they professed personal knowledge, they went on to state the particular matter of greatest gravity, saying that he had "countenanced a private trade and correspondence with the French of Canada and the Indians in their interest, and furnished them with ammunitions and provisions." In due course,







Dudley received a copy of these charges and called upon his Council for vindication. This was readily granted him by a unanimous vote and the matter was then passed on to the House. This body was dilatory in taking action and the Council proposed a conference, the result of which was that the House was prevailed upon to adopt the language framed by the Council and to stigmatize the charge as a "scandalous and wicked accusation." The matter then passed from the legislature to pamphlets, and there appeared a number of tracts bitterly attacking Dudley's administration. In these the history of Dudley's previous relations to Massachusetts were gone over in detail, and he was charged with having proved unfaithful to the *depositum* of their liberties, which the colonists had intrusted to him. The subject of the late charge of which he had been vindicated was reviewed in detail and the favorable judgment was explained on grounds other than a belief in the innocence of the governor. He had to face again the unfortunate Port Royal expedition, the failure of which was attributed to his misconduct.

After proper allowance is made for exaggeration due to the preconceptions which were entertained against Dudley and for the resentment which he invited by his lack of conciliation, there is yet no reason to doubt that his administration was not only deficient in wisdom but was deserving of a large measure of the opprobrium which was visited upon it. It will be remembered that in seeking the appointment to Massachusetts, Dudley had won over Cotton Mather to his cause; indeed, both the Mathers had entered into friendly relations with him. It was not possible that such an ill-comported friendship should be abiding; so, at the very outset of his official career a breach occurred between the governor and Cotton Mather. The latter presumed to advise Dudley as to the selection of his friends and confidants in the colony, and urged him especially to avoid identifying himself with either Byfield or Leverett. It goes without saying that personal animus directed Mather in the naming of the men whom he wished the governor to

proscribe. Leverett was a theological and Church opponent of the Mathers and had crossed the path of the younger of them in his aspirations to the presidency of Harvard College. It reached the ears of Cotton Mather that his prejudicial remarks with regard to Byfield and Leverett had not been held in confidence by Dudley. In his diary, he records the matter which made the breach in his friendly relations with the governor in the following language: "The wretch went unto these men and told them that I had advised him to be no ways advised by them."

The Mathers were no longer the important factors in the colony that they once had been; by reason of changes and reverses, their influence had declined; moreover, they had never quite recovered from the stigma which attached to them by reason of the witchcraft trials. Recent developments in the ecclesiastical system also served to identify the Mathers with defeated issues. The Fourth Church, at Boston, had been organized upon principles greatly at variance with the theory of Independency as received in New England: the choice of the minister, which was customarily vested in the communicants, was transferred to every baptized adult who furnished a stated contribution. Other departures, not so fundamental, but hardly less striking, combined to draw from the Mathers vigorous opposition, which found vent in pamphlets, in which the church's deviation from Congregational usages was characterized with the forceful language in which the Mathers were adepts. Apostasy, worldliness, decay, were some of the terms they most frequently used in stigmatizing the reformed tendencies. To one of the declarations of the new church that a pastor need not be fixed to one flock, Increase Mather replied that such a person "is no more a pastor than he that has no children is a father, or a man who has no wife is a husband." In view of the fact that Mather himself had at an earlier time dissented from the common opinion that a minister was tied to the congregation from which he received his orders, his present attitude was seized upon as an evident

inconsistency; and his opponents asked the pertinent question whether, when he was for four years away from his flock, he was then all that while a stray bird idly wandering from its nest. The controversy is noteworthy only as indicating the steps in the declining influence of the Mathers, and so need not be pursued further.

The relations of Increase Mather with Harvard College tended further to deprive him of his prestige. From the time when he had been appointed president of Harvard College, in 1685, he had been incensed at every attempt to bring that institution under supervisory direction. The college had no constitution, and acts of the Assembly designed to remedy this defect were vetoed by the king. Mather declined to reside at the college, and his continuance in residence at Boston was the principal source of the discontent felt with his administration. The friends of the institution were convinced that its best interests demanded that it should have a resident head. Mather finally yielded to this sentiment, but soon after taking up residence at the college he sent in his resignation upon the plea of ill health. Cotton Mather entertained the hope of being appointed his father's successor, but his ambition was destined to defeat, and John Leverett was selected for the office. The House of Representatives voted the President an annual salary of £150. The dearest hope of Increase Mather had been to regain his former influence by placing the colony under obligations to him as the consequence of his obtaining a charter for the college. In lieu of a charter, which could not be obtained without the consent of the crown, the General Court passed a resolution directing the president and fellows of the college to carry on its government under the provisions of the act of 1650, which the Court declared had never been annulled. In this way a constitution was secured for the college, and Mather had the mortification of realizing that his diplomatic services would not be availed of.

Embittered in spirit, the Mathers turned upon Dudley, and, in seeking materials for an attack upon him, reverted

to matters as far back as the period of his appointment to the governorship and even to his earlier relations to the colony; and this was done in the face of their endorsement of Dudley for the position he occupied. To the vituperative letters of the father and the son, Dudley made a single response: he contented himself with asking why his foes had not reproved his alleged crimes at the time of their perpetration. The wordy war was fought by the disputants over every act of Dudley's public life, but the attacks upon him produced little impression in England, whatever may have been their effect in the colony.

The earlier controversies and misunderstandings finally subsided, however, and the latter part of Dudley's administration was comparatively peaceful. He had learned not to oppose heedlessly the representatives, and his conduct of affairs in the French and Indian War was not without evidences of good judgment and sincere interest in the credit of the colony. Moreover, Massachusetts had gradually come to entertain a greater degree of loyalty toward the home government than it had ever before felt. The fact that the sovereigns were of the Protestant faith made a spirit of pure recalcitrancy appear ill advised and ungracious. At last, in 1712, there were evidences that Dudley was no longer secure in his position, and he wrote home protesting against a withdrawal of the queen's favor from one who had committed himself so unreservedly to her interests in the colony. Nevertheless, there were those who represented to the home authorities that Dudley's administration had been arbitrary and at times illegal in its conduct, and that the queen had not received her just dues from the colony.

Upon the death of the queen, the governor continued to execute his office in accordance with an Act of Parliament, by which executive authority was extended for six months after the death of the sovereign. At the end of that period, he withdrew from the office and was reinstated by a royal proclamation, this, however, being shortly followed by the

intelligence that a Colonel Burgess, who had seen service in Spain, had been appointed governor of the colony. At the time of his retirement Dudley was sixty-eight years old. Five years later he died, and it is creditable to the people of Boston to find them passing over the governor's defects, and a Boston newspaper eulogizing him as "a singular honor to his country, and in many respects the glory of it; early its darling, always its ornament, and in his age its crown." Allowing for the fulsomeness of the panegyrics of the period, it yet remains a fact that this tribute did not entirely miss the real sentiments of many persons toward Dudley at the time of his death.

We can pause at this point and take a survey of the state of New England at the opening of the eighteenth century. Turning first to the state of theological opinion, the Church is found to be drifting from its ancient moorings. The dispute which centred about the Fourth Church at Boston was not an isolated circumstance, although it was the most prominent illustration of the prevailing spirit of dissatisfaction with the old methods. Increase Mather refers to the "miserable confusions" in the principal towns of Massachusetts, and asserts that the condition was worse than at any other time within his knowledge. One of the most prominent controversialists upon ecclesiastical matters was John Wise, of Ipswich. He opposed a plan fathered by the Mathers to bring the ministers into associations which should in an undefined way have oversight of the churches and commend pastors to them. This invasion of the self-government of the local church, as John Wise and many others styled the proposal, was opposed upon the ground that it would destroy the correspondence which existed between the self-governing church and the self-governing township. It was feared that a change in the one would have a bad effect upon the other. But, in defending his position, Wise did not resort to the old method of Scriptural proof in this fact, and in the substance and structure of his argument he well represented the new ideas of the

period: attachment to the institutions and traditions of New England, joined with the adoption of the principles and forms of eighteenth century thought.

Boston no longer relied for its literature upon dry theological lore and the fulminations of ecclesiastics. It had its booksellers, who had on sale the best books of the times. A newspaper was established as early as 1690, entitled *Public Occurrences, both Foreign and Domestic*. The purposes to which this occasional publication was committed were announced to be "that the memorable occurrences of Divine Providence may not be forgotten," and the chronicling of home and foreign intelligence, to which was ingenuously added "and for curing, or at least charming, that spirit of lying which prevails among us." After the brief life of this periodical, fourteen years passed before a more successful attempt was made to publish a newspaper. The new sheet was entitled the *Boston Newsletter*, and was made up of odds and ends of news interspersed with a few advertisements.

The establishment of Yale College in 1698, in Connecticut, was the most important event of the period. It was so named after its chief benefactor, Elihu Yale. The purpose of its foundation was set forth to be the upholding of the Protestant religion by a succession of learned and orthodox men. The legislature was petitioned for a charter for the institution and it was duly incorporated and placed under a body of trustees, comprising not less than seven, or more than eleven, who were all to be ministers over forty years of age. An annual grant of £120 was provided for its maintenance. The effect of the establishment of a college in Connecticut was to bring academic training within the reach of those who could not seek it at Harvard. At the same time, the legislature was endeavoring to afford as good common school opportunities to the youth as those offered by Massachusetts.

The system of local government in Connecticut was in a vigorous and growing state. The townships were securing an increasing control of their own matters. They were

made responsible for their own fortifications and the raising and equipment of their military contingent. The colony had undergone some constitutional changes which enlarged the opportunities of citizenship, permitting the franchise to be conferred upon all adults who were peaceable, orderly, and of approved life, and having a freehold of forty shillings a year. The Council and Assembly, which prior to 1698 had sat and voted together, thereafter deliberated in separate chambers.

Unlike Connecticut and Massachusetts, Rhode Island had no public school system. There was an elementary school in Newport in 1710, and some of the other towns doubtless afforded education to youth through private munificence. There were few evidences of literary taste and appreciation.

Turning to the question of the population and commerce of New England, a report to the Board of Trade in 1702 gives the population of Massachusetts as fifty thousand. Connecticut, in 1700, contained about three thousand six hundred freemen, indicating a total approximate population of over twenty thousand. In Rhode Island, in 1708, the total number of inhabitants was but little over seven thousand. Massachusetts owned and employed two hundred ships, and the value of its annual export of fish was estimated at £34,000.

Connecticut, on the other hand, had only about thirty vessels. The conditions of life in this colony were rude, almost squalid among the poor; but, in spite of its frugality, the life of the Connecticut colonists possessed many rough comforts. The colony, however, owned only one cloth mill. New England's increasing commerce led to an expansion of its currency and the reduction of the practice of barter.

Although exact data are scarce, there is every evidence that slavery in Massachusetts was upon the increase. Special legislation affecting the negro population was enacted in the several colonies. In 1703, an act was passed by the

Massachusetts Assembly prohibiting the granting by any person of freedom to a negro without at the same time giving security to the town treasurer that he would not become a public charge. In the same year an act was passed prescribing that no slave, whether Indian or negro, might be out at night excepting upon some special errand, under penalty of flogging. Two years later an act was passed for preventing marriage or illicit unions between the whites and blacks. In the prohibitory clauses of this act it is significant that the negro is specified and not the slave, indicating that the degradation of the union was conceived to lie not in the status but in the race of the proscribed persons. A minister solemnizing such a marriage was subject to a fine of £50. If a negro had unlawful relations with a white woman, they were both to be flogged, and the man to be banished from the colony. In the event of the offence being between a white man and a negress, he was to suffer flogging and she was to be sold as a slave. The negro was not admitted to full civic rights. He could not receive a slave into his domicile without the leave of the master, and he was subject to impressment by the selectmen for street sweeping, the repair of the highways, or such like menial duties. As early as 1705, a disposition to limit the importation of negroes is shown by an act passed that year imposing a duty of £4 on each negro imported. This fine could be recovered in case the person was reëxported within a year. The same policy was pursued with regard to Indian slaves, but the reason for this was stated to be the danger to the colonists in the import from the West Indies of slaves of a race kindred to that of the savages about them.

The legislature of Connecticut adopted similar measures. In the preamble to an act passed in 1708 it was stated that negroes and mulattoes had become numerous in parts of the colony and were a turbulent and quarrelsome element. Any such person who struck a white man was subject to a flogging of not more than thirty stripes. An emancipated slave was not permitted to become a charge upon the revenues



of the colony, and if he became necessitous his former master had to provide for him. We have definite figures for the black population of Rhode Island: in 1708, the number was placed at four hundred and twenty-six, and this was about one-twentieth of the total population. In 1704, a law was passed against the traffic in Indian slaves, and all such as had been previously imported into the colony were to be sent out again. A police measure of the same year enjoined both Indians and negroes from being upon the streets at night, or being entertained in any house later than nine o'clock.

The frequent references to mulattoes in these acts form a sufficient commentary upon the need of legislation against miscegenation, and it was this phase of the race problem of the day which was responsible for most of the restrictive legislation of the period.

Samuel Sewall was one of the first men of New England vigorously to arraign the whole system of slavery. The legislatures of Massachusetts and the other New England colonies had shown a perception of the moral and economic disadvantages of a considerable black population, a large proportion of which was held in slavery; but Sewall raised his voice against the institution of slavery itself. In his *The Selling of Joseph* he attacked not only the evils that grew out of slavery but the principle itself, as contrary to the law of nature and to the spirit of the Scriptures. He had the foresight to see the trend of the system and the contaminating influences which would go out from it. The language he employs in pointing out the natural inequality of the white and black races is such as is commonly employed to-day by the people of the South, but which is not generally concurred in by the State which produced Sewall. "There is such a disparity in their condition that they can never embody with us or grow up into orderly families to the peopling of the land, but still remain in our body politic as a kind of extravasate blood." In answering the sophistries advanced even at that day in defence of slavery, Sewall

scouted the notion that the negro, as of the posterity of Ham, was foredoomed to bondage, and averred that, even if such were the case, those who voluntarily made themselves the instrument of God's judgment were none the less culpable; while to the argument from Old Testament precedents, this vigorous denouncer of slavery replied that Christians lived under the new dispensation and should be guided by its principles.

Sewall, as the precursor of the line of New England opponents of slavery, is to be regarded as one of the most advanced and clear-sighted thinkers of his time.

## CHAPTER XXII

### *THE TRANSITION PERIOD*

WHEN George I. succeeded to the throne of Great Britain, religious liberty had attained a position of security. The Toleration Act of William III. continued to be the charter of the Nonconformist conscience. Great Britain and France were at peace, and the shadow of war was thereby lifted from the colonies. The cessation of hostilities with their Canadian neighbors, and the relief from conflicts with the savages which this state of peace brought them, enabled the colonists to give closer attention to the political and other domestic conditions of their life. Burgess had been appointed to the government of Massachusetts upon the retirement of Dudley, but it was Samuel Shute who actively took up the work of administration, of which Burgess had no appreciation and for which he was unfitted. Shute was a man of considerable political importance and was highly esteemed in Nonconformist circles. With him was associated as lieutenant-governor William Dummer, a son-in-law of Dudley, who for some years had been a resident of England. Dummer came to Massachusetts with elaborate instructions from the home government. He was to transmit to England a copy of the laws of the colony without delay; to press to a conclusion the matter of a settled salary for the governor, and to see that the Pemaquid fort was rebuilt; he was also required to establish a censorship over the press. Shute came into immediate conflict with the General Court upon the matters of a stated salary and the building of the

Pemaquid fort, and finding it impossible to obtain satisfaction he prorogued the Court. These questions continued to be matters of dispute between the governor and the representatives.

In 1717, Shute concluded a fresh treaty with the eastern Indians, which was of importance in view of the rapid growth of settlements in their section of the country. The Indians, however, asserted their claim to the possession of lands on the east side of Kennebec River, but to this Shute would not agree. The Indians thereupon consented to renew the treaty which they had made four years previously with Dudley, by which they stipulated that they should conduct themselves as subjects of Great Britain, and should permit the colonists to reoccupy all the settlements where they had formerly been. This treaty, however, did not prevent the savages, under the instigation of the French, from becoming troublesome enough to the colonists to cause them to require the surrender of hostages for the good behavior of the Indians.

The governor and the General Court came into conflict over the assumption by the latter of power in military matters. A committee of the Court reported a measure for the better organization and disposition of the forces of the colony; this Governor Shute conceived to be an unwarranted invasion of his functions. He desired the House to pass a bill providing for the punishment of mutineers and deserters, but his request was refused on the ground that mutiny and desertion were often occasioned by reasonable discontent with the commanding officers. The dispute centred about Colonel Walton, whose conduct with regard to a campaign in the eastern country the House wished to investigate. The governor was willing to have the officer interrogated in the presence of the whole Court, but this would not satisfy the representatives, who claimed the sole right to investigate the conduct of all persons in the public service.

Finding it impossible to reconcile the differences between the representatives and himself, the governor quietly

departed from the colony on a man-of-war bound for the West Indies, from which point he proposed to seek passage to England. The year before the departure of Shute from the province, a report of the Board of Trade to the king embodied, in its recital of conditions in the colony, a complaint that Massachusetts assumed an air of too great independence toward the mother country, and recommended that all the colonies should be brought more immediately under the direction of his majesty's government by having established over them one supreme governor, to whom the governors of the several provinces should be responsible. As the sole idea of England with regard to her colonies at that period was their utility to the mother country, it is not surprising to find that this policy of greater centralization was advocated as promotive of larger returns from them to the kingdom. Lieutenant-governor Dummer, who assumed the duties laid down by Shute, also suffered from the inconveniences of his office: the discussion with the representatives centring about the same subjects that had made Governor Shute's administration personally so unpleasant. The renewal of Indian hostilities and the conduct of military affairs by Colonel Walton kept open the issue of the claims respectively of the representatives and the executive in military matters. The quarrel of the British and the French with regard to the delimitations of their respective territories in the eastern country extended to the Indians, and put them in a state of passive hostility which necessitated the presence of a military force. Depredating bands of savages were a constant menace to the settlements, and kept the colonists employed to prevent their expeditions from assuming more serious proportions, till in 1726 another treaty of peace was made with the Indians.

In the meanwhile, the contest with regard to prerogative continued to be waged by the representatives with the governor. The former sought to extend to judicial matters the custom that prevailed as to the election of civil officers—that is to say, of meeting jointly with the Council, and voted

that "when a hearing shall be had on any private cause before both Houses together, the subject matter shall be determined by both Houses conjunctly." To this proposition the Council refused its agreement. Shute had arrived in England and was losing no opportunity to discredit the colony in the eyes of the government. The representatives, accordingly, made an appropriation of money for the employment of counsel to defend them against the charges of their governor. To all the complaints of Shute the agents of the colony made response, endeavoring to show that the colony was considerate of the royal will and in all respects loyal to the home government. The death of the king upon the eve of the return of Governor Shute to Massachusetts marked another epoch in the affairs of the colony.

We will now turn to the other colonies and note the course of events during the period of Shute's administration. The governor gave offence to the House in New Hampshire upon his first going into that province. The matter at issue related to the regulation of the currency. Lieutenant-governor Vaughan had a strong hold upon the colony and was not disposed to be tractable in his relations to Shute. He held that, in the absence of the governor, the executive authority became vested in himself, which construction was offensive to Shute. Their relations were consequently unpleasant; Vaughan was displaced, and was succeeded by John Wentworth, who, after Shute's departure from the country, became the *de facto* head of the government of New Hampshire.

The extension of the limits of New Hampshire with the growth of population led to confusion as to the titles to the land occupied. The old Mason-Allen claim continued to give uncertainty to the question of territorial boundaries as well as titles.

Connecticut was concerning itself about matters of religion. The clergy, by reason of the system of association of churches, had received larger powers and were able to make religious requirements more effective and moral

exactions more rigid. In 1714, the Assembly was seriously exercised over evidences of a decline in the religious sentiment of the day, and they recommended to the ministers to investigate and make a report upon the religious state of their parishes. The things which they were particularly to inquire into were: whether catechising was duly attended to; whether the families of the parishes were supplied with Bibles; and whether the Sabbath services were neglected by any persons. The Assembly also imposed upon all judicial officers the duty of giving the strictest attention to the laws relating to the education of children, forbidding profane swearing, Sabbath breaking, lying, and intemperance. These offences were all punishable, as were infractions of the Sabbath by travelling on that day, except to the meeting house, and behaving in any rude way.

In 1724, the colony suffered the loss of its splendid executive, Governor Saltonstall. He was a clergyman, but had been raised to the chief magistracy, and had exercised the powers of his exalted office with great wisdom and prudence for sixteen years. During the period of his administration, Connecticut took upon itself the dignity of character and moral worth which for so many years gave it title to be called "the land of steady habits."

In 1728, William Burnet, son of the famous Bishop Burnet, was appointed Governor of Massachusetts. The new governor was transferred from the governorship of New York; but the change was not altogether to his liking, because the revenues of the office were not equal to those of the post which he had relinquished, and, having a large family on his hands, and having been a heavy loser by the bursting of the "South Sea Bubble," he felt the need of a larger salary.

Under such conditions, it is not surprising that Burnet's administration, which was brought to a close by his death within fourteen months, was marked by a dispute with the legislature concerning the matter of a settled salary, the aspects of which were not different in general character

from the many similar disputes with his predecessors, and therefore need not concern us further. His tenure of office must have afforded little satisfaction to Burnet, for acrimony characterized it throughout its short duration. Excepting for his pertinacity in the matter of a settled salary, the Court had held the governor in appreciation, and accorded him a funeral with circumstances of pomp befitting the office he had filled; and it is creditable to the House that it voted a considerable grant to the late executive's family as a mark of its esteem.

The duties of governor *ad interim* were performed by Lieutenant-governor Dummer until the appointment of Burnet's successor, Jonathan Belcher, in 1730. He was a man of great affability and elegance; a graduate of Harvard University; widely travelled for the times; with rather the tastes of an exquisite; loving power, but yet knowing how to acquiesce gracefully in the inevitable. He had the astuteness of a political manager and was in all respects a type of man different from any who had administered the affairs of the colony before him. William Tailer was associated with Belcher in the government.

In his inaugural speech, Belcher, who had been identified with the popular party in its position upon the subject of a stated salary for Burnet, felt constrained to change his attitude when the matter affected himself. He said that he had no alternative but to follow the royal instruction, which required him to demand a stated annual allowance of £1,000; still, he sought to make his demand palatable by a florid reference to Cato and the crisis at Utica, and suggested that the Court would not, like the noted Roman, pursue its course with obstinacy to the point of self-destruction.

The royal instructions to Belcher did not, in fact, admit of the exercise of personal discretion in the matter. The House, however, was fixed in its determination to adhere to its settled policy in the matter of the governor's salary. Its leaders were well enough informed as to the political situation in England to know that they had little to apprehend







William Shirley, Governor-in-chief of the Province of Massachusetts Bay. *From the painting by T. Hudson.*

from the Privy Council other than threats. Under these circumstances, the governor received permission to accept the annual grant of the General Court, and this permission was successively renewed for three years. After that, the contention with regard to a settled salary was allowed to lapse, and the governor received the annual grant without protest.

There were two questions which were now urgent in their demand for attention. One of them related to the redemption of the bills of credit which had been issued at different times; the other concerned the fixing of the boundaries of the province, especially that on the New Hampshire side. With regard to the first of these matters, the bills of the province, the latest of which were to be redeemed within five years, provision must be made. In this situation, the General Court appealed to the king for permission to fund the debt. The colony looked forward with apprehension to the approach of the year when it would be required to meet its obligations to the extent of between £30,000 and £40,000. This situation was further embarrassed by the financial condition of Rhode Island, which was much worse than that of Massachusetts; but the little colony, with the recklessness which usually characterized its conduct of public affairs, did not allow itself to be unduly disturbed by the prospect of bankruptcy held out by its bills of credit to the amount of £140,000. The notes of Rhode Island having an extensive circulation in Massachusetts, the merchants of Boston sought to protect themselves by declining to receive the Rhode Island paper, and formed a company for the issuance of bills to the extent of over £100,000, which they secured by pledging their own credit. It was impossible, however, by such partial measures to make healthy a financial condition which was unsound to the core.

In the matter of the boundaries of Massachusetts, Governor Belcher aroused great indignation against himself. He was held responsible in part for the award made by the

boundary commission appointed to determine the line between Massachusetts and New Hampshire, and all other questions relating to the limits of the colony. By it Massachusetts was deprived of a considerable area of territory to which its right had not been seriously disputed. The suspicion that Governor Belcher had not been above reproach in the matter and that he had permitted himself to concur in a judgment against the colony, under the inducement of private profit, was the chief point of attack upon his administration, about which were clustered other grievances. The opposition to him became vigorous, and intrigues for his displacement were set afoot, the process usual under such circumstances being employed. Representations against the honesty of Belcher's administration and of its want of regard for the royal interest were made to the home authorities, and damaging rumors were set afloat calculated to cause disquiet in the minds of those who had been friendly to him. In 1741, Belcher was removed from office, and in 1757 he died. It needs not that an administration singularly barren in important results should receive summarization.

The course of events in New Hampshire and Connecticut during the early years of the reign of George II. was not noteworthy. The matter of the boundary with Massachusetts and the administration of Yale College were respectively the matters of great moment. Rhode Island was not during this period signalized by any happening calling for special mention excepting the visit of Bishop Berkeley, the celebrated philosopher. He came to America in the furtherance of a project to establish in the Bermudas a college for the training of missionaries, and stopped at Rhode Island on his way. The project failed to receive the financial support he had been led to expect, and was not consummated.

During her hundred years' existence, New England experienced a development in religion no less remarkable than that which marked her industrial progress. The changes in the former respect, however, were not steps in a regular

progression, or at least it is only as the history of religion in that period is looked at retrospectively that the stages appear, not as lapses from the early ideal, but as steps toward the realization of higher religious conceptions. When civil rights had secured to the colonists independence from religion's tyrannical rule, much of the stimulus to a zealous devotion to religion ceased at the same time. We have seen that successive generations did not carry into their lives the rigorous and militant conception of the religious life which had made the fathers stern and uncompromising. The very breadth and variety of the extended duties and relations of their lives inhibited such narrowness in religious ideas. But, with the gain which came from the wider intellectual liberty of the fourth generation, there was also a diminished effect of Christian ideals upon the conduct of the people. The elders and all the more serious-minded persons of the colony lamented the laxity of the times. Religion was looked upon as in a state of decay, and all natural disasters and disappointments, such as epidemics of sickness, the failure of crops, and unusual and destructive storms, were regarded by the ministers and the religious-minded persons as direct visitations of Divine displeasure upon a disobedient people. Such themes were the popular subjects of discourses, especially upon the occasion of elections and other matters of public interest.

There were indications, however, that religious liberty was not in its nature incompatible with religious conviction and spiritual fervency. From 1680 to 1719, there had been occasional reports of revivals of religion, resulting in the spiritual quickening of considerable numbers of people. A concerted movement for the promotion of revival interest was made in 1727, when a large assembly of persons met at Cotton Mather's church and recommended a day of prayer and fasting in all the churches of Boston.

One of the leaders in the new movement was the renowned Jonathan Edwards, who sought by a vivid presentation of Calvinistic doctrine to lead people to a realization

of the serious import of life and death. His sermons on *Justification by Faith* and *God's Absolute Sovereignty* were impassioned presentations of mighty themes, and his words moved his hearers mightily. The spiritual rousing, which was at first sporadic, rapidly became general and swept over all western Massachusetts. It was accompanied by fervor and physical demonstrations foreign to the calm temperament of the Puritan.

The awakening in New England was simultaneous with the great religious movement in England which centred about George Whitefield. An invitation was extended to this eminent divine to come to the colony. He accepted it, and arrived in New England on September 14, 1740. His preaching tours were religious triumphal progresses; his prodigious powers of oratory were attended with the same results during his ten days' preaching in Boston as had marked his efforts in less cultivated centres. Under his fervid declamation, persons not regarded as of emotional temperament were strongly moved. Whitefield possessed remarkable powers of endurance. He writes that he rode a hundred and seventy-eight miles and preached sixteen times during one week without a sense of weariness. His audiences were mostly in the open air, as there were no buildings large enough to accommodate the thousands who flocked to hear him.

It is interesting to note his keen, if not altogether impartial, observations upon the principal city of America. He described Boston as a populous and wealthy centre, but as being languid in religion. He observed that the pride of life manifested itself in the wearing of jewels and in the adornment of the face with the black patches which were then the fashion; he was shocked by the brightness and costliness of female apparel. Apart from the low state of spirituality, he had little for which to reprove the people of Boston; he commended them for a formal observation of the Sabbath and for their respect for religion.

After the more demonstrative features of the religious movement had subsided, a reaction set in and sharp controversies arose upon matters of religious character and experience. John Davenport, who came to Massachusetts from Long Island, was regarded by Whitefield as an eminent expounder of the doctrines of the new zeal for religion, but was in truth a narrow, conceited, and bigoted man, and made himself a promoter of religious strife. He inveighed against the regular ministers, who had preserved a measure of calm amid the religious enthusiasm, as being unconverted. He unsettled the minds of many persons and led them to discredit the religious character and worth of their accredited teachers. This led the pastors of Boston to defend themselves against his fulminations, and a religious controversy, lamentable and unprofitable, was the result. A second visit which Whitefield paid New England, in October, 1744, was not so well received as his first. Whitefield himself, however, deprecated what he termed the wildfire of the movement of which he was so largely the inspiration. This eminent man died in the colony in 1770. Connecticut had been not less influenced by the religious awakening than Massachusetts, but Rhode Island had been affected by it only to a limited extent.

The great "awakening," as it is styled, was at first generally welcomed by the people, but in its development so much of Pharisaism was engendered, with exhibitions of unchristian temper and pretentious holiness, that a great many persons who had at first been attracted were repelled by the movement. Nevertheless, it stirred human nature to its depths, and great numbers of persons who were lacking not only in religious inclination but in all virtuous principles were led into a new order of life and became imbued with Christian graces.





## CHAPTER XXIII

### *THE COLONIES IN CONCURRENCE*

WILLIAM SHIRLEY, the successor of Belcher in the governorship of Massachusetts, had an extended rule, covering the whole period of hostilities with the French, which, after a protracted peace, were renewed.

He went to Boston to practise his profession of barrister; there he filled various public offices and for a time sustained pleasant relations with Governor Belcher; but these were later strained by political differences. At the time of his commission as governor, in 1741, he was in Rhode Island engaged in determining a question about that colony's boundary. A man of talent and ability, he had achieved a reputation for integrity and regard for the interests of the colony that evoked for him the confidence of the commonwealth. When the news of his appointment arrived, it was received with demonstrations of satisfaction which testified to his popularity. His inaugural speech was particularly happy in its avoidance of subjects concerning which the General Court felt irritated, and in its recommendation of measures for the public good which could receive the endorsement of the lawmakers. He alluded to the defences of Boston harbor and urged that they should be repaired in view of the war between Great Britain and Spain; and he adverted to the deplorable state of the currency and the insecurity of business interests which it caused.

The financial condition of the colony was indeed appalling, and seemed to defy solution. The legislature had

floundered in a sea of expedients for the redemption of its large burden of bills of credit. Shirley was fully aware of the gravity of the situation and realized that the colony was at a crisis in its career. The time was at hand when the positive prohibition of the king would prevent it from adding to the sum of its dishonored credit. Temporary expedients were resorted to, among which was the passage of two bills, one for the supply of the treasury, and the other for fixing the standard of value of the currency of the colony.

At the end of the governor's first year of incumbency the Court made him a grant of £650 under the same form of statement which it persisted in observing. The governor acquiesced at the time, but, at the end of the next session, he respectfully notified the legislature that he was required to demand a stipulated salary; the House, however, on the plea that it had too few members present to take action in the matter, refused to act. At the beginning of the next session, the governor again respectfully renewed his demand. The House replied that it felt justified in a permanent refusal to fix a settled salary for the governor, and maintained that the principle of the mutual dependence of the executive and legislative departments of government was a sound one. As the Council was dependent upon the governor for its constitution, as was the House subject to his convoking and proroguing, and as no legislation could become operative without his approval, the only check upon the executive which was left the legislature was that provided by appropriations for the governor's maintenance. This power of the purse the House declared it steadfastly meant to preserve.

When, in a state verging upon financial ruin, the colony received news of the renewal of the war with France, it was dismayed at the prospect of a levy for the putting of a military force in the field. Soon after the intelligence of the rupture reached New England, the French governor of Cape Breton captured the military post at Canso and took the members of the garrison prisoners. Upon the convening of the Court, measures looking to the military defence

of the colony were undertaken. The renewal of Indian massacres, which were inevitable upon a state of war with the French, was especially dreaded. The fort of Louisburg, situated on the island of Cape Breton and commanding the entrance to the Gulf of St. Lawrence, became the especial object of attack, as planned in the strategy of the British. The governor, on the basis of statements made to him by some French captives, felt confident that it could be taken by sudden assault, and so expressed himself in a communication to the General Court on January 9, 1745; but the Court deemed that, as a winter undertaking, the project did not promise the possibility of success, and declined to entertain it; the governor, however, was sanguine of success and persisted in his advocacy of the scheme. The plan had been proposed to the Court in a secret communication, but it was disclosed in some manner, and, becoming known to the public, awakened enthusiasm. The governor received petitions from various seacoast towns, warmly advocating the project, and upon such evidences of its popularity he requested the Court to reconsider its action. This was done, and the matter, after being reported upon favorably by a committee to which it was referred, was adopted by the majority of a single vote.

The choice of a leader for the proposed expedition fell upon William Pepperell, whose father, a Devonshire man, had come to the Isle of Shoals to engage in fishing, and later, removing to Kittery, had accumulated a competence. The son built upon this foundation a considerable fortune, and became the wealthiest person in the province. He was a man of great courage and discretion, of unassailable probity, and of a patriotism whose sincerity was unquestioned. Best of all for the prospects of the expedition intrusted to him, he inspired the men of his command with implicit confidence. He was little versed in military science, but what disciplinary training his troops thereby lost was more than made up by the *esprit de corps* which bound them together in a common devotion to their leader.

The Massachusetts contingent of the expedition for the reduction of the fort at Louisburg sailed March 24, 1745; the troops numbered three thousand two hundred and fifty. Upon arriving at Canso they were joined by a force of three hundred from New Hampshire, and three weeks later the army was increased by over five hundred men from Connecticut. Rhode Island's contingent did not reach the scene of action until too late in the campaign to be of service. Arrived within fifty miles of Louisburg, Pepperell consulted the instructions prepared for him by Shirley and found that in important details they were impracticable. However, much was left to the discretion of the commander, and the campaign was proceeded with. The troops were delayed at Canso for a month, waiting for the ice to break up so that they could make their way to Cape Breton; meanwhile, they managed to keep their presence unsuspected by the French.

On April 23d, Commodore Warren appeared with a ship of the line and three frigates, an addition to the fighting force of the expedition that occasioned great rejoicing. These were soon followed by several other heavily armed ships; and the considerable naval force which, with the provincial vessels, was thus provided was felt to be a source of increased strength to the expedition, and materially brightened its prospects of success. On April 30th, a landing was made before Louisburg after a brush with a small force of the enemy. Colonel Vaughan, of New Hampshire, was sent forward with a company of four hundred men to capture the outer battery. Advancing to some warehouses, he set fire to them; and the great smoke occasioned by the burning of their stores of pitch, tar, and other combustibles, drove out the garrison in charge of the battery, so that Vaughan was surprised to find it undefended. He thereupon sent back to headquarters the following gratifying message: "May it please your Honor to be informed that, by the grace of God and the courage of thirteen men, I entered the Royal Battery about nine o'clock, and am

waiting for a reinforcement and a flag." The capture of this battery supplied the British with the heavy artillery which they lacked. The siege was furthered by a number of fortunate circumstances. One of these was the interception and capture of a French ship of sixty-four guns which was going to Louisburg with provisions and military stores for the garrison.

An active attack by a flotilla of boats, under Captain Brooks, was made upon the island battery at the entrance of the harbor on May 26th. The darkness of the night and the prevalence of a storm made landing hazardous, and in the attempt nearly two hundred men were either drowned, killed, or taken prisoners. The next action toward the reduction of this battery was the construction of another upon an eminence overlooking it. The latter battery appeared to have an intimidating effect upon the mind of the French governor and to lead him to consider a surrender. In the meanwhile, the blockade was made increasingly strong, so that the besieged were shut off from outside succor unless there should come a French force of unexpected strength. The system of communication of the army with the home authorities was excellent, and the commissariat was well managed. With the principal battery near the water's edge almost dismantled, and the island battery badly damaged, the beleaguered foe was not in a position to be aggressive. A vigorous cannonade of the island by the new battery, with the coöperation of the ships, drove the artillerymen from their posts, and a land force scaled the walls of the fortification. This was on June 15, 1745, and the French garrison, without awaiting a concerted assault on the part of the enemy, sent out a flag of truce and asked terms of capitulation. Honorable terms were accorded the French in the hour of their defeat, and they were allowed to march out of the fort with their arms and with colors flying. It was fortunate for the British commander that he had the good sense not to quibble about minor details of the surrender of the French commander, for a few days

later he received news of the approach of a large body of Indians. The reduction of Louisburg resulted in the capture of six hundred regular troops and thirteen hundred militiamen. Not only the fort but the town of Louisburg, which was contiguous to it, was almost completely wrecked. It is said that not a house remained uninjured and scarcely any of them were habitable.

The achievement of the colonial forces and those of the mother country thrilled the colony with joy that bordered upon intoxication. The general delight overflowed in an exuberance which found expression in the greatest demonstration that Boston had ever known. Bells were rung, guns fired, the ships in the harbor were decked out in colors, and at night an enormous bonfire blazed upon the Common, while fireworks added their witness to the general rejoicing. A day of public thanksgiving was set apart by the governor, on which occasion a sermon was delivered by Dr. Chauncy in praise of the troops. Similar demonstrations were made in all the New England colonies, as well as those to the south, for the colonial campaign had been generally participated in. The echoes of the joy in the colonies were taken up in Britain, where the victory caused as great satisfaction. Pepperell was created a baronet, being the first New Englander to be so honored.

The victory must be measured by the importance of its secondary results; a large French fleet on its way to attack the colonies learned from a neutral ship of the fall of Louisburg and, abandoning its purpose, returned home. By this victory Nova Scotia was saved to Great Britain, and, as the most decisive battle in the War of the Austrian Succession, in so far as England was a participant, it may be said to have brought about a conclusion of peace affecting all Europe. Pepperell, by this achievement, did more than any other man to prepare an army that was later, under Washington, to achieve independence for the colonies.

Governor Shirley took to himself a large part of the credit for the success of the operations against Louisburg,

and indulged in the dream of the capture of Quebec. He matured a plan for the undertaking, fixed the quota of troops that should be raised by the several colonies, and obtained an endorsement of his project at court. Of the eighty-two hundred men proposed to be mustered in the colonies, Massachusetts engaged to furnish thirty-five hundred. Connecticut promised a contingent of six thousand troops, and more if needed. The scheme included a fleet and eight battalions of soldiers of the regular army from Great Britain. The same plan of campaign that had been followed in the prior attempts upon Quebec was decided upon; the troops from New England were to proceed to Quebec by way of St. Lawrence River, and those from the other colonies by Lake Champlain and Montreal. Autumn came without the appearance of the expected British fleet, and, lacking its aid, it was decided not to prosecute the enterprise against Quebec, but to engage in the reduction of the fortifications at Crown Point. The situation was complicated by hostile movements of the French and their Indian allies in Nova Scotia, and the troops that had been despatched to the northwest were recalled. Boston was garrisoned with a force of nearly ten thousand men to meet the invasion of a large company of the French, whose approach was heralded by the intelligence which reached the city that a fleet of that nation, more formidable than any which had yet come to New England's coasts, had been sighted. In truth, a fleet of forty ships of war, escorting a number of transports, had appeared in American waters. The coast defences of the country would have been entirely insufficient to protect the colonies from such a formidable attack, but several fortunate circumstances saved them from the threatened peril. Reinforcements which were to have effected a junction with the French fleet failed to fall in with it, and sailed back to France; a fatal fever broke out aboard the ships and wrought havoc among the troops; the report of the approach of an English squadron set the officers of the fleet at variance as to procedure; and finally,

the ships encountered a furious storm, in which many of them were wrecked.

Massachusetts, however, met with some minor reverses: a party of French and Indians threatened Port Royal [Annapolis], and a force sent out by Shirley for its succor was defeated with the loss of a hundred and sixty men.

An incident connected with the warlike spirit of the time threw Boston into a tumult. Governor Shirley, in order to provide for the defence of Louisburg, ordered the impressment of men into the navy. Although the press-gang system was familiar enough in England, it was an innovation in Boston, and the temper in which it was received by the people was significant of the attitude New England might be expected to assume toward all arbitrary exactions of military service. The irritation of the people was increased by the action of Commodore Knowles, an English officer, who, on November 17, 1747, undertook to supply the places of deserters from his ship by impressing a number of journeymen and apprentices of the shipbuilding trades. This proceeding evoked a popular outburst, and the governor's residence was thronged with a concourse of persons clamoring for the detention, as hostages, of such of the officers of the ship as were in the town. The governor unsuccessfully attempted in an address to placate his fellow townsmen, but, as he would not give them the redress demanded, he was threatened with personal violence and had to withdraw into his house under military protection. Shirley was not a man to read the deep significance of the spirit which actuated this demonstration, and, thinking to intimidate the townsmen by a display of military force, he ordered the next day a street parade of the militia, but not enough men turned out to form a line. He then realized something of the depth of the feeling of the people, and, regardful of his personal danger, repaired to the castle, whence he wrote to Knowles advising him to release the men whom he had impressed. Knowles refused to do this until those of his officers who were detained on shore by the people were



released, and he threatened that if this were not done he would bombard the town.

The General Court, as was natural, sympathized with the position taken by the people, and reluctantly took cognizance of the state of popular excitement by adopting resolutions calling for an abatement of the tumultuous assembling of "armed seamen, servants, negroes and others in the town of Boston," as tending "to the destruction of all government and order." The Council passed an order for the release of the officers and it was carried into effect. A town meeting was held, at which the speakers urged the importance of preserving the public peace and decorum, and resolutions were passed denouncing in strong terms the outrage which had occasioned the disorders. The action of the citizens themselves ensured the personal safety of the governor, whom they conveyed back to his house with a great show of respect. Shirley issued a proclamation offering a reward for the apprehension of the ringleaders in the late disturbance, and promised that all due care should be taken for the preservation of the just rights and liberties of the people, and for the redress of all their grievances. In the meanwhile, the commodore concluded that he might not be upheld in his course by the home government, and released the men whom he had impressed.

In 1748, the Treaty of Aix-la-Chapelle established peace between Great Britain and France. The colonists were deeply mortified to find that by its terms Louisburg was restored to the French. In 1745, Governor Shirley, in a letter to England, had recommended a disposition of the strong fortification which testified to his pro-British sentiments and his realization of the strength of the growing feeling of independence in the colony. His proposal contemplated nothing less than the establishment of a British garrison at Louisburg, and a fleet to overawe the colonies and to "give the crown of Great Britain a most positive hold and command of 'em, if ever there should come a time when they should grow restiff and disposed to shake off their

dependency upon their mother country, the possibility of which seems to me some centuries further off than it does to some gentlemen at home."

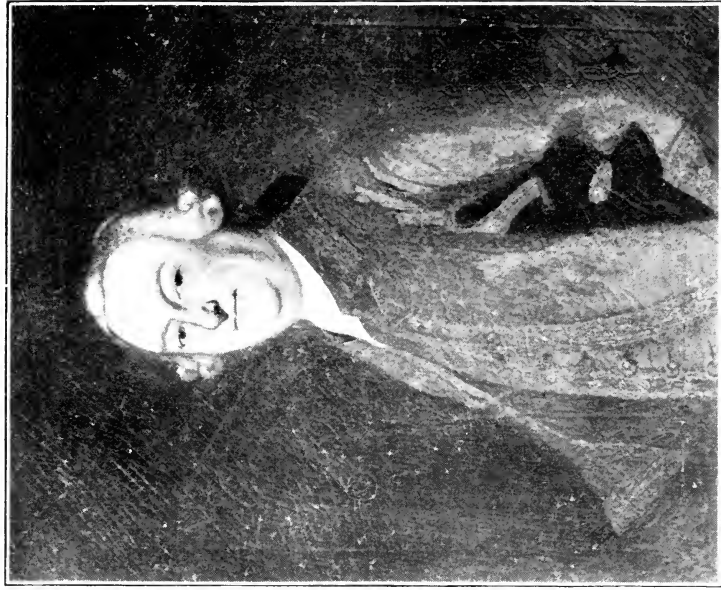
There were reasons to believe that there were "gentlemen at home" who placed little confidence in the loyalty of the American colonies, and New England read in many acts of the home government evidences that its regard for them was not altogether of a gracious nature. When Governor Keith, of Pennsylvania, proposed that Parliament should extend the English stamp duties to the American plantations, Shirley was found in advocacy of the scheme. The proceeds of this tax he proposed should be devoted to the erection of a line of forts along the northern frontier. Propositions for the repeal of the colonial charters, although they were invariably met and defeated by the agents of the colonies abroad, nevertheless were an index of a disposition to curtail the rights and privileges of the growing communities beyond the seas.

In 1749, Shirley went to England on a leave of absence from the colony for a year. Before his departure, arrangements had been made by which the miserable financial state of Massachusetts was improved. The cumulative debt of the colony had begun with the costly and unsuccessful expedition of Phipps against Quebec; and the successive issuance of bills of credit for the carrying out of extraordinary war measures and for other purposes had added to the colony's original obligations until, as we have stated, the credit of the colony was as bad as it could be. Currency was drained out of the colony, and values were disastrously affected. The Louisburg expedition had cost Massachusetts nearly £262,000, which, however, represented only £183,000 in London exchange. The colony's advocate-general, William Bollan, however, successfully petitioned the home government for the reimbursement of Massachusetts for its outlay. The bringing of this immense sum of coin into the colony did much to alleviate the financial stress. At the existing rate of exchange with London, the money with which Massachusetts



Edward Boscawen, Vice-admiral of the Blue.

*From the original painting by Sir Joshua Reynolds, in the National Portrait Gallery, London.*



Governor John Winslow.

*From the original painting, attributed to Blackburn, now hanging in Pilgrim Hall, Plymouth, Massachusetts.*



had been recouped was sufficient to pay nine-tenths of all the provincial bills of the old sort that were in circulation. Against much opposition, Thomas Hutchinson prepared and formulated a bill, which he succeeded in having passed, by which the circulation of Massachusetts was placed on a sound basis for the next twenty-five years. In 1751, an Act of Parliament annulled all existing laws of the New England Assembly which made bills a legal tender in private transactions, and pronounced any governor who should favor such a law incapable of holding any further office in the king's service. Thus was Massachusetts relieved of the incubus of a discredited currency, and with this relief began a new period of prosperity for the colony.

We will now turn our attention for a while to the progress of events in some of the other colonies. The insecurity of the Maine settlements gave little of the confidence necessary for their rapid growth, so that in 1743 the population of the province was estimated at only about twelve thousand people. There were eleven towns, all in an impoverished state. The chief industries of the people were shipbuilding and the fur trade. They also engaged in commerce with the colonies to the south and with the West Indies, receiving rum, molasses, corn, and pork in exchange for their fish and timber. Although Maine was of such little consequence from the point of view of population and products, yet it had the honor of furnishing the three officers in chief command of the forces of Massachusetts: Pepperell, Waldo, and Moulton, and its quota of troops was largely out of proportion to its population.

The late war resulted in the founding of the important town of Halifax, Nova Scotia, in June, 1749. Parliament made a grant of £40,000 toward meeting the expense of bringing four thousand immigrants and their families—the households of soldiers and seamen thrown out of employment by the recent peace—to the harbor of Chebuctoo. The new settlement was named in honor of the president

of the Board of Trade. The occupation of Halifax, Annapolis, and other posts of lesser importance entrenched the English in the peninsula.

On the return of Shirley to New England, August 6, 1753, he gave his attention to securing assurances of peace from the eastern Indians and to strengthening the outposts of the colony. He was particularly concerned that Nova Scotia should be strongly protected by fortifications and garrisons; for, he wrote, "when Nova Scotia is lost, the French may be looked upon to be in the end masters of the continent." His perception of the strategic advantage of Nova Scotia was creditable to his military judgment. Its possession by the French would have given them satisfactory communication by way of the Bay of Fundy with New France. New England would have been placed at the mercy of the French as far as Merrimac River. With the Bay of Fundy and the Gulf of St. Lawrence both under her control, France could have poured a multitude of troops into New France for the overrunning of New England. The possession of Nova Scotia would also have given the French the assured conquest of New Hampshire, and with it would have gone the forests upon which the royal navy largely depended for masts and structural timbers. All these points of advantage pertaining to the possession of Nova Scotia by the British were dwelt upon by Shirley in an appeal to the ministry for two thousand stand of small arms. The British ministry was aware of the weakness of the colonies in their lack of interdependence and sought a remedy for this. The Board of Trade directed Governor De Lancey, of New York, to invite representatives of the other English colonies in America to send delegates to Albany for a conference concerning a system of organization for their common defence and for a confirmation of peace with the Indians. Virginia and New Jersey were the only colonies that failed to respond to the invitation sent out. Among the delegates to this colonial convention were Thomas Hutchinson, of Massachusetts, and

Benjamin Franklin, formerly of Massachusetts, but then of Philadelphia.

The New England confederation of the former century was considered by the convention as a type of union. The delegates from New England had, in fact, been instructed by the General Court to favor a union after that general pattern. The commissioners concurred in a judgment that a union of all the colonies was absolutely necessary for their mutual security and defence, and they appointed a committee consisting of a delegate from each colony represented in the convention to prepare a plan of union. Hutchinson and Franklin were members of this committee.

Franklin brought to the conference an elaborate scheme for confederated action by the colonies. He proposed a union of them all under a president-general of the crown's appointment and a Grand Council to be made up of representatives elected by the Assemblies of the several colonies. Massachusetts and Virginia, being the larger colonies, were to have seven representatives each of the total of forty-eight. This Council was to be elected every three years and was to meet in yearly sessions, subject to convening at special call when necessary. The president was to be vested with the executive powers of such an office and to have the right of vetoing acts of the Council. In agreement with the Council, he could declare war, confirm treaties with the Indian tribes in the king's name, equip fleets, build forts, and levy duties and taxes, besides providing for a common currency. The laws passed by the Council were to be agreeable to those of England and were of necessity to be subject to the royal veto.

Franklin's plan was not received with favor either by those who had extreme leanings to democracy or by those who were under the influence of prerogative. The Board of Trade did not even dignify it by bringing it to the notice of the king, and the colonial legislatures paid as little attention to it. Another project which emanated from the British ministry was to have as the central authority for the colonies

a council consisting of the several provincial governors and some members of the colonial councils. This plan contemplated the levying of taxes upon the colonies by Parliament. This was objectionable to Franklin, and many others shared his views. It is significant as indicating the diverse interests of the colonies in the north and those in the south, even at that early day, that Governor Dinwiddie, of Virginia, favored two confederacies, a northern and a southern.

At the time of the congress of the colonies at Albany, the strife between the British and the French had begun. There had not been a declaration of war between the two countries, and the hostilities in America were due largely to local conditions arising out of the border contact of the two peoples. It was in one of the skirmishes between the French and a detachment of Virginia militia that George Washington first came into prominence. The passing of years had not diminished the satisfaction of Massachusetts with the victory at Louisburg, and its people were eager for a resumption of warfare with their traditional enemy. The successes of the French along the Ohio fired the English colonists with resentment and created among the colonies an intense feeling of community of interest. They were eager to engage in a conclusive fight. In this conflict they were to touch shoulders, and come to that plane of common understanding which was to prepare them for a united front when the encroachment of the British crown upon their growing liberties should fan their smoldering resentment into a flame of opposition.

The course of hostilities was marked by the usual vicissitudes of warfare; the loss of the British fort, which the French after its capture named Du Quesne, served only to stimulate the passion of strife in the breasts of the colonists, but the defeat of Braddock to the south awoke a sullen resentment and deepened the determination of the colonies to continue the war to a successful issue. Shirley, in 1755, sent two thousand provincial troops to Nova Scotia in preparation for an expected French invasion of that country.



The French neutrals of Nova Scotia, as the French inhabitants who had become British subjects were called, were found in arms against the British, and three hundred of them were slain. Shirley's campaign was not marked by good generalship. With Lake Champlain and Lake George in the hands of the French, Nova Scotia disloyal, and hordes of savage red men in arms and committing depredations, the English colonies found themselves little protected by the forces under the British governor.

Regarding the inimical spirit of the people of Nova Scotia as a menace to the safety of the proximate colonies, Lawrence, lieutenant-governor of the province, and the admiral and the vice-admiral of the station, decided upon the radical course of transporting the whole population to the southern provinces. A day was fixed for the assembling of the men at designated places in their several districts to receive the edict of their masters. The proceedings at Grand Pré, which have been preserved in records, were similar to those followed at many other points where the unhappy people learned of the catastrophe with which they were to be visited. In this instance, after the men had assembled in their church with no suspicion of danger, they were marched down to the water's edge and forced upon transports, their women and children being treated in the same manner. All their landed possessions and property, other than personal, were adjudged forfeited to the crown, and their houses were burned to the ground. Nearly seven thousand unhappy exiles were thus forcibly carried away from the country which under their fostering care had afforded them the fruits of industry, and where domiciled they had learned to love the sweet contentment of peace and frugality. One of the saddest pictures of human callousness is this transportation of the people of Acadia from their cherished homes. Only the exigency of military security offers a palliating explanation.

In June, 1755, Baron Dieskau, who was in command of the French troops at Quebec, planned an attack upon the

New England colonies by way of Lake Ontario, but was arrested in the execution of his project by news of the massing of English and Indians for an attack upon Crown Point, after the conquest of which the assailing force was to march on to Montreal. Already they were at the portage between Lake George and Hudson River, three thousand whites with their Indian allies. They represented contingents from Massachusetts, Connecticut, and New Hampshire. William Johnson, a nephew of Commodore Warren of Louisburg fame, was in command. Through his domestic relations with the daughter of Brant, a Mohawk chief, he exerted a potent influence over that warlike tribe. Upon arriving at Wood Creek, toward the southern end of Lake Champlain, they encamped with a sense of security which was dissipated by the attack of Dieskau, who made a landing with three hundred regulars, six hundred provincial troops, and as many Indians—according to his own figures, with which the English account does not agree. He planned to get to the rear of his enemy and make an attack upon Fort Edward, but his Indian allies would not consent to the proposal. He had no recourse but to attack the camp itself. Apprised of the approach of their foe, the English made hurried preparations for a stand against them. A hot engagement ensued, the New England marksmen firing with unerring aim from behind their breastwork of logs. After four hours of hard fighting, the English abandoned their intrenchments and charged the French soldiers, putting them to rout. The opportune arrival of a body of troops from Fort Edward aided materially in securing this success. The English lost about two hundred killed and wounded in the engagement; but almost the entire force of Dieskau was slain, he himself being seriously wounded and made captive.

The colonial governors, after the arrival of Braddock, had planned the concerted campaign of the colonies, and this included the capture of Fort Niagara at the western end of Lake Ontario. The same year, Shirley, to whom

was intrusted the command in this undertaking, met with failure and seriously impaired the military reputation he had secured upon little evidence of personal merit. He proceeded up the Mohawk, down the Oswego, and, upon arriving at the shore of the lake, found it necessary to await additions to his commissariat before advancing. Fearing an attack from the troops at Fort Frontenac, he determined to leave two-thirds of his force of fifteen hundred troops to ensure the safety of Oswego, and, with the remainder, proceed by way of the lake toward Niagara. Heavy rains, Indian mutiny, and indecision were the causes of the defeat of this plan. The regiments returned with a humiliating record of inefficiency, and Massachusetts found itself again facing a startling deficit in its finances.

The failure of his campaign brought Shirley into discredit with the home government, and, although the British ministry courteously veiled the sting of the order notifying him of his transfer from the governorship of Massachusetts to that of Jamaica, he could not but realize that he was being subjected to punishment for the reverses he had met. After his release from office, Shirley, in obedience to the ministry's order, repaired to England, being succeeded as commander-in-chief of the colonial forces by Colonel Webb, who was commissioned to hold the place until the arrival of the Earl of Loudon or General Abercrombie. Thus, in 1756, ended Shirley's administration.

The retirement of Shirley brought again to the head of the administration of Massachusetts the aged Spenser Phipps. He had for twenty-four years filled the office of lieutenant-governor.

In 1756, England declared war against France, by which act the hostilities which had been in progress in America for about two years were made regular. Although there had been, up to this time, no specific declaration of war, yet the two nations had been in a state of virtual hostilities which the Peace of Aix-la-Chapelle had hardly served to

suspend. After war was declared, the Earl of Loudon received the appointment of commander-in-chief of the colonial forces. The plan of campaign proposed the year before at a conference of the governors of several of the colonies was taken up. This was to proceed simultaneously against Fort Du Quesne, Fort Niagara, and Crown Point, while a diversion should be made by another force approaching Quebec by the way of the Kennebec and the Chaudière. This plan, however, was frustrated and a severe defeat administered to the British by the capable strategy of Montcalm, who had succeeded Dieskau in command of the French troops. He marched a force of five thousand men against Oswego, which was held by Colonel Mercer with Shirley's and Pepperell's commands. He found the British short of ammunition, and the garrison capitulated. The following year, 1757, a futile attempt was made upon Louisburg, succeeded by the surrender of Fort William Henry to Montcalm. The prisoners had been guaranteed safe conduct to Fort Edward, twenty miles away, but the French could not restrain the savages, who had obtained access to liquor, from falling upon the British and massacring most of them. The capture of Fort William Henry was a feat of arms which spread consternation among the English colonies and called forth large reinforcements to their army.

After the death of Lieutenant-governor Phipps, four months elapsed before the accession of Thomas Pownall to the governorship of Massachusetts. Pownall brought his commission to Boston on August 3, 1757. He appointed Pepperell lieutenant-general of the forces of the colony. In November of this year arose between the British authorities and the colony an issue which later was fruitful of much discord. This was in the nature of a requisition upon Boston for the quartering of an English regiment upon the people, according to the prescription of an Act of Parliament. The justices of the colony insisted that this act did not apply to the American colonies, and Lord Loudon furiously declared that if the requisition were not immediately

complied with he would march upon Boston all the regulars at his disposal. The Court, after several days' consideration of the matter, yielded to pressure, but did so by passing an act of its own, making such a provision as was called for by the Act of Parliament from which it dissented. This and subsequent quarrels between the General Court and Lord Loudon greatly impaired the usefulness of the latter, and in 1758 he was relieved of his office of commander-in-chief and succeeded by Abercrombie, under whom it was hoped that the colonial army would retrieve the losses of the late campaign.

In June, 1757, Pitt's intelligent and strong policy in American matters began to be felt in the colonies. In April he had been dismissed from his position as one of the secretaries of state, but in June he was recalled to that office under the ministry of the Duke of Newcastle. He was the real head of the State, and the colonies felt that they could rely upon his assurance to them of the prosecution of measures which would give them permanent security from the French and Indians, and that their proper rights would not be invaded. The response to this assurance on the part of the colonies was the raising of twenty-eight thousand provincial troops, Massachusetts furnishing one-fourth. Pownall, in writing to Pitt with regard to the heavy financial exactions upon Massachusetts which the campaigns had made, and which were disproportionate to the burdens of the other colonies, added that it was "a certain fact that the country had been hitherto preserved by the efforts which this Province had made . . . This Province ever did, ever will, and ever must take the lead when a spirited measure is expected."

Abercrombie was no match for the resourceful Montcalm, and his command of the colonial troops was in no way an improvement upon that of his predecessor. Seeking the recovery of the prestige which the British had lost in the Lake Champlain region, he was met by Montcalm with a force of thirty-six hundred provincials and French.

Abercrombie had under him fifteen thousand troops. The French were behind breastworks at Ticonderoga, a fortification which had served Dieskau in his recent campaign. Two bridges leading to the fort had been destroyed by the French, but were restored by a provincial officer. On July 8, 1758, occurred the notable engagement. The British, influenced by a report of large reinforcements for Montcalm on the way, determined upon an infantry attack without waiting for the heavy artillery to be brought up. The charge of the British was desperate but disastrous. The French troops had been ordered to reserve their fire until their enemies had become involved in the barricade of brush with which the fortifications were surrounded. The battle lasted between four and five hours and resulted in a loss to the British of nearly two thousand men, for the most part regulars; while the French claim to have lost but one hundred and six killed and two hundred and sixty-eight wounded and missing. Although still far outnumbering their foe, the British beat a precipitate retreat toward Lake George, and were harassed upon the rear by the Indian allies of the French. It was in one of the skirmishes of this retreat that Israel Putnam was captured by the Indians, tied to a tree, and the fagots which the savages had placed about him kindled, when his life was saved by the intervention of a French officer. This ignominious defeat of Abercrombie resulted in his being superseded by Sir Jeffrey Amherst, the beginning of whose administration, in 1758, was simultaneous with the beginning of better fortunes for the British.

August 27th of this year witnessed the reduction of Fort Frontenac on the north side of Lake Ontario by Colonel Bradstreet, of Massachusetts. This achievement was notable not only because of its strategic importance, but because the place was the depository of the French for munitions of war. These in great abundance, as well as other supplies and nine armed vessels, fell into the hands of the victors.

In the meanwhile, the siege of Louisburg was being vigorously pressed under the direction of James Wolfe and

Isaac Barré, Sir Jeffrey Amherst being in supreme command, supported by Admiral Boscawen with a fleet of thirty-eight ships. The French garrison held out for seven weeks, when it surrendered to the British. The town had been destroyed by bombardment, and immense stores and great quantities of ammunition, besides nearly six thousand prisoners, fell into the hands of the victors. Wolfe, to whom the credit of the campaign largely fell, was lifted to a point of military distinction by this splendid exploit.

With the fall of Louisburg and the successive captures of Ticonderoga and Crown Point, the way to Quebec was laid open to attack by the victorious armies. On June 26, 1759, Wolfe found himself before Quebec, whose circumvallations frowned discouragement upon any endeavor of the British foe to take them. Without awaiting the arrival of divisions of his army which were to join him and cooperate in the attack, Wolfe, depending upon his own military genius and the courage and capacity of his troops, decided to open the attack without delay from a battery which he had placed upon the south bank of the river. But it was on the western side of the city that the fortifications were weakest, although the difficulty of the ascent almost forbade the hope of a successful landing. By a feint, Wolfe diverted attention from his real purpose and managed to effect a landing and overpower the guard before his actual object could become known. Cannon were hauled up the steep heights, and, under cover of the darkness, five thousand men scaled the ascent and by sunrise were massed in front of the city upon the high western plateau. Montcalm could not realize the possibility of the accomplishment of this feat by more than a few adventurous spirits, but when convinced of the seriousness of the situation resolved to give battle to the foe. Advancing to the attack over the rough ground, the French were met by a fierce volley of musketry and a deadly bayonet charge by the British from their high position. Their defeat was quick and complete, but the British army suffered the loss of General Wolfe. He did not

expire, however, before receiving word of the accomplishment of that which had been the dream of so many British commanders before him,—the conquest of Quebec. With the capture of Quebec went the subjugation of Canada. With the conquest of Canada fell the empire of the French in America.



## CHAPTER XXIV

### *THE RISING TIDE OF REVOLUTION*

WHEN George II. died, in 1760, the power of Britain in America had reached the point of its greatest supremacy. With the reign of George III. was ushered in the period whose despotism was to lose to the British crown its brightest jewel. The war with the French had brought the colonial troops into a unity of action, and the colonies themselves into an identity of interests, and a common comprehension that foreshadowed and made inevitable the later federation entered into for the achievement of independence. It must not be supposed, however, that there was abroad in America, certainly not in New England, any deep-seated resentment toward Britain on account of a dependent relation toward her. Massachusetts had so long practised the art of securing by disguised legislation the privileges which would have been vetoed if made plainer, and had learned so to control its governors by the exercise of the power of the purse, that it felt that by pure obnoxiousness it could secure a reasonable measure of its demands. Connecticut and Rhode Island felt little disposed to complain of their condition.

Nevertheless, the spirit that led New England to cherish her religious rights and to stand ready to defend them to the last extreme was still the dominant characteristic of the people. The love of self-government was not only a heritage, it was a part of the habit of thought of the New Englander. While far-sighted statesmen saw in prospect

clashes with the mother country over matters of civic rights, yet even they did not seek to anticipate such collisions, or to project them into the forum of discussion or the arena of activity by an ill-advised, injudicious, or a prejudiced attitude toward the government. Certain it was that when the time should come, as it did come, that the country had to face the alternative of yielding the essential things of self-administration or of defending the principles of liberty at the point of the sword, there was no manner of question as to the choice of the great majority of the population of New England, and especially of Massachusetts.

The turn of events in Great Britain had made it impossible for New England to hope to enlist the sympathies of any class of the British people in any aspirations for civil independence which she might entertain; the Dissenters, upon whom she had depended for strength and succor in her fight for religious rights, had become the mercantile class of the country, and by reason of their attitude toward the rival commerce of the colonies were the great inspirers of oppressive legislation toward New England.

The surrender of Canada was shortly followed by the arrival in Massachusetts of Francis Bernard, who came with a commission as governor of that colony in August, 1760. He was a man of superior education, and had had experience in administration in America, having served for a period as Governor of New Jersey. The new governor was well pleased with Massachusetts, and wrote to the Lords of Trade concerning the people that they were "better disposed to observe their contract with the Crown than any other on the continent that I know." Concerning Boston, he said: "This port has been distinguished by the observance of the Laws of Trade, and is still, I doubt not, the most commendable in that respect of any in North America," and he asserted that the navigation laws were nowhere better observed. These, however, were impressions that he received at first blush, for it was not long after that he complained bitterly of a coalition in the colony to

hamper the execution of the customs acts. He entertained a scheme for the political and territorial rearrangement of the colonies by which Massachusetts proper, New Hampshire, Rhode Island, and all the territory of Connecticut east of the river of that name, would be included within the bounds of one jurisdiction. A second was to comprise Maine and the western part of Acadia, while all the British territory further to the east was to be included in a third colony. With regard to the difficulties in the way of consummating the scheme, he observed, they "arise from the bad policy of establishing republican forms of government in the British dominion." The pliability of the colonists in the matter of religion is expressed as follows: "as for the religious divisions, they are become so entirely subservient to politics, that, if the state of the governments is reformed, and a perfect toleration secured, religion will never give any trouble."

In 1760, the office of chief justice of Massachusetts was made vacant by the death of Stephen Sewall. Governor Bernard, who had been in the colony but a month, found himself facing the difficult question of a proper selection for the high position. James Otis, of Barnstable, claimed that Governor Shirley had promised to appoint him to fill the first vacancy that might occur on the supreme bench. Otis was at this time speaker of the House. Accordingly, he desired to take the place of that one of the judges who should be exalted to the position of chief justice. His ambitions were disappointed, for that high office was conferred on Thomas Hutchinson, whose brilliant conduct of the financial affairs of Massachusetts in the time of their greatest strait, it will be remembered, aided the colony in getting upon a surer footing. In 1758, upon the death of Phipps, Hutchinson became lieutenant-governor, which position he continued to fill after his appointment as chief justice. The honors which were conferred upon him were more a recognition of commanding ability than a distinction for the man whom Massachusetts delighted to honor.

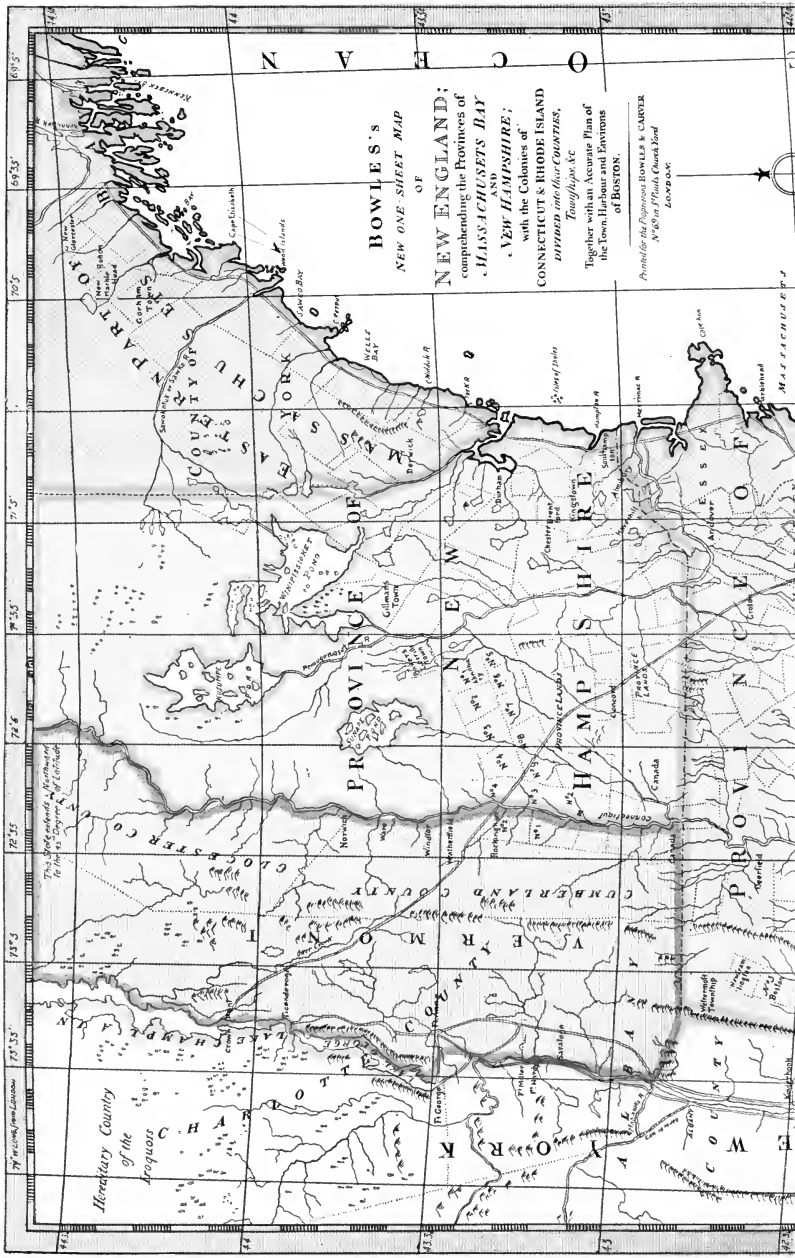
Nevertheless, the sting of defeat rankled in the breast of James Otis and occasioned the feud which marked the relations between Hutchinson and the elder Otis and his son. The latter were men of vehement natures and strong personal ambitions. In a spirit of conciliation, Governor Bernard offered James Otis the choice of the principal offices of his county, and he chose those of judge of the Probate and chief justice of the Court of Common Pleas. The Otises, who were to champion the wisest and most patriotic measures of New England, were not men to be led by personal animus into an opposition toward persons or policies; so that their resentment toward Bernard and Hutchinson never led them into courses of folly.

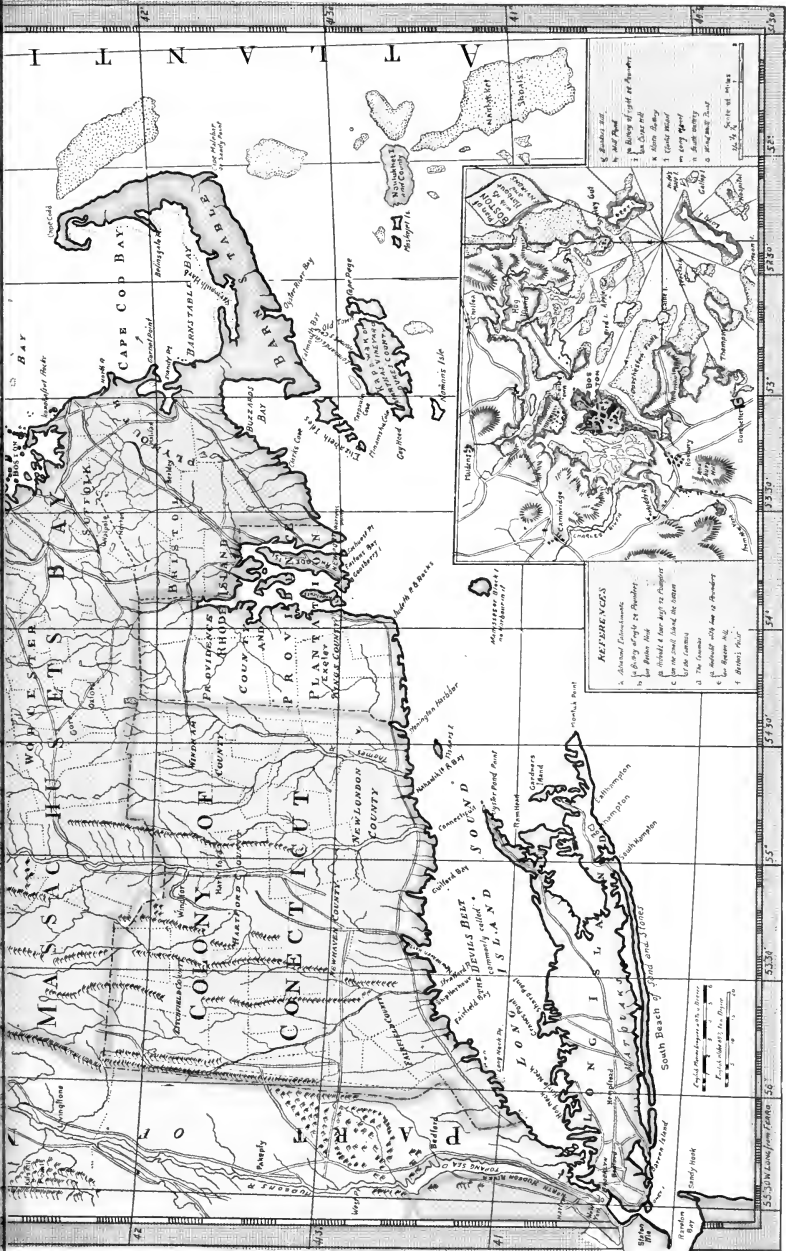
In the sixth year of the reign of George II. (1733), Parliament had passed an act, one provision of which placed a duty of sixpence on every gallon of molasses imported into a colony from a foreign country; and to encourage the detection of smuggling operations, one-third of the commodity found to be fraudulently brought in was to go to the informer, the remainder was to be equally allotted to the king and the governor, for the colony's use. The General Court of Massachusetts was not favorable to this act, and had never sought to collect its share of the forfeits, which by accumulation had reached a considerable sum. The share of the informers, either through negligence or inadvertence, had been paid out of the share of the king for the use of the colony. The question of this irregularity centred, not in its justice, but in the method of procedure. Some merchants prayed the General Court for redress, but the governor and Council contended that the designation of the fund from which the money had in error been paid brought the matter under the jurisdiction of the king's attorney-general. The colony was the direct loser, as the fund was only technically held in the king's name. As the Admiralty Court had authorized the payment of the moneys and the colony had not restrained such payment by an appeal to the Superior Court, which it had a right to do, the governor



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Map of colonial New England, probably the last issued before the Revolution. From the original contained in the possession of the British Museum.





and Council claimed that it had lost its remedy. The matter was brought to a head by a suit instituted by Otis in the Superior Court, seeking to have the right of the colony judicially affirmed, but, to the general surprise, the jury, under the direction of the bench, rendered a verdict against the colony.

The report that a large contraband trade was carried on by the American colonies with the West Indies had led to the issuance by Governor Shirley of search warrants to the surveyor of the port of Boston, authorizing him to make search for goods unlawfully imported. These search warrants were called "writs of assistance," and were resented by the colonies as representing an inquisitorial system incompatible with their independence. As by the terms of such writs they became ineffective six months after a sovereign's death, the practical question of their renewal arose at the expiration of such a period. The more the matter came into public prominence and its legality was debated, the more profound became the feeling against the principle of such writs, as threatening the political freedom of the colonies. It was thought that Governor Bernard in his appointment of Hutchinson to the position of chief justice was influenced by his knowledge of the attitude of Hutchinson's mind toward this subject. Just before the expiration of the period of the validity of the writs, a memorial drawn up and signed by a great many prominent merchants prayed for them a hearing on the subject of the writs of assistance, and the surveyor-general of the customs offered a similar prayer to the Court in behalf of the crown. Jeremiah Gridley, a profound constitutional lawyer, represented the king, and James Otis, Jr., and Oxenbridge Thacher appeared for the merchant petitioners.

By the terms of a writ of assistance, the customs officers were authorized "in the daytime to enter and go into any house, shop, cellar, warehouse, or room, or other place, and, in case of resistance, to break open doors, chests, trunks, and other packages, to seize and from thence to bring any kind of goods or merchandise whatever, prohibited and

uncustomed, and to put and secure the same in his Majesty's warehouse." Gridley supported these writs as not in violation of the rights of British subjects, and Otis argued profoundly upon the abuses which were opened up by them. He contended that such an act was against natural equity and was therefore void. His address was full of technical learning, replete with references to cases which had become precedents for broad constitutional principles. In his generalizations, he asserted that life, liberty, and property are derived, not from social conferment, but "only from Nature and the Author of Nature; that they are inherent, and indefeasible by any laws, facts, contracts, covenants, or stipulations which man can devise." By such arguments the people were prepared for the statement of the natural rights of man which was so nobly embodied in the Declaration of Independence. The chief justice deferred judgment, and the case came up again in the autumn of the same year, 1761, when the writs received legal sanction. The fact that the imposition of the outrages which these writs of search involved were declared to be undeniably sanctioned by English law grievously wounded the sensibilities of the colonists and created a rancor which the attitude of the home government in other matters served to make more serious.

The General Court sought to express its resentment against the judges on account of their decision on the question of the writs of assistance by reducing the annual grant to them and by the passage of a bill excluding the judges of the Superior Court from seats in either branch of the legislature. The technical ground for this latter action was stated to be that the legislature itself was still a judicial court. The British Board of Trade and the Privy Council were closely watching the proceedings and the spirit of the colonies, and before the latter felt any disposition seriously to consider such an alternative they were credited by these controlling bodies of the home government with an ambition to throw off their dependence upon the crown and to attain complete independence. Mutual distrust, however,

was inseparable from the strained relations between the colonies and the mother country. However, the Governor of Massachusetts acceded to the position of the House with regard to a financial measure for keeping silver currency, which was the only legal tender, from being drained out of the colony, as was being done by reason of lack of parity of value with gold in England. As a sign of amicable sentiments, the representatives agreed to raise three thousand men to reinforce an expedition planned by the British ministry for the capture of the French island of Martinique.

A very slight cause served to create another big flame of resentment against the home government: a rumor reached Salem and Marblehead that the French had made a descent upon Newfoundland; these towns thereupon requested of the governor and Council the despatch of an armed sloop for the protection of their shipping. The governor granted the petition and increased the crew of the sloop, paying these men for their services by drafts on the treasury, the total amount being between £300 and £400. At the next meeting of the General Court, Sir Jeffrey Amherst laid before it a requisition for troops, and at the same informed it of the proceeding just related. Otis led in the debate with regard to the requisition and recited the readiness of the colony to meet all proper demands upon it for men and money for the war measures of his majesty. The other matter was not referred to until a special message from the governor was received calling attention to the matter of the sloop and recommending that the increased army should be kept up. The House was exceedingly disturbed, and in a response to the governor's measures remonstrated in the strongest terms against his action, and enjoined him to reduce the establishment of the vessel to that appointed by the General Court. The Court asserted his action to be in effect an infringement of its right to originate all taxes and to be the practical annihilation of the popular branch of the legislature. It added that had this been the first instance of the sort it would not trouble the governor

concerning it; but it feared that by such unwarranted actions precedents would be established destructive of the constitutional rights and privileges of the colony. The same day, the governor returned the remonstrance to the Court on the ground that the king's name, dignity, and cause had been so intemperately treated that the document as it stood could not be entered upon the minutes. Objectionable phrases were eliminated, and the remonstrance was again sent to the governor. He denied the imputations it contained, and contended that the executive must, in exigencies of government, be recognized as possessing some powers of discretion. This done, he prorogued the Court, but not before a committee had been appointed to draft a reply during its recess. Its action, however, was anticipated by a statement prepared by Otis, in which he affirmed the natural equality of men, and other doctrines derivable from this, which may be traced to the influence upon his mind of Locke's philosophy.

To the general apprehension of the times was added the fear that an English bishop was to be established in the colonies. The basis of this supposition was the renewed activity of the Society for the Propagation of the Gospel in Foreign Parts, which, not confining itself to missionary territory, was carrying on proselyting efforts in villages already sufficiently provided with Gospel ministrations. A matter of far greater importance was that relating to the expenses of the late war with France. Great Britain had entailed a debt of £65,000,000 and claimed that it was but equitable that the American colonies, being subject to Great Britain, and the debt having been incurred partly in their behalf, should bear a proportion of it. In the event of their doing so, it was thought that uniformity would be secured by having taxes imposed upon the colonies by Parliament. The principle of taxing the colonies in behalf of the crown, were it once favorably considered, would be easy of extension to cover other matters. So, it was proposed to quarter upon the colonies twenty thousand men as a check upon their growing spirit of independence, and to secure

from them revenue to be used in appropriations for the colonial civil list, thus providing, in a circuitous way, settled salaries for crown officers from the colonial treasuries, independently of the local legislatures. When the plan of raising revenue from America for the uses of the home government had been decided upon, the method of putting it into effect was provided by the Sugar and the Stamp Acts, Parliamentary measures which seemed best adapted to extension to the colonies.

Excessive duties upon goods imported into the colonies from the French and Spanish islands acted as a prohibition to commerce in such goods, excepting as it was illicitly carried on. The revenue officers winked at such unlawful traffic, and it was not regarded as especially reprehensible. After the passage, in 1763, of the acts mentioned, the duty upon the commodities brought in from those parts was reduced by a gradual ratio, and officers were sent from England rigorously to exact the charges at the ports of entry. At the same time, naval officers stationed in America were instructed to detain and libel all vessels found violating the Navigation Acts. There was no appeal provided against unjust and iniquitous invasions of the rights of shipmasters under guise of law, except by a slow and tardy reference of such disputes to the British authorities for adjustment. This action stirred the colonies to their depths and did more to awaken a feeling of resentment toward, if not rebellion against, the mother country than did any other course which had yet been taken in infringement of colonial rights. The year after the adoption of this rigorous policy, the effect of which fell mostly upon importations of sugar and molasses, the Lords of the Treasury solicited the Commissioners of the Stamp Duties to draft a bill to extend such duties to the colonies.

This same year, James Otis, Jr., published a pamphlet in Boston, which appeared also in London, with the title *The Rights of the British Colonies Asserted and Proved*. He argued that all British colonies being dependents upon the mother

country, the Parliament of Great Britain had undoubted power to pass acts which should have the same binding effect upon them as upon the subjects of the realm proper. He disavowed the right of a colony to pass judgment upon an Act of Parliament and to refuse obedience to it. If an act should be regarded as oppressive to the extent of being contrary to natural equity, it lay within the power of the executive courts to declare such an act void. At the same time, he earnestly disclaimed in behalf of the colonies all ambition to sever their relations with the mother country. He averred that they entertained no treasonable design and went to the length of declaring that, as between subjection to Great Britain upon terms of absolute slavery and independence, the colonies would choose the former. However, in striking contrast to this tone of submission, he took the high ground that Parliament had no right to tax the colonies, and asserted the injustice of taxation without representation. In an argument concerning the basis of law and justice, he said: "The supreme power can not take from any man any part of his property without his consent in person or by representation; taxes are not to be laid on the people, but by their consent in person or by deputation. . . . To be free from all taxes but what he consents to in person or by his representative,—this right, if it could not be traced higher than Magna Charta, is part of the common law, part of a British subject's birthright, and as inherent and perpetual as the duty of allegiance, both which have been brought to these Colonies, and have been hitherto held sacred and inviolable . . . What one civil right is worth a rush, after a man's property is subject to be taken from him at pleasure, without his consent? If a man is not his own assessor, in person or by deputy, his liberty is gone." This line of argument could but lead him to the conclusion that "a representation in Parliament from the several Colonies . . . can't be thought an unreasonable thing, nor, if asked, could it be called an immodest request." Yet he did not rest upon this as the

true basis of equity toward the colonies by the mother country, for he said that no representation of the colonies in Parliament could compensate them for the suppression of a subordinate legislature among themselves. "Civil government," he concluded, "is of God."

Notwithstanding this protest from Otis, Parliament passed a new act which, for the first time, listed certain commodities as subject to both export and import duties, and furthered the process of reducing duties on sugar and molasses, the collection of which was rigorously provided for. This act in its preamble showed it to be not merely a regulation of commerce, but a revenue measure "for defraying the expenses of defending, protecting, and securing" the colonies as dominions of the crown. The passage of this act led to the calling of a town meeting of the citizens of Boston. A committee was appointed to prepare a statement of the sentiment of those present, which was to be sent to their representatives in the General Court for their guidance. These instructions were prepared by Samuel Adams, the son of a Boston tradesman, who, with such men as James Bowdoin and Thomas Cushing, was destined to hold such a high place in the patriotic councils of the country. They reviewed the principle of taxation without representation in its various aspects and the extensions of it which the colonists feared would follow its recognition. The acceptance of the principle itself they felt was tantamount to their reduction to the position of tributary slaves. The feeling of the community of interest which they had with the other colonies was expressed as follows: "As his Majesty's other northern American Colonies are embarked with us in this most important bottom, we further desire you to use your endeavors that their weight may be added to that of this Province; that, by the united application of all who are aggrieved, all may happily obtain redress." This sentiment for united action took form in the appointment in June, 1764, of a committee of correspondence to ascertain through their Assemblies the sentiments of the other colonies.

In October, the House adopted a petition to Parliament for the repeal of the new Sugar Act. The Council demurred to the language employed, and a conference of the two branches of the legislature led to the adoption of a petition to the House of Commons, the preparation of which was intrusted to Hutchinson. This brilliant man, whose influence was yet strong in the counsels of the colonists, produced a memorial to which there was no serious objection excepting that he used the word "privileges" where the House insisted upon the employment of the term "rights." The Council opposed the stand of the House on the ground that the House of Commons would not receive the petition if so worded. The memorial was debated and finally acted upon the last day of the session, when a letter was sent to the other colonies informing them of the nature and purport of this action by Massachusetts. At the same time, the governor was petitioned to use his best endeavors to prevail upon the ministry to rescind the obnoxious legislation known as the Sugar Act and to seek to avert the threatened imposition of the stamp tax.

In March, 1765, Massachusetts, through its agent in London, sought to prevail upon Mr. George Grenville, the prime minister, to refrain from the extension of the stamp tax to the colonies. Grenville replied that he was willing to substitute any other method of obtaining revenues from the colonies that might be suggested. In February, Charles Townshend, a member of the Board of Trade, in replying to the protestations of the representatives of several of the colonies, gave the English point of view of the subject of colonial taxation in the following language: "And now will these Americans, children planted by our care, nourished up by our indulgence until they are grown to a degree of strength and opulence, and protected by our arms,—will they grudge to contribute their mite to relieve us from the heavy weight of that burden under which we lie?" This response called forth from Colonel Barré that ringing declaration, which became a classic of American patriotism,



beginning as follows: "They 'planted by your care'! No! Your oppressions planted them in America."

Eloquence, however, could not defeat the pet measure of the English government, and, after three or four weeks of debating in the House, the Stamp Act was passed and was concurred in by the House of Lords. This was in March, 1765. It provided in sixty-three sections for the payment of specific sums into the British exchequer in consideration of permission to perform the common acts of business life. Such contractual papers as deeds, bonds, insurance policies, leases, etc., were made to pay tribute to the coffers of the crown.

The resistance called forth by this measure marked the rising tide of revolutionary feeling. The right of individual freedom of conscience and personal liberty that had drawn the early Pilgrims from the lands where they had imbibed the spirit of self-reliance and earnestness of purpose still animated their descendants and successors. They had learned the necessity of self-government and were rightly jealous of the privileges they had acquired, and were determined to retain control of the possession of their property. They would not consent to the domination of a distant Parliament, whose members, if not ignorant of the spirit and demands of the colonists, were at least indifferent to them. Hence, the revolutionary spirit found vent in opposition that defied the execution of the law of the British Parliament. For a time, this spirit was calmed by the recognition on the part of the British ministry of the determination of the colonists to resist the laws of Great Britain. But the truce was hollow. The lines were being tightly drawn for the struggle. Great Britain's needs and her determination to enforce Parliamentary control upon the colonies were soon to bring the crisis. Great Britain herself had prepared the fagots, and the colonies were ready to apply the torch.



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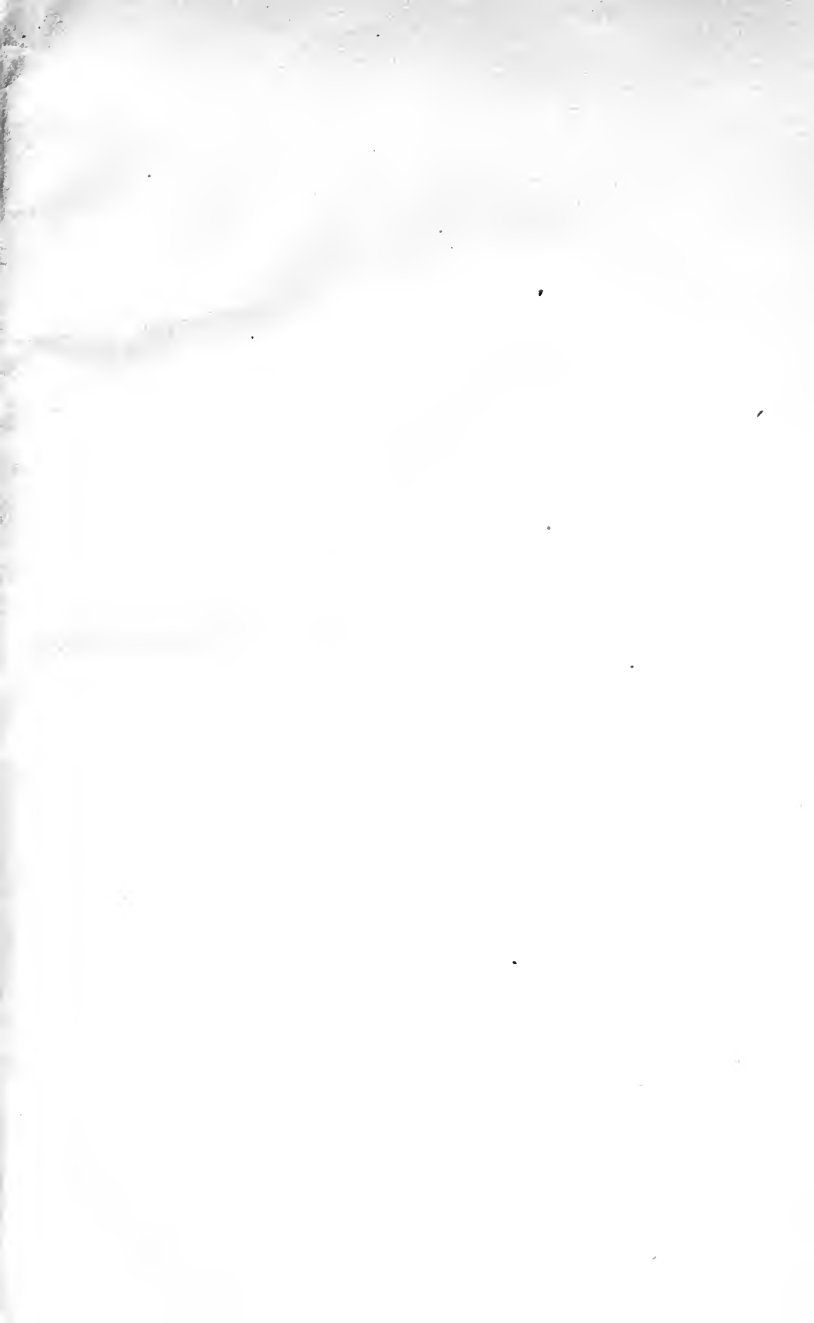
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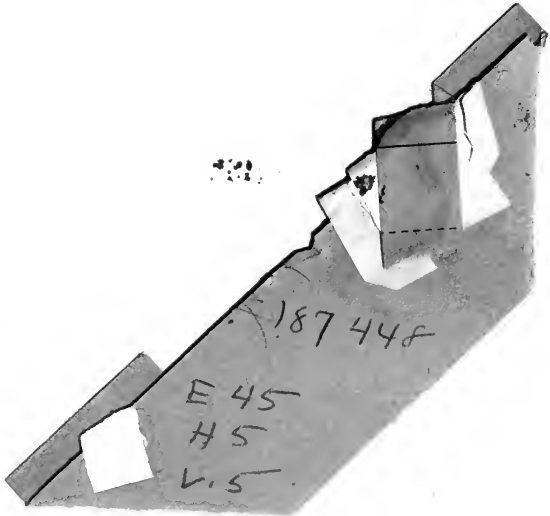
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