




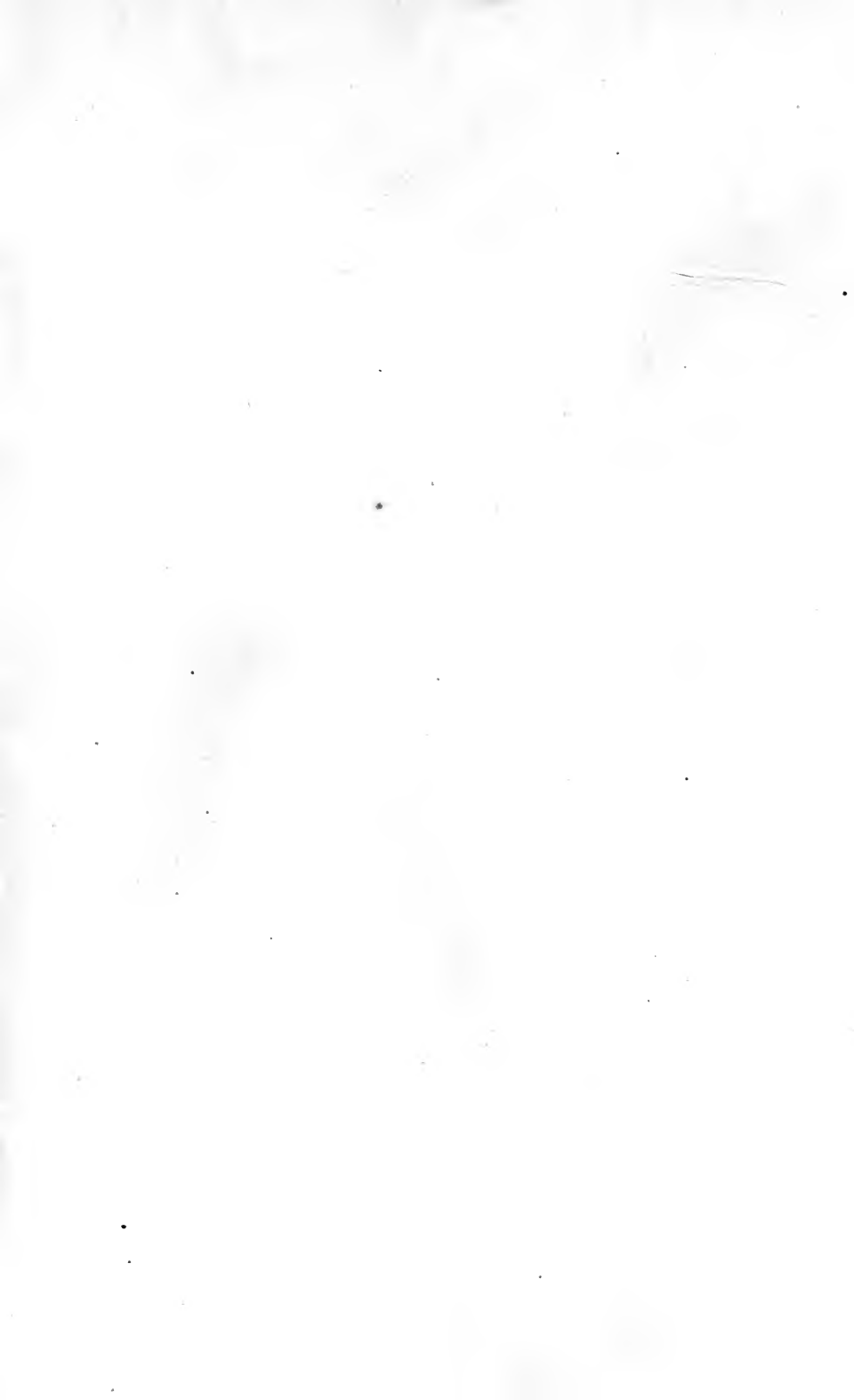
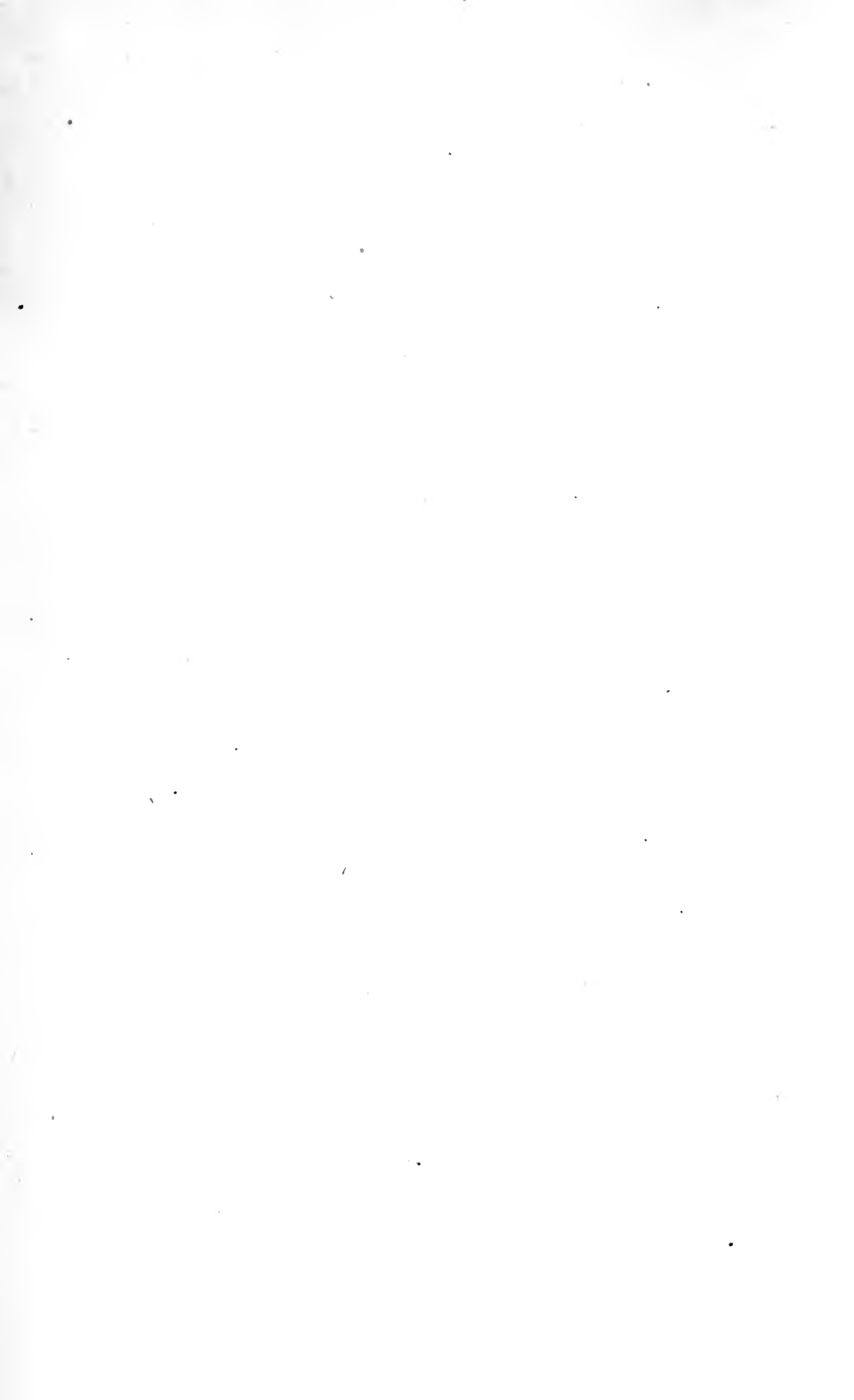
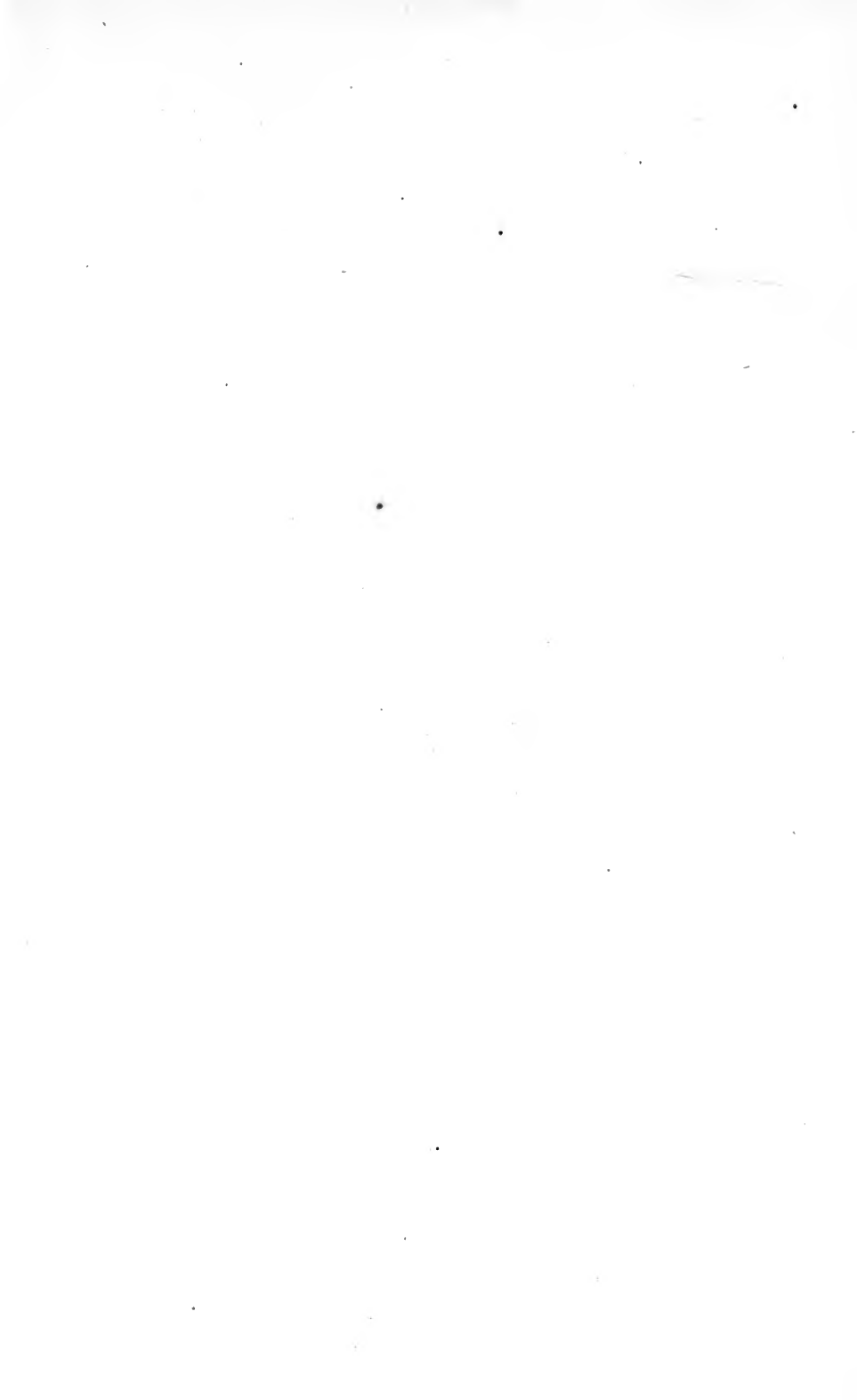


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John Winthrop

GOVERNOR OF CONNECTICUT.

HISTORY

OF THE

UNITED STATES,

FROM THE

DISCOVERY OF THE AMERICAN CONTINENT.

BY GEORGE BANCROFT.

VOL. II.

NINETEENTH EDITION.

George Bancroft
BOSTON:

LITTLE, BROWN, AND COMPANY.

1862.

MASSACHUSETTS

1887

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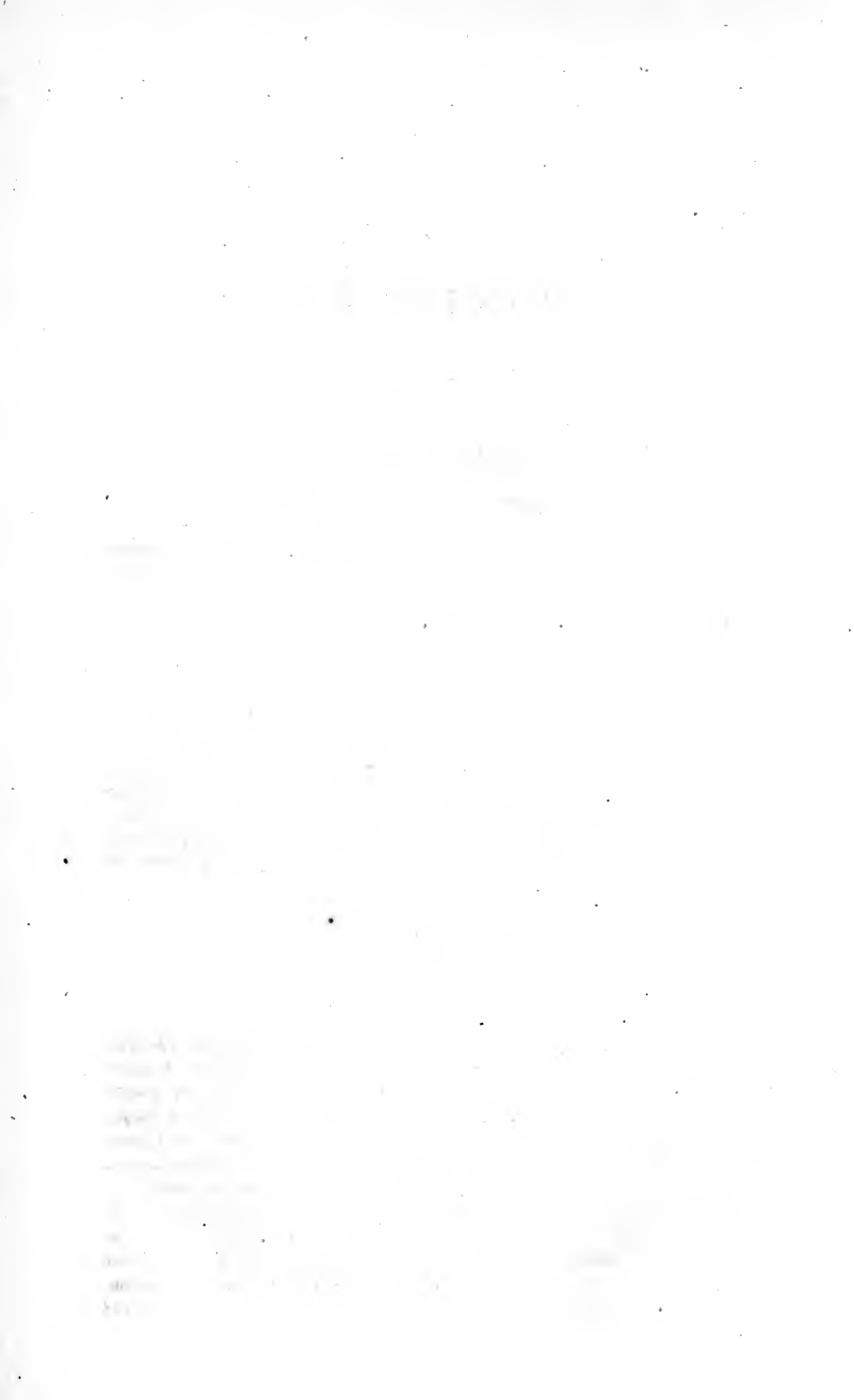
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COLONIAL HISTORY.

CHAPTER XI.

THE RESTORATION OF THE STUARTS.

THE principles that should prevail in the administration of the American colonies, always formed a dividing question between the political parties in England. The restoration of the legitimate dynasty was attended by a corresponding change in colonial policy.

CHAP
XI.
1660

The revolution, which was now come to its end, had been in its origin a democratic revolution, and had apparently succeeded in none of its ultimate purposes. In the gradual progress of civilization, the power of the feudal aristocracy had been broken by the increased authority of the monarch; and the people, now beginning to claim the lead in the progress of humanity, prepared to contend for equality against privilege, as well as for freedom against prerogative. The contest failed for a season, because too much was at once attempted. Immediate emancipation from the decaying institutions of the past was impossible; hereditary inequalities were themselves endeared to the nation, from a love for the beneficent institutions with which close union had identified them; the mass of the people was still buried in the inactivity of listless ignorance; even for the strongest minds, public experience had not yet generated the principles by which

CHAP
XI.
a reconstruction of the government on a popular basis could have been safely undertaken; and thus the democratic revolution in England was a failure, alike from the events and passions of the fierce struggle which rendered moderation impossible, and from the misfortune of the age, which had not as yet acquired the political knowledge that time alone could gather for the use of later generations.

1629 Charles I., conspiring against the national constitu-
to
1640. tion, which he, as the most favored among the natives of England, was the most solemnly bound to protect, had resolved to govern without the aid of a parliament. To convene a parliament was, therefore, in itself, an acknowledgment of defeat. The house of commons,

1640. which assembled in April, 1640, was filled with men
April
6. not less loyal to the monarch than faithful to the people; yet the king, who had neither the resignation of wise resolution, nor yet the daring of despair, perpetually vacillating between the desire of destroying English liberty, and a timid respect for its forms, disregarded the wishes of his more prudent friends, and, under the influence of capricious passion, suddenly

May
5. dissolved a parliament more favorable to his interests than any which he could again hope from the excitement of the times. The friends of the popular party were elated at the dissolution. "This parliament could have remedied the confusion," said the royalist Hyde, afterwards earl of Clarendon, to St. John. The countenance of the sombre republican, usually clouded with gloom, beamed with cheerfulness as he replied, "All is well; things must be worse before they can be better; this parliament could never have done what is necessary to be done."¹

¹ Clarendon, i. 140.

The exercise of absolute power was become more difficult than ever. The haughty Strafford had advised violent counsels. There were those who refused to take the oath never to consent to alterations in the church of England. "Send for the chief leaders," wrote Strafford,¹ "and lay them by the heels; no other satisfaction is to be thought of." But Strafford was not without his enemies among the royalists. During the suspension of parliament, two parties in the cabinet had disputed with each other the administration and the emoluments of despotism. The power of the ministers and the council of state was envied by the ambition of the queen and the greedy selfishness of the courtiers; and the arrogant Strafford and the unbending Laud had as bitter rivals in the palace as they had enemies in the nation. There was no unity among the friends of absolute power.

CHAP.
XI.
1640.

The expedient of a council of peers, convened at York, could not satisfy a people that venerated representative government as the most valuable bequest of its ancestors; and a few weeks made it evident that concession was necessary. The councils of Charles were divided by hesitancy, rivalries, and the want of plan; while the popular leaders were full of energy and union, and were animated by what seemed a distinct purpose, the desire of limiting the royal authority. The summons of a new parliament was now on the part of the monarch a surrender at discretion. But by the English constitution, the royal prerogative was in some cases the bulwark of popular liberty; the subversion of the royal authority made a way for the despotism of parliament.

Sept.
21

¹ Strafford's Letters, ii. 409. April 10, 1640.

CHAP.

XI.

1640.

Nov.

3

The Long Parliament was not originally homogeneous. The usurpations of the monarch threatened the privileges of the nobility not less than the liberties of the people. The movement in the public mind, though it derived its vigor as well as its origin from the rising influence of the Puritans, was not directed towards vindicating power for the people, but only aimed at raising an impassable barrier against the encroachments of royalty. The object met with favor from a majority of the peerage, and from royalists among the commons; and the past arbitrary measures of the court found opponents in Hyde, the inflexible tory and faithful counsellor of the Stuarts; in the more scrupulous Falkland, who hated falsehood and intrigue, and whose imagination inclined him to the popular side, till he began to dread innovations from its leaders more than from the ambition of the king; and even in Capel, afterwards one of the bravest of the Cavaliers, and a martyr on the scaffold for his obstinate fidelity. The highest authority in England began to belong to the majority in parliament; no republican party as yet existed; the first division ensued between the ultra royalists and the vast undivided party of the friends of constitutional monarchy; and though the house was in a great measure filled with members of the aristocracy, the moderate royalists were united with the friends of the people; and, on the choice of speaker, an immense majority appeared in favor of the constitution.

The sagacity of the earl of Strafford anticipated danger and he desired to remain in Ireland. "As I am king of England," said Charles,¹ "the parliament shall not touch one hair of your head;" and the re-

¹ Whitelocke, 36.

iterated urgency of the king compelled his attendance. His arraignment, within eight days of the commencement of the session, marks the resolute spirit of the commons; his attainder was the sign of their ascendancy. "On the honor of a king," wrote¹ Charles to the prisoner, "you shall not be harmed in life, fortune, or honor;" and the fourth day after the passage of the bill of attainder, as if to reveal his weakness, the king could send his adhesion to the commons, adding, "If Strafford must die, it were charity to reprieve him till Saturday."² Men dreaded the service of a sovereign whose love was so worthless, and whose prerogative was so weak; safety was found on the side of the people; and the parliament was left without control to its work of reform. Its earliest acts were worthy of all praise. The liberties of the people were recovered and strengthened by appropriate safeguards; the arbitrary courts of High Commission, and the court of Wards, were broken up; the Star Chamber, doubly hated by the aristocracy, as "ever a great eclipse to the whole nobility,"³ was with one voice abolished; the administration of justice was rescued from the paramount influence of the crown; and taxation, except by consent, was forbidden. The principle of the writ of habeas corpus was introduced; and the kingdom of England was lifted out of the bondage of feudalism by a series of reforms, which were afterwards renewed, and which, when successfully embodied among the statutes, the commentator on English law esteemed above Magna Charta itself.⁴ These measures were national, were adopted almost without opposition, and

CHAP
XI.Nov.
11.1641
April
21.May
11.¹ Strafford's Letters, ii. 416.² Burnet, i. 43. Compare In-
gard's note, x. c. ii. 108, 109.³ Lord Andover, in Macauley,
iii. 3. Rushworth, iv. 204.⁴ Blackstone, b. iv. c. xxxiii. 437

CHAP. received the nearly unanimous assent of the nation.
 XI. They were truly English measures, directed in part
 1641 against the abuses introduced at the Norman conquest, in part against the encroachments of the sovereign. They wiped away the traces that England had been governed as a conquered country; they were in harmony with the intelligence and the pride, the prejudices and the wants of England. Public opinion was the ally of the parliament.

But an act declaring that the parliament should neither be prorogued nor dissolved, unless with its own consent, had also been proposed, and urged with pertinacity till it received the royal concurrence. Parliament, in its turn, subverted the constitution, by establishing its own paramount authority, and making itself virtually irresponsible to its constituents; it was evident a parliamentary despotism would ensue. The English government was substantially changed, in a manner injurious to the power of the executive, and still more dangerous to the freedom of the people. The king, in so far as he opposed the measure, was the friend of popular liberty; the passage of the act placed the people of England, not less than the king, at the mercy of the parliament. The methods of tyranny are always essentially the same; the freedom of the press was subjected to parliamentary censors. The usurpation foreboded the subversion of the throne, and the subjection of the people. The liberators of England were become its tyrants; the rights of the nation had been asserted only to be sequestered for their use.

The spirit of loyalty was still powerful in the commons; as the demands of the commons advanced, stormy debates and a close division ensued. Falkland, and Capel, and Hyde, now acted with the court. The

remonstrance on the state of the kingdom, an unpromising manifesto against the arbitrary measures of Charles, was democratic in its tendency; because it proposed no specific reform, but was rather a general and exciting appeal to popular opinion. The English mind was already as restless as the waves of the ocean by which the island is environed; the remonstrance was designed to increase that restlessness; in a house of more than five hundred members, it was adopted by the meagre majority of eleven. "Had it not been carried," said Cromwell to Falkland, "I should have sold all I possess, and left the kingdom; many honest men were of the same resolution." From the contest for "English liberties" men advanced to the discussion of natural rights; with the expansion of their views, their purposes ceased to be definite; and already reform was changing into a revolution. They were prepared to strip the church of its power, and royalty of its prescriptive sanctity; and it was observable, that religious faith was on the side of innovation, while incredulity abounded among the supporters of the divine right.

The policy of the king preserved its character of variableness. He had yielded where he should have been firm; and he now invited a revolution by the violence of his counsels. Moderation and sincerity would have restored his influence. But when, attended by armed men, he repaired in person to the house of commons, with the intent of seizing six of the leaders of the patriot party, whose execution was to soothe his fears, and tranquillize his hatred, the extreme procedure, so bloody in its purpose, and so illegal in its course, could only rouse the nation to anger against its sovereign, justify for the time every diminution of his

CHAP.
XI.
1641

Nov
22.

1642
Jan.
4.

CHAP. prerogative, and, by inspiring settled distrust, animate
 XI. the leaders of the popular party to a gloomy inflexi-
 1642. bility. There was no room to hope for peace. The
 monarch was faithless, and the people knew no remedy.
 A change of dynasty was not then proposed; and
 England languished of a disease for which no cure had
 been discovered. It was evident that force must de-
 cide the struggle. The parliament demanded the
 control of the national militia with the possession of
 the fortified towns. But would the Cavaliers consent
 to surrender all military power to plebeian statesmen?
 Would the nobility endure that men should exercise
 dominion over the king, whose predecessors their an-
 cestors had hardly been permitted to serve? To
 Charles, who had had neither firmness to maintain his
 just authority, nor sincerity to effect a safe reconcilia-
 tion, no alternative remained, but resistance or the
 surrender of all power; and, unfurling the royal stand-
 ard, he began a civil war.

Aug.
24.

The contest was between a permanent parliament and an arbitrary king. The people had no mode of intervention except by serving in the armies; they could not come forward as mediators or as masters. The parliament was become a body, of which the duration depended on its own will; unchecked by a supreme executive, or by an independent coördinate branch of legislation; and, therefore, of necessity, a multitudinous despot, unbalanced and irresponsible; levying taxes, enlisting soldiers, commanding the navy and the army, enacting laws, and changing at its will the forms of the English constitution. The issue was certain. Every representative body is swayed by the interests of its constituents, the interests of its own assembly, and the personal interests of its respective

members ; and never was the successive predominance of each of these sets of motives more clear than in the Long Parliament. Its first acts were mainly for its constituents, whose rights it vindicated, and whose liberties it increased ; its corporate ambition next prevailed, and it set itself against the throne and the peerage, both of which it was hurried forward to subvert ; individual selfishness at last had its triumph, and there were not wanting men who sought lucrative jobs, and grasped at disproportioned emoluments. Nothing could check the progress of degeneracy and corruption ; the example, the ability, and the conscientious purity of Henry Vane were unavailing. Had the life of Hampden been spared, he could not have changed the course of events, for he could not have changed the laws of nature, and the principles of human action.

The majority in parliament was become the despot of England ; and after one hundred and eighteen royalist members, obeying the summons of the king, had repaired to Oxford, the cause of royalty was powerless in the legislature. The party of the Church of England was prostrate ; but religious and political parties were identified ; and the new division conformed itself to the rising religious sects. Now that the friends of the Church had withdrawn, the commons were at once divided into two imposing parties—the Presbyterians and the Independents ; the friends of a political revolution which should yet establish a nobility and a limited monarchy ; and the friends of an entire revolution on the principle of equality.

The majority was with the Presbyterians, who were elated with the sure hope of a triumph. They represented a powerful portion of the aristocracy of Eng-

CHAP. land ; they had, besides a majority in the commons,
XI. the exclusive possession of the house of lords ; they held the command of the army ; they had numerous and active adherents among the clergy ; the English people favored them ; Scotland, which had been so efficient in all that had thus far been done, was entirely devoted to their interests ; and they hoped for a compromise with their sovereign. They envied the success of tyranny more than they abhorred its principles : monarchy, with Presbyterianism as the religion of state, was their purpose ; and they were at all times prepared to make peace with the king, if he would but consent to that revolution in the Church which would secure their political ascendancy.

And what counterpoise could be offered by the Independents ? How could they hope for superior influence, when it could be gained only by rising above the commons, the peers, the commanders of the army, all Scotland, and the mass of the English people ? They had no omen of success but the tendency of revolutions, the enthusiasm of new opinions, the inclination of the human mind to push principles to their remoter consequences. An amalgamation with the Presbyterians would have implied subjection ; power could be gained only by that progress in innovations which would drive the Presbyterians into opposition. The Independents, sharing in the agitation of the public mind, made the new ideas the support of their zeal, and the basis of their party. They gradually became the advocates of religious liberty and the power of the people. Their eyes were turned towards democratic institutions ; and the glorious vision of emancipating the commons of England from feudal oppression, from intellectual servitude, and from a long aristocracy of superstition, inflamed

them with an enthusiasm which would not be rebuked by the inconsistency of their schemes with the opinions, habits, and institutions of the nation. CHAP
XI.

The Presbyterian nobility, who had struggled for their privileges against royal power, were unwilling that innovation should go so far as to impair their rank or diminish their grandeur; the Independents, as new men, who had their fortunes to make, were prepared not only to subvert the throne, but to contend for equality against privilege. "The Presbyterian earl of Manchester," said Cromwell, "shall be content with being no more than plain Montague." The men who broke away from the forms of society, and venerated nothing but truth; others who, in the folly of their pride, claimed for their opinions the sanctity and the rights of truth; they who sighed for a more equal diffusion of social benefits; the friends of entire liberty of conscience; the friends of a reform in the law, and a diminution of the profits of the lawyers; the men, like Milton and Sidney, whose imagination delighted in pictures of Roman liberty, of Spartan virtue; the less educated, who indulged in visions of a restoration of that happy Anglo-Saxon system, which had been invented in the woods in days of Anglo-Saxon simplicity; the republicans, the levellers, the fanatics,—all ranged themselves on the side of the new ideas.

The true representative of the better principles of the Independents was Henry Vane; but the acknowledged leader of the party was Oliver Cromwell. Was he sincere? Or was he wholly a hypocrite? It is difficult to disbelieve that his mind was honestly imbued with the extreme principles of Puritan reforms; but the man whose ruling motive is ambition, soon

CHAP. gains the mastery over his own convictions, and values
 XI. and employs ideas only as instruments to his advance-
 ment. Self-love easily dupes conscience; and Crom-
 well may have always believed himself faithful to the
 interest of England. All great men are inclined to
 fatalism; for their success is a mystery to themselves;
 and it was not entirely with hypocrisy, that Cromwell
 to the last, professed himself the servant of Providence,
 borne along by irresistible necessity.

Had peace never been broken, the Independents
 would have remained a powerless minority; the civil
 war gave them a rallying point in the army. In the
 season of great public excitement, fanatics crowded to
 the camp; an ardor for popular liberty mingled with
 the fervors of religious excitement. Cromwell had
 early perceived that the honor and valor of the Cavaliers
 could never be overthrown by ordinary hirelings; he
 therefore sought to fill the ranks of his army with
 enthusiasts. His officers were alike ready to preach
 and pray, and to take the lead in the field of battle.
 With much hypocrisy, his camp was the scene of much
 real piety; and long afterwards, when his army
 was disbanded, its members, who, for the most part,
 were farmers and the sons of farmers, resumed
 their places among the industrious classes of society;
 while the soldiers of the royalists were often found
 in the ranks of vagabonds and beggars. It was the troops
 of Cromwell that first, in the open field, broke the
 ranks of the royal squadrons; and the decisive victory
 of Marston Moor was won by the iron energy and
 valor of the godly saints whom he had enlisted.

1644.
 July
 2.

1647. The final overthrow of the prospects of Charles in
 the field. marks the crisis of the struggle for the as-

endant between the Presbyterians and Independents. CHAP. XI.
The former party had its organ in the parliament, the latter in the army, in which the Presbyterian commander had been surprised into a resignation by the self-denying ordinance, and the intrigues of Cromwell. As the duration of the parliament was unlimited, the army refused to be disbanded; claiming to represent the interests of the people, and actually constituting the only balance to the otherwise unlimited power of the parliament. The army could call the parliament a usurper, and the parliament could arraign the army as a branch of the public service, whose duty was obedience, and not counsel. On the other hand, if the parliament pleaded its office as the grand council of the nation, the army could urge its merits as the active and successful antagonist to royal despotism.

The new crisis was inevitable. The Presbyterians 1647 broke forth into menaces against the army. "These men," whispered Cromwell to Ludlow, "will never leave till the army pull them out by the ears."¹ The Presbyterian majority was in a false position; it appeared to possess paramount power, and did not actually possess it. Could they gain the person of the king, and succeed in pacific negotiations, their influence would be renewed by the natural love of order in the minds of the English people. A collision with the Independents was unavoidable; for the Independents could in no event negotiate with the king. In every negotiation a free parliament must have been a condition; and a free parliament would have been their doom. Self-preservation, uniting with ambition and wild enthusiasm, urged them to uncompromising hostility with Charles I. He or they must perish. "If

¹ Ludlow, 73.

CHAP. XI. my head or the king's must fall," argued Cromwell, "can I hesitate which to choose?" By an act of violence the Independents seized on the king, and held him in their special custody. "Now," said the exulting Cromwell, "now that I have the king in my hands, I have the parliament in my pocket."

At length the Presbyterian majority, sustained by the admirable eloquence of Prynne, attempted to dis-
 1648
 Dec. 5. pense with the army, and by a decided vote resolved to make peace with the king. To save its party from an entire defeat, the army interposed, and
 Dec 6. "purged" the house of commons. "Hear us," said the excluded members to Colonel Pride, who expelled them. "I cannot spare the time," replied the soldier. "By what right are we arrested?" demanded they of the extravagant Hugh Peters. "By the right of the sword," answered the late envoy from Massachusetts. "You are called," said he, as he preached to the decimated parliament, "to lead the people out of Egyptian bondage; this army must root up monarchy, not only here, but in France and other kingdoms round about."¹ Cromwell, the night after "the interruption," reiterated, "I knew nothing of these late proceedings; but since the work has been done, I am glad of it, and will endeavor to maintain it."²

When the house of commons had thus been eliminated, there remained few beside republicans; and it was resolved to bring the unhappy monarch to trial before a special commission. "Providence and necessity," said Cromwell, affecting indecision, "have cast the house upon this deliberation. I shall pray God to bless our counsels."³ The young and sincere Alger-

¹ C. Walker, *Hist. of Independency*, ii. 50, 51 (published anonymously) by Theodorus Verax.

² Ludlow, 105.

³ Walker, ii. 54

non Sidney opposed, and saw the danger of a counter revolution. "No one will stir," cried Cromwell impatiently; "I tell you we will cut off his head with the crown on it."¹ Sidney withdrew; and Charles was abandoned to the sanguinary severity of a sect. To sign the death-warrant was a solemn deed, from which some of his judges were ready to shrink; Cromwell concealed the magnitude of the act under an air of buffoonery; the chamber rung with gayety; he daubed the cheek of one of the judges that sat next him with ink, and, amidst shouts of laughter, compelled another, the wavering Ingoldsby, to sign the paper as a jest. The ambassadors of foreign princes, eager to make purchases when the collections of the unhappy king were sold at auction, presented no remonstrance. Holland alone negotiated. The English people were overawed.

Treason against the state, on the part of its highest officers, is the darkest of human offences. Fidelity to the constitution is due from every citizen; in a monarch, the debt of gratitude is enhanced, for the monarch is the hereditary and special favorite of the fundamental laws. The murderer, even where his victim is eminent for genius and virtue, destroys what time will repair, and, deep as is his guilt, society suffers but transiently from the transgression. But the king who conspires against the liberties of the nation, conspires to subvert the most precious bequest of past ages, the dearest hope of future time; he would destroy genius in its birth, and enterprise in its sources, and sacrifice the prolific causes of intelligence and virtue to his avarice or his vanity, his caprices or his ambition; would rob

¹ See Godwin, ii. 669

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the nation of its nationality, the people of the prerogatives of man ; would deprive common life of its sweets, by depriving it of its security, and religion of its power to solace, by subjecting it to supervision and control. His crime would not only enslave a present race of men, but forge chains for unborn generations. There can be no fouler deed.

Tried by the standard of his own intentions and his own actions, Charles I., it may be, had little right to complain. Yet when history gives its impartial verdict¹ on the execution, it remembers that, by the laws of England, the meanest individual could claim a trial by his peers ; and that the king was delivered, by a decimated parliament, which had prejudged his case, to a commission composed of his bitter and uncompromising enemies, and erected in defiance of the wishes of the people. His judges were but a military tribunal ; and the judgment which assumed to be a solemn exercise of justice on the worst of criminals, arraigned by a great nation, and tried by its representatives, was in truth an act of tyranny. His accusers could have rightfully proceeded only as the agents of the popular sovereignty ; and the people disclaimed the deed. An appeal to the people would have reversed the decision. The Churchmen, the Presbyterians, the lawyers, the opulent landholders, the merchants, and the great majority of the English nation, preferred the continuance of a limited monarchy. There could be no republic ; there was no republic. Not sufficient advancement had been made in political knowledge. Milton believed himself a friend of popular liberty ; and yet his scheme of government, which proposed to sub-

¹ William Prynne's Protestation, ii. 52—54. So, too, Mayhew of in Walker's *Anarchia Anglicana*, Boston. Mass. Hist. Coll. ii. 35.

ject England to the executive power of a self-perpetuating council, was far less favorable to equal freedom and to progress than monarchy itself. Not one of the proposed methods of government was capable of being realized. Lilbourne's was, perhaps, the most consistent, but was equally impracticable.

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If the execution of Charles be considered by the rule of utility, its effects will be found to have been entirely bad. A free parliament would have saved the king, and reformed church and state; in aiming at the immediate enjoyment of democratic liberty, the statesmen of that day long delayed the actual progress of popular enfranchisements. Nations change their institutions but slowly: to attempt to pass abruptly from feudalism and monarchy to democratic equality, was the thought of enthusiasts, who understood neither the history, the character, nor the condition of the country. It was like laying out into entirely new streets, a city that was already crowded with massive structures, resting on firm foundations. Cromwell alone profited by the death of the king: the deed was his policy, and not the policy of the nation.

The remaining members of the commons were now by their own act constituted the sole legislature and sovereign of England. The peerage was abolished with monarchy; the connection between state and church rent asunder; but there was no republic. Selfish ambition forbade it; the state of society and the distribution and tenure of property forbade it. The commons usurped not only all powers of ordinary legislation, but even the right of remoulding the constitution. They were a sort of collective, self-constituted, perpetual dictatorship. Like Rome under its decemviri, England was enslaved by its legislators; English

CHAP. XI. liberty had become the patrimony and estate of the commons ; the forms of government, the courts of justice, peace and war, all executive, all legislative power, rested with them. They were irresponsible, absolute, and apparently never to be dissolved but at their own pleasure.

But the commons were not sustained by the public opinion of the nation. They were resisted by the royalists and the Catholics, by the Presbyterians and the fanatics, by the honest republicans and the army. In Ireland, the Catholics dreaded the worst cruelties that Protestant bigotry could inflict. Scotland, almost unanimous in its adhesion to Presbyterianism, regarded with horror the rise of democracy, and the triumph of the Independents ; the fall of the Stuarts foreboded the overthrow of its independence ; it loved liberty, but it loved its nationality also. It feared the sovereignty of an English parliament, and desired the restoration of monarchy as a guaranty against the danger of being treated as a conquered province. In England, the opulent landholders, who swayed their ignorant dependents, rendered popular institutions impossible ; and too little intelligence had as yet been diffused through the mass of the people, to make them capable of taking the lead in the progress of civilization. The fruitful schemes of social and civil equality found no support but in the enthusiasm of the few who fostered them ; and the heaviest clouds of discontent gathered sullenly round the nation.

The attempt at a counter revolution followed. But the parties by which it was made, though a vast majority of the three nations, were filled with mutual antipathies ; the Catholics of Ireland had no faith in the Scottish Presbyterians ; and these in their turn

were full of distrust and hatred of the English Cavaliers. They feared each other as much as they feared the commons. There could therefore be no concert of opposition; the insurrections, which, had they been made unitedly, had probably been successful, were not simultaneous. The Independents were united; their strength lay in a small but well-disciplined army; the celerity and military genius of Cromwell ensured to them unity of counsels and promptness of action; they conquered their adversaries in detail; and the massacre of Drogheda, the field of Dunbar, and the victory of Worcester, destroyed the present hopes of the friends of monarchy.

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The lustre of Cromwell's victories ennobled the crimes of his ambition. When the forces of the insurgents had been beaten down, there remained but two powers in the state, the Long Parliament and the army. To submit to a military despotism was inconsistent with the genius of the people of England; and yet the Long Parliament, now containing but a fraction of its original members, could not be recognized as the rightful sovereign of the country, and possessed only the shadow of executive power. Public confidence rested on Cromwell alone. The few true republicans had no party in the nation; a dissolution of the parliament would have led to anarchy; a reconciliation with Charles II., whose father had just been executed, was impossible; a standing army, it was plausibly argued, required to be balanced by a standing parliament; and the house of commons, the mother of the commonwealth, insisted on nursing the institutions which it had established. But the public mind reasoned differently; the virtual power rested with the army; men dreaded confusion, and sighed for peace; and

CHAP. they were pleased with the retributive justice that the
XI. parliament, which had destroyed the English king, should itself be subverted by one of its members.

Thus the attempt at absolute monarchy on the part of Charles I., yielded to a constitutional, true English parliament; the control of parliament passed from the constitutional royalists to the Presbyterians, or representatives of a part of the aristocracy opposed to Episcopacy; from the Presbyterians to the Independents, the enthusiasts, real or pretended, for popular liberty; and now that the course of the revolution had outstripped public opinion, a powerful reaction gave the supreme authority to Cromwell. Sovereignty had escaped from the king to the parliament, from the parliament to the commons, from the commons to the army, and from the army to its successful commander. Each revolution was a natural and necessary consequence of its predecessor.

Cromwell was one of those rare men whom even his enemies cannot name without acknowledging his greatness. The farmer of Huntingdon, accustomed only to rural occupations, unnoticed till he was more than forty years old, engaged in no higher plots than how to improve the returns of his farm, and fill his orchard with choice fruit, of a sudden became the best officer in the British army, and the greatest statesman of his time; subverted the English constitution, which had been the work of centuries; held in his own grasp the liberties which the English people had fixed in their affections, and cast the kingdoms into a new mould. Religious peace, such as England till now has never again seen, flourished under his calm mediation; justice found its way even among the remotest Highlands of Scotland; commerce filled the English marts

with prosperous activity under his powerful protection, his fleets rode triumphant in the West Indies; Nova Scotia submitted to his orders without a struggle; the Dutch begged of him for peace as for a boon; Louis XIV. was humiliated; the pride of Spain was humbled; the Protestants of Piedmont breathed their prayers in security; the glory of the English name was spread throughout the world. CHAP.
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And yet the authority of Cromwell marks but a period of transition. His whole career was an attempt to conciliate a union between his power and permanent public order; and the attempt was always unavailing, from the inherent impossibility growing out of the origin of his power. It was derived from the submission, not from the will of the people; it came by the sword, not from the nation, or from established national usages. Cromwell saw the impracticability of a republic, and offered no excuse for his usurpations, but the right of the strongest to restore tranquillity—the old plea of tyrants and oppressors from the beginning of the world. He had made use of the enthusiasm of liberty for his advancement; he sought to sustain himself by conciliating the most opposite sects. For the republicans he had apologies; “the sons of Zeruah, the lawyers, and the men of wealth, are too strong for us. If we speak of reform, they cry out that we design to destroy all propriety.” To the witness of the young Quaker against priestcraft and war, he replied, “It is very good; it is truth; if THOU and I were but an hour of a day together, we should be nearer one to the other.” From the field of Dunbar he had charged the Long Parliament “to reform abuses, and not to multiply poor men for the benefit of the rich.” Presently he appealed to the moneyed men and the lawyers;

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"he alone could save them from the levellers, men more ready to destroy than to reform." Did the sincere levellers, the true commonwealth's men, make their way into his presence, he assured them "he preferred a shepherd's crook to the office of protector; he would resign all power so soon as God should reveal his definite will;" and then he would invite them to pray. "For," said he one day to the poet Waller, "I must talk to these people in their own style." Did the passion for political equality blaze up in the breasts of the yeomanry, who constituted his bravest troops, it was checked by the terrors of a military execution. The Scotch Presbyterians could not be cajoled; he resolved to bow their pride; and did it in the only way in which it could be done, by wielding against their bigotry the great conception of the age, the doctrine of Roger Williams and Descartes, freedom of conscience. "Approbation," said he, as I believe, with sincerity of conviction, "is an act of conveniency, not of necessity. Does a man speak foolishly? suffer him gladly, for ye are wise. Does he speak erroneously? stop such a man's mouth with sound words, that cannot be gainsaid. Does he speak truly? rejoice in the truth."¹ To win the royalists, he obtained an act of amnesty, a pledge of future favor to such of them as would submit. He courted the nation by exciting and gratifying national pride, by able negotiations, by victory and conquest. He sought to enlist in his favor the religious sympathies and enthusiasm of the people, by assuming for England a guardianship over the interests of Protestant Christendom, and burying all the mutual antipathies of sects in one common burning hatred against the court of Rome.

¹ Thurloe, i. 161

Seldom was there a less scrupulous or more gifted politician than Cromwell. But he was no longer a leader of a party. He had no party. A party cannot exist except by the force of common principles; it is truth, and truth only, that of itself rallies men together. Cromwell, the oppressor of the Independents, had ceased to respect principles; his object was the advancement of his family; his hold on opinion went no farther than the dread of anarchy, and the strong desire for order. If moderate and disinterested men consented to his power, it was to his power as high constable, engaged to preserve the public peace. He could not confer on his country a fixed form of government, for that required a concert with the national affections, which he was never able to gain. He had just notions of public liberty, and he understood how much the English people are disposed to deify their representatives. Thrice did he attempt to connect his usurpation with the forms of representative government; and always without success. His first parliament, convened by special writ, and mainly composed of the members of the party by which he had been advanced, represented the movement in the English mind which had been the cause of the revolution. It indulged in pious ecstasies, laid claim to the special enjoyment of the presence of Jesus Christ, and spent whole days in exhortations and prayers. But the delirium of mysticism was not incompatible with clear notions of policy; and amidst the hyperboles of Oriental diction, they prepared to overthrow despotic power by using the power a despot had conceded. The objects of this assembly were all democratic: it labored to effect a most radical reform; to codify English law, by reducing the huge volumes of the common law into a

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XI.1653
July
4.

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few simple English axioms; to abolish tithes; and to establish an absolute religious freedom, such as the United States now enjoy. This parliament has for ages been the theme of unsparing ridicule. Historians, with little generosity towards a defeated party, have sided against the levellers; and the misfortune of failure in action has doomed them to censure and contempt. Yet they only demanded what had often been promised, and what, on the immutable principles of freedom, was right. They did but remember the truths which Cromwell had professed, and had forgotten. Cromwell feared their influence; and, finding the republican party too honest to become the dupes of his ambition, he induced such members of the parliament as were his creatures to resign, and scattered the rest with his troops. The public looked on with much indifference. This parliament, from the mode of its convocation, was unpopular; the royalists, the army, and the Presbyterians, alike dreaded its activity. With it expired the last feeble hope of the republican party. The successful soldier, at once and openly, pleading the necessity of the moment, assumed supreme power, as the highest peace-officer in the realm.

Cromwell next attempted an alliance with the property of the country. Affecting contempt for the regicide republicans, who, as his accomplices in crime, could not forego his protection, he prepared to espouse the cause of the lawyers, the clergy, and the moneyed interest. Here, too, he was equally unsuccessful. The moneyed interest loves dominion for itself; it submits reluctantly to dominion; and his second parliament, chosen on such principles of reform as rejected the rotten boroughs, and, limiting the elective franchise to men of considerable estate, made the house a fair

1654
Sept.
to
1655,
Jan.
22.

representation of the wealth of the country, was equally animated by a spirit of stubborn defiance. The parliament first resisted the decisions of the council of Cromwell on the validity of its elections, next vindicated freedom of debate, and, at its third sitting, called in question the basis of Cromwell's authority. "Have we cut down tyranny in one person, and shall the nation be shackled by another?" cried a republican. "Hast thou, like Ahab, killed and taken possession?" exclaimed a royalist. At the opening of this parliament, Cromwell, hoping for a majority, declared "the meeting more precious to him than life." The majority favored the Presbyterians, and secretly desired the restoration of the Stuarts. The protector dissolved them, saying, "The mighty things done among us are the revolutions of Christ himself; to deny this is to speak against God." How highly the public mind was excited by this abrupt act of tyranny, is evident from what ensued. The dissolution of the parliament was followed by Penruddoc's insurrection.

A third and final effort could not be adventured till the nation had been propitiated by naval successes, and victories over Spain had excited and gratified the pride of Englishmen and the zeal of Protestants. "The Red Cross," said Cromwell's admirers, "rides on the sea without a rival; our ready sails have made a covenant with every wind; our oaks are as secure on the billows as when they were rooted in the forest: to others the ocean is but a road; to the English it is a dwelling-place."¹ The fleets of the protector returned rich with the spoils of Peru; and there were those who joined in adulation;—

¹ Waller, *Of a War with Spain*, verses 23—30.

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“ His conquering head has no more room for bays ·
 Let the rich ore forthwith be melted down,
 And the state fixed by making him a crown ;
 With ermine clad and purple, let him hold
 A royal sceptre, made of Spanish gold.”

For a moment the question of a sovereign for England seemed but to relate to the Protector Cromwell and the army, or King Cromwell and the army ; and, for the last time, Cromwell hoped, through a parliament, to reconcile his dominion to the English people, and to take a place in the line of English kings. For a season the majority was not unwilling ; the scruples of the more honest among the timid he overcame by levity. Our oath, he would say, is not against the three letters that make the word REX. “ Royalty is but a feather in a man’s cap ; let children enjoy their rattle.”¹ But here his ambition was destined to a disappointment ; the Presbyterians, ever his opponents, found on this point allies in many officers of the army ; and Owen,² afterwards elected president of Harvard College, draughted for them a powerful and effectual remonstrance. In view of his own elevation, Cromwell had established an upper house ; its future members to be nominated by the protector, yet in concurrence with the peers. But the wealth of the ancient hereditary nobility continued ; its splendor was not yet forgotten ; the new peerage, exposed to the contrast, excited ridicule without giving strength to Cromwell ; the house of commons continually spurned at their power, and controverted their title. This last parliament was also dissolved. Unless Cromwell could exterminate the Catholics, convert the inflexible Presbyterians, chill the loyalty of the royalists, and corrupt

1658,
Feb.
4.

¹ Ludlow, 223.

² Ludlow, 224.

the judgment of the republicans, he never could hope the cheerful consent of the British nation to the permanence of his government. He had not even a party, except of personal friends, and his government was well understood to be co-extensive only with his life. It was essentially a state of transition. He did not connect himself with the revolution, for he put himself above it, and controlled it; nor with the monarchy, for he was an active promoter of the execution of Charles; nor with the Church, for he subverted it; nor with the Presbyterians, for he barely tolerated their worship, without gratifying their ambition. He rested on himself; his own genius and his own personal resources were the basis of his power. Having subdued the revolution, there was no firm obstacle but himself to the restoration of the Stuarts, and his death was necessarily a signal for new revolutions.

The accession of Richard met with no instant opposition; for the tranquillity of expectation preceded the impending change. Like his father, he had no party in the nation; unlike his father, he had no capacity for public affairs. The restoration of the Stuarts was already resolved upon by the people of England. Richard convoked a parliament only to dissolve it; he could not control the army, and he could not govern England without the army. Involved in perplexities, he resigned. His accession had changed nothing; his abdication changed nothing; content to be the scoff of the proud, he had wisely acted upon the consciousness of his incompetency, and, in the bosom of private life, remote from wars, from ambition, from power, he lived to extreme old age in the serene enjoyment of tranquil affections, and of a gentle and modest temper English politics went forward in their course.

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The council of officers, the revival of the "interrupted" Long Parliament, the intrigues of Fleetwood and Desborough, the transient elevation of Lambert, were but a series of unsuccessful attempts to defeat the wishes of the people. Every new effort was soon a failure; and each successive failure did but expose the enemies of royalty to increased indignation and contempt. In vain did Milton forebode that, "of all governments, that of a restored king is the worst;" nothing could long delay the restoration. The fanaticism which had made the revolution, had burnt out, and was now a spent volcano. Among the possible combinations of human character, is that of an obstinate and almost apathetic courage, a sluggish temperament, a narrowness of mind, and yet a very accurate, though a mean-spirited judgment, which, "like a two-foot rule," measures great things as well as small, not rapidly, but with equal indifference and precision. Such a man was Monk, soon to be famous in American annals, from whose title, as duke of Albemarle, Virginia named one of her most beautiful counties, and Carolina her broadest bay. Sir William Coventry, no mean judge of men, esteemed him a drudge; Lord Sandwich sneered at him plainly as a thick-skulled fool; and the more courteous Pepys paints him as "a heavy, dull man, who will not hinder business, and cannot aid it." He was precisely the man demanded by the crisis. When Monk marched his army from Scotland into England, he was only the instrument of the restoration, not its author. Originally a soldier of fortune in the army of the royalists, he had deserted his party, served against Charles I., and readily offered to Cromwell his support. He had no adequate conceptions of the nature or the value of

liberty, was no statesman, and was destitute of true dignity of character. Incapable of laying among the wrecks of the English constitution the foundations of a new creation of civil liberty, he only took advantage of circumstances to make his own fortune, and gratify his vain passion for rank and place. He cared nothing for England, he cared only for himself; and therefore he made no terms for his country, but only for himself. He was not the cause of the restoration; he did but hold the Presbyterians in check, and, prodigal of perjuries to the last, he prevented the adoption of any treaty or binding compact between the returning monarch and the people.

Yet the want of such a compact could not alarm the determined enthusiasm of the people of England. All classes sighed for the restoration of monarchy, as the only effectual guaranty of peace. The Presbyterians, like repentant sinners at the confessional, hoping to gain favor by an early and effectual union with the royalists, contented themselves with a vague belief that the martyrdoms of Dunbar would never be forgotten; misfortunes and the fate of Charles I. were taken as sureties that Charles II. had learned moderation in the school of exile and sorrow; and his return could have nothing humiliating for the English people, for it was the nation itself that recalled its sovereign. Every party that had opposed the dynasty of the Stuarts, had failed in the attempt to give England a government; the constitutional royalists, the Presbyterians, the Independents, the Long Parliament, the army, had all in their turn been unsuccessful; the English, preserving a latent zeal for their ancient liberties, were yet at the time inflamed and carried away with a passionate desire of their ancient king. The Long Parliament is

CHAP. XI. reassembled; the Presbyterians, expelled before the trial of Charles, resume their seats; and the parliament is dissolved, to be succeeded by a new assembly. The king's return is at hand. They who had been its latest advocates, now endeavor to throw oblivion on their hesitancy by the excess of loyalty; men vie with one another in the display of zeal for the restoration, no one is disposed to gain the certain ill-will of the monarch by proposing conditions which might not be seconded; men forget their country in their zeal for the king; they forget liberty in their eagerness to advance their fortunes; a vague proclamation on the part of Charles II., promising a general amnesty, fidelity to the Protestant religion, regard for tender consciences, and respect for the English laws, was the only pledge from the sovereign. And now, after twenty years of storms, the light of peace dawns in the horizon. All England was in ecstasy. Groups of royalists gathered round buckets of wine in the streets, and drank the king's health on their knees. The bells in every steeple rung merry peals; the bonfires round London were so numerous and so brilliant, that the city seemed encircled with a halo;¹ and under a clear sky, with a favoring wind, the path of the exiled monarch homewards to the kingdom of his fathers, is serene and unruffled; as he landed on the soil of England, he was received by infinite crowds with all imaginable love. The shouting and general joy were past imagination.² On the journey from Dover to London, the hillocks all the way were covered with people; the trees were filled;³ and such was the prodigality of flowers from maidens, such the acclama-

1660.
May
25.

¹ Pepys, i. 15. 18.

² Pepys.

³ Gumble's Life of Monck, 386.

tions from throngs of men, the whole kingdom seemed gathered along the road-sides. The companies of the city welcomed the king with loud thanks to God for his presence;¹ and he advanced to Whitehall through serried ranks of admiring citizens. All hearts were open; and on the evening of his arrival in the capital of his kingdom, he employed the excitement of the time to debauch a beautiful woman of nineteen, the wife of one of his subjects.

CHAP
 XI.
 1660
 May
 20.

In the midst of the universal gladness, the triumph of the royalist party was undisputed. The arms of the commonwealth, and the emblems of republicanism; were defaced and burned with every expression of hatred and scorn. The democratic party, which Cromwell had subdued, was now politically extinct; its adherents sought obscurity among the crowd, while its leaders were obliged to hide themselves from the feverish excitement of popular anger. The melancholic inflexibility and the self-denying austerity of republicanism were out of vogue; levity and licentiousness now came in fashion. Every party that had opposed royalty, had, in the eagerness of political strife, failed to establish a government on a permanent basis. England remembered, that, under its monarchs, it had elected parliaments, enjoyed the trial by jury, and prospered in affluent tranquillity. Except in New England, royalty was now alone in favor. The republican party in England was fallen into extreme unpopularity; the democratic revolution had been an entire failure, but that, with all its faults, its wildness, and its extravagance, it set in motion the valuable ideas of popular liberty which the experience of hap-

¹ Clarendon, iii. 772

CHAP. pier ages was to devise ways of introducing into the
 XI political life of the nation. We shall presently see that
 the excessive loyalty of the moment, too precipitate in
 the restoration, doomed the country to an arduous struggle,
 and the necessity of a new revolution.

1660. The immediate effects of the restoration were saddened by the bitterness of revenge. All the regicides that were seized would have perished, but for Charles II., whom good nature led at last to exclaim, "I am tired of hanging, except for new offences." All haste was, however, made to despatch, at least, half a score, as if to appease the shade of Charles I.; and among the selected victims was Hugh Peters, once the minister of Salem, the father-in-law of the younger Winthrop;¹ one whom Roger Williams honored and loved, and whom Milton is supposed to include among

"Men whose life, learning, faith, and pure intent,
 Would have been held in high esteem with Paul."

As a preacher, his homely energy resembled the eloquence of Latimer and the earlier divines; in Salem he won general affection; he was ever zealous to advance the interests and quicken the industry of New England, and had assisted in founding the earliest college. His was the fanaticism of an ill-balanced mind, mastered by great ideas, which it imperfectly comprehends; and therefore he repelled monarchy and Episcopacy with excited passion. Though he was not himself a regicide, his zeal made him virtually an accomplice, by his influence over others.² He could not consider consequences, and zeal overwhelmed

¹ R. Williams to J. Winthrop, Jr., in Knowles, 310. "You were the son of two noble fathers. Surely I did ever, from my soul, honor and love them."

² Evelyn's Memoirs, ii. 3

his judgment. Nor was he entirely free from that bigotry which refuses to extend the rights of humanity beyond its own altars;¹ he could thank God for the massacres of Cromwell in Ireland.² And yet benevolence was deeply fixed in his heart; he ever advocated the rights of the feeble, and pleaded for the sufferings of the poor. Of his whole career it was said, that "many godly in New England dared not condemn what Hugh Peters had done."³ His arraignment, his trial, and his execution, were scenes of wanton injustice. He was allowed no counsel; and, indeed, his death had been resolved upon beforehand, though even false witnesses did not substantiate the specific charges urged against him. His last thoughts reverted to Massachusetts. "Go home to New England, and trust God there;" it was his final counsel to his daughter. At the gallows, he was compelled to wait while the body of his friend Cooke, who had just been hanged, was cut down and quartered before his eyes. "How like you this?" cried the executioner, rubbing his bloody hands. "I thank God," replied the martyr, "I am not terrified at it; you may do your worst." To his friends he said, "Weep not for me; my heart is full of comfort;" and he smiled as he made himself ready to leave the world. Even death could not save him from his enemies; the bias of party corrupts the judgment, and cruelty justified itself by defaming its victim.⁴ So perished a freeman of Massachusetts;

CHAP.
XI.

1660
Oct.
14.

¹ Trial of Anne Hutchinson.

² Whitelocke, 428. "Drogheda is taken, 3552 of the enemy slain. Ashton killed; none spared. I came now from giving thanks in the great church."

³ Crown, in Chalmers, 264.

⁴ The story that he died drunk, is

a foolish calumny, reflecting discredit only on those who could propagate it. Charles I. drank wine before his execution, for fear of trembling. South is extravagant. Burnet, i. 226, could have heard only the accounts of his enemies, which were caricatures.

CHAP
XI.

the first who lost his life for opposition to monarchy
The blood of Massachusetts was destined to flow freely
on the field of battle for the same cause; the streams
were first opened beneath the gallows.¹

1660
Oct.

The regicides, who had at nearly the same time been
condemned to death, did not abate their confidence in
their cause. Alone against a nation, pride of character
blended with religious fervor and political enthusiasm.
Death under the horrid forms which a barbarous age
had devised, and a barbarous jurisprudence still toler-
ated, they could meet with serenity, or with exultation.
The voice within their breasts still approved what they
had done; a better world seemed opening to receive
them; and, as they ascended the scaffold, their un-
daunted composure and lofty resignation seemed to
call on earth and heaven to witness how unjustly they
suffered.

But it was not enough to punish the living; ven-
geance invaded the tombs. The corpses of Cromwell,
Bradshaw, and Ireton, were, by the order of both
houses of parliament, and with the approbation of the
king, disinterred, dragged on hurdles to Tyburn, and
regularly hanged at the three corners of the gallows.
In the evening, the same bodies were cut down and
beheaded, amidst the exulting merriment of the Cava-
liers. Such is revenge!

Of the judges of King Charles I., three escaped to
America. Edward Whalley, who had first won laurels
in the field of Naseby, had ever enjoyed the confidence
of Cromwell, and remained to the last an enemy to the

¹ See a favorable view of Peters Hist. Coll. vi. 250—254. London
in Upham's Second Century Lec- Monthly Repository, xiv. 525 and
ture at Salem, 13—27, and Post- 602. Opposite opinions in nearly
script. So, too, Felt's Annals of all the royalist writers
Salem, 132—151. Bentley, in Mass.

Stuarts, and a friend to the interests of the Independents,—and William Goffe, a firm friend to the family of Cromwell,¹ a good soldier, and an ardent partisan, but ignorant of the true principles of freedom,—arrived in Boston, where Endicot, the governor, received them with courtesy. For nearly a year, they resided unmolested within the limits of Massachusetts, holding meetings in every house, where they preached and prayed, and gained universal applause. When warrants arrived from England for their apprehension, they fled across the country to New Haven, where it was esteemed a crime against God to bewray the wanderer or give up the outcast. Yet such diligent search was made for them, that they never were in security. For a time they removed in secrecy from house to house; sometimes concealed themselves in a mill, sometimes in clefts of the rocks by the seaside; and for weeks together, and even for months, they dwelt in a cave in the forest. Great rewards were offered for their apprehension; Indians as well as English were urged to scour the woods in quest of their hiding-place, as men hunt for the holes of foxes. When the zeal of the search was nearly over, they retired to a little village on the Sound; till at last they escaped by night to an appointed place of refuge in Hadley, and the solitudes of the most beautiful valley of New England gave shelter to their wearisome and repining age.²

CHAP
XL1660
July
27.

1661

June
24
to
Aug
19.

John Dixwell was more fortunate. He was able to live undiscovered, and, changing his name, was ab-

¹ Burton's Diary, i. 361.

² Stiles, in c. iii. of his History of Three of the Judges of Charles I., has collected the materials on this subject. Papers relating to it

may be found in the Dutch records. What need of referring to Hutch. Hist. vol. i., to the papers in Hutch. Coll., to Crown's deposition, in Chalmers, 263, 264.

CHAP. sorbed among the inhabitants of New Haven. He
 XI. married and lived peacefully and happily. The His-
 tory of the World, which Raleigh had written in im-
 prisonment, with the sentence of death hanging over
 his head, was the favorite study of the man whom the
 laws of England had condemned to the gallows; and
 he ever retained a firm belief that the spirit of English
 liberty would demand a new revolution, which was
 achieved in England a few months before his end, and
 of which the earliest rumors may have reached his
 death-bed.¹

Three of the regicides, who had escaped to Holland,
 found themselves, in the territory of a free and inde-
 pendent state,² less securely sheltered than their col-
 leagues in the secret places of a dependent colony.
 They were apprehended in Holland, surrendered by
 the states, and executed in England.

1662
 April
 19.

Retributive justice, thought many, required the
 execution of regicides. One victim was selected for
 his genius and integrity; such was the terror inspired
 by their influence. Now that all England was carried
 away with eagerness for monarchy, Sir Henry Vane,
 the former governor of Massachusetts, the benefactor
 of Rhode Island, the ever-faithful friend of New Eng-
 land, adhered with undaunted firmness to "the glorious
 cause" of popular liberty; and, shunned by every man
 who courted the returning monarch, he became noted
 for the most "catholic" unpopularity.³ He fell from
 the affections of the English people, when the English
 people fell from the jealous care of their liberties. He

¹ Dixwell died March 18, 1689, 150, 4to. ed., is very unfavorable to
 aged 81. De Witt.

² The story in Pepys, ii. 149,

³ Maidston to Winthrop.

had ever been incorrupt and disinterested, merciful and liberal. When Unitarianism was persecuted, not as a sect, but as a blasphemy, Vane interceded for its advocate;¹ he pleaded for the liberty of Quakers imprisoned for their opinions;² as a legislator, he demanded justice in behalf of the Roman Catholics; he resisted the sale of Penruddoc's men into slavery, as an aggression on the rights of man. The immense emoluments of his office as treasurer of the navy he voluntarily resigned.³ When the Presbyterians, though his adversaries, were forcibly excluded from the house of commons, he also absented himself.⁴ When the monarchy was overthrown, and a commonwealth attempted, Vane reluctantly filled a seat in the council; and, resuming his place as a legislator, amidst the floating wrecks of the English constitution, he clung to the existing parliament as to the only fragment on which it was possible to rescue English liberty. His energy gave to the English navy its efficient organization; if England could cope with Holland on the sea, the glory of preparation is Vane's. His labors in that remnant of a parliament were immediately turned to the purification of liberty in its sources; and he is believed to have anticipated every great principle of the modern reform bill. He steadily resisted the usurpation of Cromwell; as he had a right to esteem the sorrows of his country his private sorrows, he declared it "no small grief, that the evil and wretched principles of absolute monarchy should be revived by men professing godliness;" and Cromwell, unable to intimidate him, confined him to Carisbrook Castle.

CHAP
XI.

¹ Godwin, iii. 511.

² Sewell, 191.

³ Macauley, v. 99.

⁴ See Vane's Speeches, in Burton

CHAP
XI.

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Both Cromwell and Vane were unsuccessful statesmen; the first desired to secure the government of England to his family; the other, to vindicate it for the people.

1662
June

The convention parliament had excepted Vane from the indemnity, on the king's promise that he should not suffer death. It was now resolved to bring him to trial; and he turned his trial into a triumph. Though "before supposed to be a timorous man,"¹ he appeared before his judges with animated fearlessness. Instead of offering apologies for his career, he denied the imputation of treason with settled scorn, defended the right of Englishmen to be governed by successive representatives, and took glory to himself for actions which promoted the good of England, and were sanctioned by parliament as the virtual sovereign of the realm. He spoke not for his life and estate, but for the honor of the martyrs to liberty that were in their graves, for the liberties of England, for the interest "of all posterity in time to come." He had asked for counsel. "Who," cried the solicitor, "will dare to speak for you, unless you can call down from the gibbet the heads of your fellow-traitors?" "I stand single," said Vane; "yet, being thus left alone, I am not afraid, in this great presence, to bear my witness to the glorious cause, nor to seal it with my blood." Such true magnanimity stimulated the vengeance of his enemies; "they clamored for his life." "Certainly," wrote the king, "Sir Henry Vane is too dangerous a man to let live, if we can honestly put him out of the way."² It was found he could not honestly be put out of the way; but still, the solicitor urged, "he must

¹ Calamy's Abridgment, 99, 100. a very fearful man." Hume, c. lxiii. Burnet, i. 228. "He was naturally

² The letter, in Hallam, ii. 443.

be made a sacrifice." "We know what to do with him," said the king's counsel.¹

CHAP.
XI.

The day before his execution, his friends were admitted to his prison; and he cheered their drooping spirits by his own serene intrepidity, reasoning calmly on death and immortality. He reviewed his political career, from the day when he defended Anne Hutchinson, to his last struggle for English liberties, and could say, "I have not the least recoil in my heart as to matter or manner of what I have done." A friend spoke of prayer, that for the present the cup of death might be averted. "Why should we fear death?" answered Vane; "I find it rather shrinks from me, than I from it." His children gathered round him, and he stooped to embrace them, mingling consolation with kisses. "The Lord will be a better father to you." "Be not you troubled, for I am going home to my Father." And his farewell counsel was, "Suffer any thing from men rather than sin against God." When his family had withdrawn, he declared his life to be willingly offered to confirm the wavering, and convince the ignorant. The cause of popular liberty still seemed to him a glorious cause. "I leave my life as a seal to the justness of that quarrel. Ten thousand deaths, rather than defile the chastity of my conscience; nor would I, for ten thousand worlds, resign the peace and satisfaction I have in my heart."

1662
June.

The plebeian Hugh Peters had been hanged; Sir Henry Vane was to suffer on the block. The same cheerful resignation animated him on the day of his execution. As the procession moved through the streets, men from the windows and tops of houses

¹ Trial of Sir Henry Vane, 73. 55.

CHAP. expressed their sorrow, pouring out prayers for him as
 XI. he passed by; and the people shouted aloud, "God go
 1662 with you." Arrived on the scaffold, he was observable
 June above all others by the intrepidity of his demeanor.
 14. Surveying the vast surrounding multitude with compo-
 sure, he addressed them, and sought to awaken in their
 souls the love of English liberty. His voice was over-
 powered with trumpets; finding he could not bear an
 audible testimony to his principles, he was not in the
 least disconcerted by the rudeness, but, in the serenity
 of his manner, continued to show with what calmness
 an honest patriot could die. With unbroken trust in
 Providence, he believed in the progress of civilization;
 and while he reminded those around him, that "he had
 foretold the dark clouds which were coming thicker
 and thicker for a season," it was still "most clear to the
 eye of his faith," that a better day would dawn in the
 clouds. "Blessed be God," exclaimed he, as he bared
 his neck for the axe, "I have kept a conscience void of
 offence to this day, and have not deserted the righteous
 cause for which I suffer." That righteous cause was
 democratic liberty; in the history of the world, he was
 the first martyr to the principle of the paramount power
 of the people; and, as he had predicted, "his blood
 gained a voice to speak his innocence." The manner
 of his death was the admiration of his times.

Puritanism, with the sects to which it gave birth,
 ceased to sway the destinies of England. The army
 of Cromwell had displayed its power in the field;
 Milton, having shown the eloquence it could inspire,
 still lived to illustrate what poetry it could create, in
 works that are counted among the noblest productions
 of the human mind; Vane proved how fearlessly it
 could bear testimony for liberty in the face of death,

New England is the monument of its power to establish free states. The ancient institutions of England would not yield to new popular establishments; but the bloom of immortality belongs to the example of Vane, to the poetry of Milton, and, let us hope, to the institutions of New England. CHAP
XI.

To New England, the revolutions in the mother country were not indifferent; the American colonies attracted the notice of the courts of justice in Westminster Hall. They were held, alike by the nature of the English constitution, and the principles of the common law, to be subordinate to the English parliament, and bound by its acts, whenever they were specially named in a statute, or were clearly embraced within its provisions. An issue was thus made between Massachusetts and England, for that colony had, as we have seen, refused to be subject to the laws of parliament, and had remonstrated against such subjection, as "the loss of English liberty." The Long Parliament had conceded the justice of the remonstrance. The judges, on the restoration, decreed otherwise, and asserted the legislative supremacy of parliament over the colonies without restriction. Such was the established common law of England.¹

Immediately on the restoration of Charles II., the 1660 convention parliament² granted to the monarch a subsidy of twelve pence in the pound, that is, of five per cent., on all merchandise exported from, or imported into, the kingdom of England, or "any of his majesty's dominions thereto belonging."³ Doubts arising, not

¹ Freeman's Reports, 175; Modern Reports, iii. 159, 160; Vaughan's Reports, 170. 400; Modern Reports, iv. 225; Blackstone's Commentaries, i. 106—109.

² 12 Charles II. c. iv.

³ Same expression in 2 Anne, c. ix.; 3 Anne, c. v.; and in 21 George II. c. ii. The expression does not include the colonies.

CHAP. whether the power of parliament was co-extensive with
 XI the English empire, but what territories the terms of
 1660 the act included, they were interpreted to exclude "the dominions not of the crown of England."¹ The tax was, also, never levied in the colonies; nor was it understood that the colonies were bound by a statute unless they were expressly named.²

That distinctness was not wanting, when it was required by the interests of English merchants. The Navigation Act of the commonwealth had not been designed to trammel the commerce of the colonies, the convention parliament, the same body which betrayed the liberties of England, by restoring the Stuarts without conditions, now, by the most memorable statute,³ in the English maritime code, connected in one act the protection of English shipping, and a monopoly to the English merchant of the trade with the colonies. In the reign of Richard II.,⁴ the commerce of English ports had been secured to English shipping: the act of navigation of 1651 had done no more; and against it the colonists made no serious objection. The present act renewed the same provisions, and further avowed the design of sacrificing the natural rights of the colonists to English interests. "No merchandise shall be imported into the plantations but in English vessels, navigated by Englishmen, under penalty of forfeiture." The harbors of the colonies were shut against the Dutch, and every foreign vessel.—America, as the asylum of the oppressed, invited emigrants from the most varied climes. It was now enacted, that none but native or naturalized subjects should become a mer-

¹ Vaughan's Reports, 170. Compare Tyrwhit and Tyndale's Digest, xiii.—xv. Chalmers, p. 241, is not sustained in his inference

² Blackstone, i. 107, 108; Chitty on Prerogative, 33.

³ 12 Charles II. c. xviii.

⁴ 5 Richard II. c. iii

chant or factor in any English settlement; excluding the colonists from the benefits of a foreign competition. CHAP
XI.

American industry produced articles for exportation; 1660
but these articles were of two kinds. Some were produced in quantities only in America, and would not compete in the English market with English productions. These were enumerated, and it was declared that none of them, that is, no sugar, tobacco, ginger, indigo, cotton, fustic, dyeing woods, shall be transported to any other country than those belonging to the crown of England, under penalty of forfeiture; and as new articles of industry of this class grew up in America, they were added to the list. But such other commodities as the English merchant might not find convenient to buy, the American planter might ship to foreign markets; the farther off the better;¹ because they would thus interfere less with the trades which were carried on in England. The colonists were, therefore, by a clause in the navigation act, confined to ports south of Cape Finisterre.

Hardly had time enough elapsed for a voyage or two across the Atlantic, before it was found that the English merchant might derive still further advantages at the cost of the colonists, by the imposition of still further restraints. A new law² prohibited the importation of European commodities into the colonies, except in English ships from England, to the end that England might be made the staple, not only of colonial productions, but of colonial supplies. Thus the colonists were compelled to buy in England, not only all English manufactures, but every thing else that they might need from any soil but their own. 1663

¹ Compare Adam Smith, b. iv. c. vii. p. iii.

² 15 Car. II. c. vii

CHAP. XI. The activity of the shipping of New England, which should only have excited admiration, excited envy in the minds of the English merchants. The produce of the plantations of the southern colonies was brought to New England, as a result of the little colonial exchanges. To the extravagant fears of mercantile avarice, New England was become a staple.¹ Parliament,² therefore, resolved to exclude New England merchants from competing with the English, in the markets of the southern plantations; the liberty of free traffic between the colonies was accordingly taken away; and any of the enumerated commodities exported from one colony to another, were subjected to a duty equivalent to the duty on the consumption of these commodities in England.

1673.

By degrees, the avarice of English shopkeepers became bolder; and America was forbidden, by act of parliament, not merely to manufacture those articles which might compete with the English in foreign markets, but even to supply herself, by her own industry, with those articles which her position enabled her to manufacture with success for her own wants.³

Thus was the policy of Great Britain, with respect to her colonies, a system of monopoly, adopted after the example of Spain, and, for more than a century, inflexibly pursued, in no less than twenty-nine acts of parliament. The colonists were allowed to sell to foreigners only what England would not take; that so they might gain means to pay for the articles forced upon them by England. The commercial liberties of rising states were shackled by paper chains, and the

¹ Chalmers, 262. See Hutch. Coll. 422. ³ For example, 5 Geo. II. c. xxii. § 7. and 23 Geo. II. c. xxix.

² 25 Car. II. c. vii.

principles of natural justice subjected to the fears and the covetousness of English shopkeepers.¹ CHAP
XI.

The effects of this system were baleful to the colonies. They could buy European and all foreign commodities only at the shops of the metropolis; and thus the merchant of the mother country could sell his goods for a little more than they were worth. England gained at the expense of America. The profit of the one was balanced by the loss of the other.

In the sale of their products the colonists were equally injured. The English, being the sole purchasers, could obtain those products at a little less than their fair value. The merchant of Bristol or London was made richer; the planter of Virginia or Maryland was made poorer. No new value was created; one lost what the other gained; and both parties had equal claims to the benevolence of the legislature.²

Thus the colonists were wronged, both in their purchases and in their sales; the law "cut them with a double edge." The English consumer gained nothing; for the surplus colonial produce was reexported to other nations. The English merchant, and not the English people, profited by the injustice. The English people were sufferers. Not that the undue employment of wealth in the colonial trade occasioned an injurious scarcity in other branches of industry; for the increased productiveness of capital soon yielded a larger supply than ever for all kinds of business; just as a fortune doubles rapidly at a high rate of interest. But the navigation act involved the foreign policy of England in contradictions; she was herself a monopolist of her own colonial trade, and yet steadily aimed

¹ Burke.

² Say, ii. 288, 289

CHAP. XI. at enfranchising the trade of the Spanish settlements
 Hence arose a set of relations which we shall find pregnant with consequences.

In the domestic policy of England, the act increased the tendency to unequal legislation. The English merchant having become the sole factor for American colonies, and the manufacturer claiming to supply colonial wants, the English landholder consented to uphold the artificial system only by sharing in its emoluments; and corn-laws began to be enacted, in order to secure the profits of capital, applied to agriculture, against the dangers of foreign competition. Thus the system which impoverished the Virginia planter, by lowering the price of his tobacco crop, oppressed the English laborer, by raising the price of his bread;¹ till at last a whig ministry² could offer a bounty on the exportation of corn.

The law was still more injurious to England, from its influence on the connection between the colonies and the metropolis. Durable relations in society are correlative, and reciprocally beneficial. In this case, the statute was made by one party to bind the other, and was made on iniquitous principles. Established as the law of the strongest, it could endure no longer than the superiority in force. It converted commerce, which should be the bond of peace, into a source of rankling hostility, and scattered the certain seeds of a civil war. The navigation act contained a pledge of the ultimate independence of America.

To the colonists, the navigation act was, at the time, an unmitigated evil; for the prohibition³ of plant-

¹ 22 Car. II. c. xiii.

² 1 William and Mary.

³ 12 Car. II. c. xxxiv. Comp. Chalmers, 243.

ing tobacco in England and Ireland, was a useless mockery. CHAP.
XI.

As a mode of taxing the colonies, the monopoly was a failure ; the contribution was made to the pocket of the merchant, not to the treasury of the metropolis.

The usual excuse for colonial restrictions is founded on the principle that colonies were established at the cost of the mother country for that very purpose.¹ In the case of the American colonies, the apology cannot be urged. The state founded none of them. The colonists escaped from the mother country, and had, at their own cost, and by their own toil, made for themselves dwellings in the New World. Virginia was founded by a private company ; New England was the home of exiles. England first thrust them out ; and she owned them as her children only to oppress them !


Again, it was said that the commercial losses of the colonists were compensated by protection. But the connection with Europe was fraught only with danger ; for the rivalry of European nations did but transfer the scenes of their bloody feuds to the wilds of America.

The monopoly, it must be allowed, was of the least injurious kind. It was conceded, not to an individual, nor to a company, nor to a single city ; but was open to the competition of all Englishmen.²

The history of the navigation act would be incomplete, were it not added, that, whatever party obtained a majority, it never, till the colonies gained great strength, occurred to the British parliament that the legislation was a wrong. Bigotry is not exclusively a passion of religious superstition. Its root is in the

¹ Montesquieu, l. xxi., c. xxi.

² 6 Anne, c. xxxvii.

CHAP. human heart, and it is reproduced in every age.
 XI.  Blinding the intellectual eye, and comprehending no passion but its own, it is the passionate and partial defence of an existing interest. The Antonines of Rome, or, not to go beyond English history, Elizabeth and Charles I., did not question the divine right of absolute power. "Were Nero in power," said Cromwell himself, when protector, "it would be a duty to submit." When Laud was arraigned, "Can any one believe me a traitor?" exclaimed the astonished prelate, with real surprise. The Cavaliers, in the civil war, did not doubt the sanctity of the privileges of birth; and now the English parliament, as the instrument of mercantile avarice, had no scruple in commencing the legislation, which, when the colonists grew powerful, was, by the greatest British economist, declared to be "a manifest violation of the rights of mankind."¹

Such was the disposition of the English parliament towards the colonies: the changes in their internal constitutions were to depend on the personal character of the monarch whom England had taken into favor.

The tall and swarthy grandson of Henry IV. of France, was naturally possessed of a disposition which, had he preserved purity of morals, had made him one of the most amiable of men. It was his misfortune, in very early life, to have become thoroughly debauched in mind and heart; and adversity, usually the rugged nurse of virtue, made the selfish libertine but the more reckless in his profligacy. He did not merely indulge his passions; his neck bowed to the yoke of lewdness. He was attached to women, not from love, for he had no jealousy, and was regardless of infidelities; nor

¹ Smith's Wealth of Nations.

entirely from debauch, but from the pleasure of living near them, and sauntering in their company. His delight—such is the record of the royalist Evelyn—was in “concubines, and cattle of that sort;” and up to the last week of his life, he spent his time in dissoluteness, toying with his mistresses, and listening to love-songs.¹ If decision ever broke through his abject vices, it was but a momentary flash; a life of pleasure sapped his moral courage, and left him imbecile, fit only to be the tool of courtiers, and the dupe of mistresses. Did the English commons impeach Clarendon? Charles II. could think of nothing but how to get the duchess of Richmond to court again. Was the Dutch war signalized by disasters? “the king did still follow his women as much as ever;” and took more pains to reconcile the chambermaids of Lady Castlemaine, or make friends of the rival beauties of his court, than to save his kingdom. He was “governed by his lust, and the women, and the rogues about him.”

The natural abilities of Charles II. were probably overrated. He was incapable of a strong purpose or steady application. He read imperfectly and ill.² When drunk, he was a silly, good-natured, subservient fool.³ In the council of state, he played with his dog, never minding the business, or making a speech, memorable only for its silliness;⁴ and if he visited the naval magazines, “his talk was equally idle and frothy.”⁵

The best trait in his character was his natural kindness. Yet his benevolence was in part a weakness; his bounty was that of facility; and his placable temper, incapable of strong revenge, was equally incapable

¹ Evelyn.² Pepys, i. 243.³ Pepys, ii. 130.⁴ Ibid. ii. 123. 130.⁵ Pepys, i. 243

CHAP. of affection. He so loved his present tranquillity, that
 XI. he signed the death-warrants of innocent men, rather
 than risk disquiet ; but of himself he was merciful, and
 was reluctant to hang any but republicans. His love
 of placid enjoyments and of ease continued to the end.
 On the last morning of his life, he bade his attendants
 open the curtains of his bed, and the windows of his
 bed-chamber, that he might once more see the sun.¹
 He desired absolution ; “ For God’s sake, send for a
 Catholic priest ; ” but checked himself, adding, “ it
 may expose the duke of York to danger.”² He par-
 doned all his enemies, no doubt sincerely. The queen
 sent to beg forgiveness for any offences. “ Alas, poor
 woman, she beg my pardon ! ” he replied ; “ I beg hers
 with all my heart ; take back to her that answer.”³
 He expressed some regard for his brother, his children,
 his mistresses. “ Do not leave poor Nelly Gwyn to
 starve,” was almost his last commission.⁴

Such was the lewd king of England, on whose favor
 depended the liberties of the New England colonies,
 where lewdness was held a crime, and adultery in-
 exorably punished by death on the gallows.

1660. Massachusetts, strong in its charter, made no haste
 to present itself in England as a suppliant. “ The
 colony of Boston,” wrote Stuyvesant,⁵ “ remains con-
 stant to its old maxims of a free state, dependent on none
 but God.” Had the king resolved on sending them a
 governor, the several towns and churches throughout
 the whole country were resolved to oppose him.⁶

¹ Barillon, in Dalrymple, App. to p. i. b. i. Compare James’ II. Memoirs, i. 746 ; Evelyn, iii. 130, 131.

² James’ II. Memoirs, i. 747.

³ Dalrymple, book i. p. 66.

⁴ Burnet, ii. 284. So, too, Evelyn, iii. 132.

⁵ Albany Records, xviii. 124. Oct. 6. 1660.

⁶ Hutch. Coll. 339 ; Belknap, 437

The colonies of Plymouth, of Hartford and New Haven, not less than of Rhode Island, proclaimed the new king, and acted in his name;¹ and the rising republic on the Connecticut appeared in London by its representative, the younger Winthrop, who went, as it were, between the mangled limbs of his father-in-law, to ensure the welfare of his fellow-exiles in the west. They had purchased their lands of the assigns of the earl of Warwick, and from Uncas they had bought the territory of the Mohegans; and the news of the restoration awakened a desire for a patent. But the little colony proceeded warily; they draughted among themselves the instrument which they desired the king to ratify; and they could plead for their possessions their rights by purchase, by conquest from the Pequods, and by their own labor, which had redeemed the wilderness. A letter was also addressed from Connecticut to the aged Lord Say and Seal,² the early friend of the emigrants, and now, on the restoration, while it was yet the royal policy to conciliate the Presbyterians, a favored officer of the crown. By the memory of past benefits, and the promise of grateful regard, they request his influence to obtain for them a guaranty for their liberties.

The venerable man, too aged for active exertion, secured for his clients the kind offices of the lord chamberlain, the earl of Manchester, a man "of an obliging temper, universally beloved, being of a virtuous and generous mind."³ "Indeed he was a noble and a worthy lord, and one that loved the godly." "He

¹ Quantum mutatus ab illo Hectore, adds Stuyvesant, who was very fond of a Latin quotation. There was, however, no change in the political principles of New England,

which never was regicide. Albany Records, xviii. 123.

² See Trumbull, i. App. vii. viii. ix.

³ Burnet, i. 134.

CHAP
XI.

1660

1661
Mar.
14.

1661

CHAP. and Lord Say did join together, that their godly friends
 XI. in New England might enjoy their just rights and
 1661 liberties.”

But the chief happiness of Connecticut was in the selection of its agent. In the younger Winthrop, the qualities of human excellence were mingled in such happy proportions, that, while he always wore an air of contentment, no enterprise in which he engaged seemed too lofty for his powers. Even as a child, he had been the pride of his father's house; he had received the best instruction which Cambridge and Dublin could afford; and had perfected his education by visiting, in part at least, in the public service, not Holland and France only, in the days of Prince Maurice and Richelieu, but Venice and Constantinople.¹ From boyhood his manners had been spotless; and the purity of his soul added lustre and beauty to the gifts of nature and industry;² as he travelled through Europe, he sought the society of men eminent for learning. Returning to England in the bloom of life, with every promise of preferment which genius, gentleness of temper, and influence at court, could inspire, he preferred to follow his father to the new world; regarding “diversities of countries but as so many inns,” alike conducting to “the journey's end.”³ When his father, the father of Massachusetts, became impoverished by his expenses in planting the colony, the pious son, unsolicited and without recompense, relinquished his large inheritance, that “it might be spent in furthering the great work”⁴ in Massachusetts; himself, single-handed and without wealth, engaging in the enterprise

¹ Winthrop, i. 348 and 354; Mather, b. ii. c. xi.

² Winthrop, i. 341.

³ His letter, in Winthrop, i. 359.

⁴ Mather, b. ii. c. xi., Winthrop's will, in Winthrop, ii. 360.

of planting Connecticut. Care for posterity seemed the motive to his actions.¹ His vast and elevated mind had, moreover, that largeness, that he respected learning, and virtue, and genius, in whatever sect they might be found. No narrow bigotry limited his affections or his esteem; and when Quakers had become the objects of persecution, he was earnest and unremitting in argument and entreaty, to prevent the effusion of blood.² Master over his own mind, he never regretted the brilliant prospects he had resigned, nor complained of the comparative solitude of New London; a large library³ furnished employment to his mind; the study of nature, according to the principles of the philosophy of Bacon, was his delight; for "he had a gift in understanding and art;" and his home was endeared by a happy marriage, and "many sweet children." His knowledge of human nature was as remarkable as his virtues. He never attempted impracticable things; but, understanding the springs of action, and the principles that control affairs, he calmly and noiselessly succeeded in all that he undertook. The New World was full of his praises; Puritans, and Quakers, and the freemen of Rhode Island,⁴ were alike his eulogists; the Dutch at New York, not less than all New England, had confidence in his integrity;⁵ Clarendon⁶ and Milton, Newton and Robert Boyle,⁷

CHAP

XL

1661

¹ "And zealous care for their posteritie, Of all his acts, the primum mobile." Wolcott.

² Bishop's N. E. Judged. "Did not John Winthrop, the Governor of the jurisdiction of Connecticut, labor with you, that ye would not put them to death? And did he not say unto you, that he would beg it of you on his bare knees, that ye would not do it?" p. 157.

³ Winthrop, ii. 20.

⁴ Roger Williams's Letters, in Knowles.

⁵ Albany Records, iv. 405, and xviii. 188, 189.

⁶ MSS. in my possession.

⁷ "Mr. Winthrop, my particular acquaintance." R. Boyle's letter, in Mass. Hist. Coll. xviii. 49. Dedication of vol. xl. of the Transactions of the Royal Society.

CHAP. became his correspondents. If he had faults, they are
^{XI.} forgotten. In history he appears by unanimous con-
 1661. sent,¹ from early life, without a blemish; and it is
 the beautiful testimony of his own father, that "God
 gave him favor in the eyes of all with whom he had
 to do." In his interview with Charles II., there is
 reason to believe, he was able to inspire that natur-
 ally benevolent monarch with curiosity; perhaps he
 amused him with accounts of Indian warfare, and
 descriptions of the marvels of a virgin world. A
 favorable recollection of Charles I., who had been a
 friend to his father's father, and who gave to his
 family an hereditary claim on the Stuarts, was effect-
 ually revived. His personal merits, sympathy for his
 family, his exertions, the petition of the colony, and,
 as I believe, the real good will of Clarendon,—for
 1662. we must not reject all faith in generous feeling,—
^{April} easily prevailed to obtain for Connecticut an ample
^{20.} patent. The courtiers of King Charles, who them-
 selves had an eye to possessions in America, sug-
 gested no limitations; and perhaps it was believed,
 that Connecticut would serve to balance the power
 of Massachusetts.

The charter, disregarding the hesitancy of New Haven, the rights of the colony of New Belgium, and the claims of Spain on the Pacific, connected New Haven with Hartford in one colony, of which the limits were extended from the Narragansett River to the Pacific Ocean. How strange is the connection of events! Winthrop not only secured to his state a peaceful century of colonial existence, but prepared the claim for western lands. Under his wise direction,

¹ Thurloe. i. 763; "a person of signal worth, as all reports present."

the careless benevolence of Charles II. provided in advance the school fund of Connecticut. CHAP.
XI.

With regard to powers of government, the charter was still more extraordinary. It conferred on the colonists unqualified power to govern themselves. They were allowed to elect all their own officers, to enact their own laws, to administer justice without appeals to England, to inflict punishments, to confer pardons, and, in a word, to exercise every power, deliberative and active. The king, far from reserving a negative on the acts of the colony, did not even require that the laws should be transmitted for his inspection; and no provision was made for the interference of the English government in any event whatever. Connecticut was independent except in name. Charles II. and Clarendon thought they had created a close corporation, and they had really sanctioned a democracy. 1662.

After his successful negotiations,¹ and efficient concert in founding the Royal Society, Winthrop returned to America, bringing with him a name which England honored, and which his country should never forget, and resumed his tranquil life in rural retirement. The amalgamation of the two colonies could not be effected without collision; and New Haven had been unwilling to merge itself in the larger colony; the wise moderation of Winthrop was able to reconcile the jarrings, and blend the interests of the united colonies. The universal approbation of Connecticut followed him throughout all the remainder of his life; for twice

¹ Savage, in his second edition of Winthrop's Journal, published in 1853, vol. i. p. 151, corrects the opinion which he had expressed in his first edition, respecting the letter, supposed to have been addressed by Charles II. to the younger Winthrop.

CHAP. seven years he continued to be annually elected to
 XI. the office of her chief magistrate.¹

1662
 to

1676.

And the gratitude of Connecticut was reasonable. The charter which Winthrop had obtained, secured to her an existence of tranquillity which could not be surpassed. Civil freedom was safe under the shelter of masculine morality; and beggary and crime could not thrive in the midst of severest manners. From the first, the minds of the yeomanry were kept active by the constant exercise of the elective franchise; and, except under James II., there was no such thing in the land as an officer appointed by the English king. Connecticut, from the first, possessed unmixed popular liberty. The government was in honest and upright hands; the little strifes of rivalry never became heated; the magistrates were sometimes persons of no ordinary endowments; but though gifts of learning and genius were valued, the state was content with virtue and single-mindedness; and the public welfare never suffered at the hands of plain men. Roger Williams had ever been a welcome guest at Hartford; and "that heavenly man, John Haynes," would say to him, "I think, Mr. Williams, I must now confesse to you, that the most wise God hath provided and cut out this part of the world as a refuge and receptacle for all sorts of consciences."² There never existed a persecuting spirit³ in Connecticut; while "it had a scholar to their minister in every town or village." Education was cherished; religious knowledge was carried

¹ Compare further on the younger Winthrop, Savage, in Winthrop, i. 64, and 126; Eliot's Biog. Dict.; Roger Wolcott, in Mass. Hist. Coll. iv. 262-298.

² Mass. Hist. Coll. i. 280.

³ So Douglas, ii. 135. "I never heard of any persecuting spirit in Connecticut; in this they are egregiously aspersed."

to the highest degree of refinement, alike in its application to moral duties, and to the mysterious questions on the nature of God, of liberty, and of the soul. A hardy race multiplied along the alluvion of the streams, and subdued the more rocky and less inviting fields; its population for a century doubled once in twenty years, in spite of considerable emigration; and if, as has often been said, the ratio of the increase of population is the surest criterion of public happiness, Connecticut was long the happiest state in the world.¹ Religion united with the pursuits of agriculture, to give to the land the aspect of salubrity. The domestic wars were discussions of knotty points in theology; the concerns of the parish, the merits of the minister, were the weightiest affairs; and a church reproof the heaviest calamity. The strifes of the parent country, though they sometimes occasioned a levy among the sons of the husbandmen, yet never brought an enemy within their borders; tranquillity was within their gates, and the peace of God within their hearts. No fears of midnight ruffians could disturb the sweetness of slumber; the best house required no fastening but a latch, lifted by a string; bolts and locks were unknown.

There was nothing morose in the Connecticut character. It was temperate industry enjoying the abundance which it had created. No great inequalities of condition excited envy, or raised political feuds; wealth could display itself only in a larger house and a fuller barn; and covetousness was satisfied by the

¹ Trumbull, i. 451, gives the number of inhabitants at 17,000, in 1713. There were, probably, as many as 17,000, and more, in 1688.

CHAP. tranquil succession of harvests. There was venison
XI. from the hills; salmon, in their season, not less than
shad, from the rivers; and sugar from the trees of
the forest. For a foreign market little was produced
beside cattle; and in return for them but few foreign
luxuries stole in. Even so late as 1713, the number
of seamen did not exceed one hundred and twenty.¹
The soil had originally been justly divided, or held
as common property in trust for the public, and for
new comers. Forestalling was successfully resisted;
the brood of speculators in land inexorably turned
aside. Happiness was enjoyed unconsciously; be-
neath the rugged exterior humanity wore its sweetest
smile. There was for a long time hardly a lawyer
in the land. The husbandman who held his own
plough, and fed his own cattle, was the great man
of the age; no one was superior to the matron, who,
with her busy daughters, kept the hum of the wheel
incessantly alive, spinning and weaving every ar-
ticle of their dress. Fashion was confined within
narrow limits, and pride, which aimed at no grander
equipage than a pillion, could exult only in the com-
mon splendor of the blue and white linen gown, with
short sleeves, coming down to the waist, and in the
snow-white flaxen apron, which, primly starched and
ironed, was worn on public days by every woman in
the land. For there was no revolution except from
the time of sowing to the time of reaping; from the
plain dress of the week day to the more trim attire
of Sunday.

Every family was taught to look upward to God, as

¹ Trumbull, i. 453.

to the Fountain of all good. Yet life was not sombre. The spirit of frolic mingled with innocence : religion itself sometimes wore the garb of gayety ; and the annual thanksgiving to God was, from primitive times, as joyous as it was sincere. Nature always asserts her rights, and abounds in means of gladness.

CHAP
XI.

The frugality of private life had its influence on public expenditure. Half a century after the concession of the charter, the annual expenses of the government did not exceed eight hundred pounds, or four thousand dollars ; and the wages of the chief justice were ten shillings a day while on service. In each county a magistrate acted as judge of probate, and the business was transacted with small expense to the fatherless.¹

Education was always esteemed a concern of deepest interest, and there were common schools from the first. Nor was it long before a small college, such as the day of small things permitted, began to be established ; and Yale owes its birth “ to ten worthy fathers, who, in 1700, assembled at Branford, and each onè, laying a few volumes on a table, said, ‘ I give these books for the founding of a college in this colony.’ ”

But the political education of the people is due to the happy organization of towns, which here, as indeed throughout all New England, constituted each separate settlement a little democracy of itself. It was the natural reproduction of the system, which the instinct of humanity had imperfectly revealed to our Anglo-Saxon ancestors. In the ancient republics, citizenship had been an hereditary privilege. In Connecticut, citizenship was acquired by inhabitancy, was lost by

¹ Trumbull. i. 452, 453.

CHAP. XI. removal. Each town-meeting was a little legislature, and all inhabitants, the affluent and the more needy, the wise and the foolish, were members with equal franchises. There the taxes of the town were discussed and levied: there the village officers were chosen; there roads were laid out, and bridges voted; there the minister was elected, the representatives to the assembly were instructed. The debate was open to all; wisdom asked no favors; the churl abated nothing of his pretensions. Whoever reads the records of these village democracies, will be perpetually coming upon some little document of political wisdom, which breathes the freshness of rural legislation, and wins a disproportioned interest, from the justice and simplicity of the times. As the progress of society required exertions in a wider field, the public mind was quickened by associations that were blended with early history; and when Connecticut emerged from the quiet of its origin, and made its way into scenes where a new political world was to be created, the sagacity that had regulated the affairs of the village, gained admiration in the field and in council.

During the intervening century, we shall rarely have occasion to recur to Connecticut; its institutions were perfected. For more than a century, peace was within its borders; and, with transient interruptions, its democratic institutions were unharmed. For a century, with short exceptions, its history is the picture of colonial happiness. To describe its condition is but to enumerate the blessings of self-government, as exercised by a community of farmers, who have leisure to reflect, who cherish education, and who have neither a nobility nor a populace. How dearly it

remembered the parent island, is told by the English names of its towns. Could Charles II. have looked back upon earth, and seen what security his gift of a charter had conferred, he might have gloried in an act which redeemed his life from the charge of having been unproductive of public happiness. The contentment of Connecticut was full to the brim. In a public proclamation under the great seal of the colony, it told the world that its days under the charter were "halcyon days of peace."

CHAP
XI

Those days never will return. Time, as it advances, never reproduces an old piece, but unfolds new scenes in the grand drama of human existence—scenes of more glory, of more wealth, of more action, but not of more tranquillity and purity.

Rhode Island was fostered by Charles II. with still greater liberality. When Roger Williams had succeeded in obtaining from the Long Parliament the confirmed union of the territories that now constitute the state, he returned to America, leaving John Clarke as the agent of the colony in England. Never did a young commonwealth possess a more faithful friend; and never did a young people cherish a fonder desire for the enfranchisement of mind. "Plead our case," they had said to him in previous instructions, which Gorton and others had draughted,¹ "in such sort as we may not be compelled to exercise any civil power over men's consciences; we do judge it no less than a point of absolute cruelty." And now that the hereditary monarch was restored and duly acknowledged, they had faith that "the gracious hand of Providence would

1652

1652
to
1664

1658
Nov.
5.

1660
Oct.
18

¹ MS. extracts from the records. The instructions are printed in Mass. Hist. Coll. xvii. 85—87. The document is of the highest interest; no learning or skill in rhetoric could have mended it.

CHAP. XI. preserve them in their just rights and privileges.”¹ “It is much in our hearts,” they urged in their petition to Charles II., “to hold forth a lively experiment, that a most flourishing civil state may stand, and best be maintained, with a full liberty of religious concernments.” The benevolent monarch listened to their

1662 petition; it is more remarkable that Clarendon exerted himself² for the men who used to describe themselves as having fled from bishops as from wolves; the experiment of religious freedom in a nook of a remote continent, could not appear dangerous; it might at once build up another rival to Massachusetts, and solve a curious problem in the history of man. The charter, therefore, which was delayed only by controversies

1663 July 8. about bounds, was at length perfected, and, with new principles, imbodyed all that had been granted to Connecticut.³ The supreme power was committed—the rule continues to-day—to a governor, deputy-governor, ten assistants, now called senators, and deputies from the towns. It marks a singular moderation, that the scruples of the inhabitants were so respected, that no oath of allegiance⁴ was required of them; the laws were to be agreeable to those of England, yet with the kind reference “to the constitution of the place, and the nature of the people;” and with great benevolence the monarch proceeded to exercise, as his brother attempted to do in England, and as by the laws of England he could not exercise within the realm, the dispensing power in matters of religion. “No person within the said colony, at any time hereafter, shall be any wise molested, punished, disquieted, or called in

¹ Commission to John Clarke, in Mass. Hist. Coll. xvii. 90, 91.

² R. I. Records.

³ Hazard, ii. 612, &c.; and also Knowles, App. G.

⁴ Hazard, ii. 617.

question, for any difference in opinion in matters of religion; every person may at all times freely and fully enjoy his own judgment and conscience in matters of religious concerns.” The charter did not limit freedom to Christian sects alone; it granted equal rights to the painim, and the worshipper of Fo. To the disciples of Confucius it was, on the part of a Christian prince, no more than an act of reciprocal justice; the charter of Rhode Island was granted just one year after the emperor of China had proclaimed the enfranchisement of Christianity among the hundred millions of his people.

CHAP
XI.
1663

No joy could be purer than that of the colonists, when the news was spread abroad, that “George Baxter,¹ the most faithful and happy bringer of the charter,” had arrived. On the beautiful island, long esteemed a paragon for fertility, and famed as one of the pleasantest sea-side spots in the world, the whole body of the people gathered together, “for the solemn reception of his majesty’s gracious letters patent.” It was “a very great meeting and assembly.” The letters of the agent “were opened, and read with good delivery and attention;” the charter was next taken forth from the precious box that had held it, and “was read by Baxter, in the audience and view of all the people; and the letters with his majesty’s royal stamp, and the broad seal, with much beseeming gravity, were held up on high, and presented to the perfect view of the people.” Now their republic was safe; Massachusetts had denied its separate existence; she must yield to the willing witness of their sovereign. And how could the inhabitants of Rhode Island be otherwise

Nov.
24.

¹ Backus, almost always very accurate, here mistakes the name.

than grateful to Charles II., who had granted to them all that they had asked, and who relied on their affections, without exacting even the oath of allegiance?

This charter of government, constituting, as it then seemed, a pure democracy, and establishing a political system which few beside the Rhode Islanders themselves believed to be practicable, remained in existence till it became the oldest constitutional charter in the world. It outlived the principles of Clarendon and the policy of Charles II. The probable population of Rhode Island, at the time of its reception, may have been two thousand five hundred. In one hundred and seventy years, that number increased forty fold; and the government, which was hardly thought to contain checks enough on the power of the people, to endure even among shepherds and farmers, protected a dense population, and the accumulations of a widely-extended commerce. No where in the world were life, liberty, and property, safer than in Rhode Island.

The thanks of the colony were unanimously voted to a triumvirate of benefactors¹—to “King Charles of England, for his high and inestimable, yea, incomparable favor;” to Clarendon, the historian, the statesman, the prime minister, who had shown “to the colony exceeding great care and love;” and to the modest and virtuous Clarke,² the persevering and disinterested envoy, who, during a twelve years’ mission, had sustained himself by his own exertions and a mortgage on his estate; whose whole life was a continued
1676. exercise of benevolence, and who, at his death, be-

¹ MS. Record, Vote 3, 4, and 6.

² On Clarke, see Backus, i. 440; Allen’s Biog. Dict. The charge of “baseness” in Grahame, i. 315, is an unwarranted misapprehension. His enemies in Massachusetts disliked his principles and his success; they respected his fidelity and his blameless character. Grahame is usually very candid in his judgments

queathed all his possessions for the relief of the needy, and the education of the young. Others have sought office to advance their fortunes; he, like Roger Williams, parted with his little means for the public good. He had powerful enemies in Massachusetts, and left a name without a spot.

It requires but small acquaintance with authors to discover those who bestow praise grudgingly, even where most deserved. Men of letters have the passions and frailties of human nature, and display them in their writings; and there are not wanting historical inquirers who are swayed by some latent motive of party to impair the merits of the illustrious dead, and envy the reputation of states. The laws of Rhode Island, which had been repeatedly revised by committees, were not published till after, not only the revolution of 1688, but the excitements consequent on the Hanoverian succession; and we find in the oldest printed copy now extant,¹ that Roman Catholics were excepted from the enjoyment of freedom of conscience. The exception was not the act of the people of Rhode Island; nor do the public records indicate what committee of revisal made the alteration, for which the occasion grew out of English politics. The exception was harmless, for there were no Roman Catholics in the colony. When, in the war for independence, French ships arrived in the harbors of Rhode Island, the inconsistent exception was immediately erased by the legislature. There have been those, who, arguing plausibly from the printed copy, have referred this exception to the first general assembly that met at Newport after the patent arrived. I have carefully

¹ I have seen none older than the edition of 1744.

CHAP. XI. examined the records, and find that the people of
 ~~~~~ Rhode Island, on accepting their charter, affirmed the  
 1664 great principle of intellectual liberty in its widest  
 Mar. scope. The first assembly<sup>1</sup> did little more than  
 organize the government anew, and repeal all laws  
 inconsistent with the charter—a repeal which precludes  
 the possibility of the disfranchising of Roman Catholics.  
 May In May, the regular session was held, and religious  
 5. freedom was established in the very words of the  
 charter.<sup>2</sup> The broad terms embrace not Roman  
 Catholics merely, but men of every creed. “No per-  
 son shall at any time hereafter be any ways called in  
 question for any difference of opinion in matters of  
 religion.” As if to preserve a record that should refute  
 the calumny, in May, 1665, the legislature asserted that  
 “liberty to all persons, as to the worship of God, had  
 been a principle maintained in the colony from the  
 very beginning thereof; and it was much in their hearts  
 to preserve the same liberty forever.”<sup>3</sup> Nor does this  
 rest on their own testimony in their own favor. The  
 commissioners from England, who visited Rhode Island,  
 reported of its people, “They allow liberty of conscience  
 to all who live civilly; they admit of all religions.”<sup>4</sup>  
 And again, in 1680, the government of the colony could  
 say, what there was no one oppressed individual to  
 controvert, “We leave every man to walk as God  
 persuades his heart; all our people enjoy freedom of  
 conscience.”<sup>5</sup> Freedom of conscience, unlimited free-

<sup>1</sup> This appears from the R. I. Records, March, 1663-4.

<sup>2</sup> Records. If Roman Catholics were disfranchised (which they were not) in March, 1663-4, that disfranchisement endured only two months. Compare Eddy, in Walsh's Appeal, 429, &c.; and Bull, in the R. I. Republican for Jan. 15, 1834.—Chal-

mers, 276; Douglass, ii. 83. 104; British Dom. in America, ii. 252; Brit. Empire, ii. 148; Holmes, &c. &c. &c. are all but forms of the one single authority in the printed laws of Rhode Island.

<sup>3</sup> Mass. Hist. Coll. xvii. 98.

<sup>4</sup> Hutch. Coll. 413. 415.

<sup>5</sup> Chalmers, 284.

dom of mind, was, from the first, the trophy of the Baptists. CHAP  
X.  
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What more shall we relate of Rhode Island in this early period? That it invented a new mode of voting, since each freeman was obliged to subscribe his name on the outside of his ballot? that, for a season, it divided its general assembly into two houses—a change which, near the close of the century, was permanently adopted? that it ordered the towns to pay the deputies three shillings a day for their legislative services? that it was importuned by Plymouth, and vexed by Connecticut, on the subject of boundaries? that, asking commercial immunities, it recounted to Clarendon the merits of its bay, “in very deed the most excellent in New England; having harbors safe for the biggest ships that ever sayled the sea, and open when others at the east and west are locked up with stony doors of ice”? It is a more interesting question, if the rights of conscience and the freedom of mind were strictly respected. 1664
1665

There have not been wanting those who have charged Rhode Island with persecuting the Quakers. The calumny has not even a plausible foundation. The royal commissioners, in 1665, less charitable than the charter, required the oath of allegiance; the general assembly, scrupulous in its respect for the rights of conscience, would listen to no proposition except for an engagement of fidelity, and due obedience to the laws. To refuse the engagement was to forfeit the elective franchise. Could a milder course have been proposed? When, by experience, this engagement was found irksome to the Quakers, it was the next year repealed.¹

¹ Brinley, in *Mass. Hist. Coll.* v. in reply, Eddy in *Mass. Hist. Coll.* 216—220; Holmes, i. 341. Compare, xvii. 97; Knowles, 324, 325.

CHAP.
 XI.

Once, indeed, Rhode Island was betrayed into inconsistency. There had been great difficulties in collecting taxes, and towns had refused to pay their rates. In 1671, the general assembly passed a law, inflicting a severe penalty on any one who should speak in town-meeting against the payment of the assessments. The law lost to its advocates their
 1672. reëlection; in the next year, the magistrates were selected from the people called Quakers, and freedom of debate was restored. George Fox himself was present among his Friends, demanding a double diligence in "guards against oppression," and in the firm support "of the good of the people." The instruction of "all the people in their rights," he esteemed the creative power of good in the colony; and he adds,—for in his view Christianity established political equality,—“You are the unworthiest men upon the earth, if you do lose the liberty wherewith Christ hath made you free in life and glory.”¹

For Maryland, the restoration of the Stuarts was the restoration of its proprietary. Virginia possessed far stronger claims for favor than Rhode Island and Connecticut; and Sir William Berkeley himself embarked
 1661. April 30. for England as the agent of the colony. But Virginia was unhappy alike in the agent whom she selected and in the object of her pursuit. Berkeley was eager

¹ The leading printed authorities for early Rhode Island history, are Callender's Century Sermon, Backus's History of the Baptists, and Knowles's Roger Williams. The Mass. Hist. Coll. contain many useful documents, too various to be specially cited. Our Rhode Island Historical Society has published five valuable volumes. Hopkins's History of Providence is not accurate; it is in the Mass. Hist. Coll. Compare, also, Walsh's Appeal, 431, &c. Let me not forget to add the reprints from the Records, and the Commentaries of Henry Bull, of Newport. Besides printed works, I have large MS. materials, which I collected in part from the public offices in Rhode Island. I am especially indebted to William R. Staples, who, with singular liberality, intrusted to me the MS. collections which he has been gathering for years. Such kindness demands my gratitude.

in the advancement of his own interests; and Virginia desired relief from the pressure of the navigation act,¹ which Charles II. had so recently ratified. Relief was impossible; for it was beyond the prerogative of the king, and lay only within the power of parliament. Virginia received no charter, nor any guaranty for her established constitution, except in the instructions to her governor. The confidence of loyalty was doomed to suffer heavy retribution; and to satisfy the greediness of favorite courtiers, Virginia was dismembered by lavish grants, till at last the whole colony was given away for a generation, as recklessly as a man would give away a life-estate in a farm.

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XI.

Meantime Sir William Berkeley made use of his presence in England for his own account, and set the example of narrowing the limits of the province for which he acted, by embarking with Clarendon and six other principal courtiers and statesmen of that day, in an immense speculation in lands. Berkeley, being about to return to America, was perhaps esteemed a convenient instrument. King Charles was caricatured in Holland, with a woman on each arm, and courtiers picking his pocket. This time they took whole provinces; the territory which they obtained, if divided among the eight, had given to each a tract as extensive as the kingdom of France.

To complete the picture of the territorial changes made by Charles II., it remains to be added, that, having given away the whole south, he enfeoffed his brother with the country between Pemaquid and the Croix. The proprietary rights to New Hampshire and

¹ Albany Records, xviii. 158. In reply, the Dutch W. I. C., July 15, 1662. "Gov. Berkeley has as yet effected very little in favor of the English Virginians." Records, xviii. 197

CHAP. XI. Maine were revived, with the intent to purchase them
 for the duke of Monmouth. The fine country from
 Connecticut River to Delaware Bay, tenanted by
 1664. nearly ten thousand souls, in spite of the charter to
 Winthrop, and the possession of the Dutch, was, like
 part of Maine, given to the duke of York. The
 charter which secured a large and fertile province to
 1681. William Penn, and thus invested philanthropy with
 executive power on the western bank of the Delaware,
 was a grant from Charles II. After Philip's war in
 1679. New England, Mount Hope was hardly rescued from a
 courtier, then famous as the author of two indifferent
 comedies. The grant of Nova Scotia to Sir Thomas
 Temple was not revoked, while, with the inconsistency
 1667. of ignorance, Acadia, with indefinite boundaries, was
 restored to the French. From the outer cape of Nova
 Scotia to Florida, with few exceptions, the tenure of
 every territory was changed. Nay, further, the trade
 with Africa, the link in the chain of universal com-
 merce, that first joined Europe, Asia, and America
 together, and united the Caucasian, the Malay, and
 the Ethiopian races in indissoluble bonds, was given
 away to a company, which alone had the right of
 planting on the African coast. The frozen zone itself
 was invaded, and Prince Rupert and his associates
 1669 were endowed with a monopoly of the regions on
 Hudson's Bay.

During the first four years of his power, Charles II.
 gave away a large part of a continent. Could he have
 continued as lavish, in the course of his reign he would
 have given away the world.

CHAPTER XII.

MASSACHUSETTS AND CHARLES II.

MASSACHUSETTS never enjoyed the favor of the restored government. The virtual independence which had been exercised for the last twenty years, was too dear to be hastily relinquished. The news of the restoration, brought by the ships in which Goffe and Whalley were passengers, was received with skeptical anxiety; and no notice was taken of the event. At the session of the general court in October, a motion for an address to the king did not succeed; affairs in England were still regarded as unsettled. At last it became certain that the hereditary family of kings had recovered its authority, and that swarms of enemies to the colony had gathered round the new government; a general court was convened, and addresses were prepared for the parliament and the monarch. By advice of the great majority of elders, no judgment was expressed on the execution of Charles I., and "the grievous confusions" of the past. The colonists appealed to the

CHAP.
XII.

1660.

July
27.

Nov.
10.

Dec.
19.

CHAP. king of England,¹ as “a king who had seen adversity,
 XII. and who, having himself been an exile, knew the
 1660. hearts of exiles.” They prayed for “the continuance
 of civil and religious liberties,” and requested against
 complaints an opportunity of defence. “Let not the
 king hear men’s words,”—such was their petition;—
 “your servants are true men, fearing God and the
 king. We could not live without the public worship
 of God; that we might, therefore, enjoy divine worship
 without human mixtures, we, not without tears, de-
 parted from our country, kindred, and fathers’ houses.
 Our garments are become old by reason of the very
 long journey; ourselves, who came away in our
 strength, are, many of us, become gray-headed, and
 some of us stooping for age.” In return for the protec-
 tion of their liberties, they promise the blessing of a
 people whose trust is in God.

Dec. At the same time, Leverett, the agent of the colony,
 19. was instructed to make interest in its behalf with
 members of parliament and the privy council; to inter-
 cede for its chartered liberties; to resist appeals to
 England, alike in cases civil or criminal. Some hope
 was entertained that the new government might be
 propitious to New England commerce, and renew the
 favors which the Long Parliament had conceded. But
 the navigation act had just been passed; and Massa-
 chusetts never gained an exemption from its severity
 till she ceased to demand it as a favor.

Meantime a treatise, which Eliot, the benevolent
 apostle of the Indians,—the same who had claimed for
 the people a voice even in making treaties,—had pub-
 lished in defence of the unmixed principles of popular

¹ Hutch. Coll. 325—329.

freedom, was condemned, as too full of the seditious doctrines of democratic liberty; the single-minded author did not hesitate to suppress his book on "the Christian Commonwealth," and in guarded language to acknowledge the form of government by king, lords, and commons, as not only lawful, but eminent.¹

CHAP.
XII.
1661
Mar.
18.

A general expression of good will from the king, could not quiet the apprehensions of the colonists. The committee for the plantations had already surmised that Massachusetts would, if it dared, cast off its allegiance, and resort to an alliance with Spain, or to any desperate remedy, rather than admit of appeals to England. Upon this subject a controversy immediately arose; and the royal government resolved to establish the principle which the Long Parliament had waived.

Feb.
15.

April

It was therefore not without reason, that the colony foreboded collision with the crown; and after a full report from a numerous committee, of which Bradstreet, Hawthorne, Mather, and Norton, were members, the general court published a declaration of natural and chartered rights.

May

Their liberties under God and their patent they declare to be, "to choose their own governor, deputy-governor, and representatives; to admit freemen on terms to be prescribed at their own pleasure; to set up all sorts of officers, superior and inferior, and point out their power and places; to exercise, by their annually-elected magistrates and deputies, all power and authority, legislative, executive, and judicial; to defend themselves by force of arms against every aggression; and to reject, as an infringement of their right, any

June
10

¹ Hutchinson, i. 195.

CHAP. parliamentary or royal imposition, prejudicial to the
 XII. country, and contrary to any just act of colonial legis-
 1661. lation." The duties of allegiance were narrowed to a
 few points, which conceded neither profit nor substan-
 tial power.

When the Puritan commonwealth had thus joined
 issue with its sovereign, by denying the right of ap-
 peal from its courts, and with the English parliament,
 by declaring the navigation act an infringement of its
 Aug. chartered rights, on the seventh of August, more than
 7. a year after the restoration, Charles II. was pro-
 claimed at Boston, amidst the cold observation of a few
 formalities. Yet the "gratulatory and lowly script,"
 sent him on the same day, interpreted his letter as an
 answer of peace from "the best of kings." "Royal Sir,"
 it continued, excusing the tardiness of the colony with
 unseemly adulation, "your just title to the crown,
 enthronizeth you in our consciences; your graciousnes
 in our affections; that inspireth unto dutie, this natu-
 ralizeth unto loyaltie; thence wee call you lord, hence
 a saviour. Mephibosheth, how prejudicially soever
 misrepresented, yet rejoiceth that the king is come in
 peace to his owne house. Nowe the Lord hath dealt
 well with our lord the king, may New England, under
 your royal protection, bee permitted still to sing the
 Lord's song in this strange land."

The young republic had continued the exercise of
 its government as of right; complaints against her
 had multiplied; and her own interests, seconding the
 express orders of the monarch, induced her to send
 envoys to London. The country was divided in
 opinion; the large majority insisted on sustaining
 its established system in undiminished force; others
 were willing to make such concessions as would satisfy
 Dec. the ministry of Clarendon. The first party prevailed,
 31. and on the last day of December, John Norton, an

accomplished scholar and rigid Puritan, yet a friend to moderate counsels, was joined with the excellent Simon Bradstreet in the commission to England. In January, 1662, they were instructed to persuade the king of the loyalty of the colony of Massachusetts, yet to "engage to nothing prejudicial to their present standing according to their patent, and to endeavor the establishment of the rights and privileges then enjoyed." Letters were at the same time transmitted to those of the English statesmen on whose friendship it was safe to rely.

CHAP.
XII.
1662.
Jan.
24.

King Charles received the messengers with courtesy; and they returned in the fall with the royal answer, which probably originated with Clarendon. The charter was confirmed, and an amnesty of all offences during the late troubles was conditionally promised. But the king directed a repeal of all laws derogatory to his authority; the taking of the oath of allegiance; the administration of justice in his name; a concession of the elective franchise to all freeholders of competent estates; and as "the principle of the charter was the freedom of the liberty of conscience," the allowance of that freedom to those who desired to use "the booke of common prayer, and perform their devotion in the manner established in England."

These injunctions were not wholly unreasonable in themselves; but the people of Massachusetts regarded, not so much the nature of the requisitions, as of the power by which they were made. Acquiescence would seem to recognise in the monarch the right of reversing the judgments of their courts; of dictating laws for their enactment; and of changing by his own authority the character of their domestic constitution. The question of obedience was a question of liberty, and gave birth to the parties of prerogative and of

CHAP. freedom. Such is the origin of the parties which con-
 XII. tinued to divide Massachusetts till the establishment
 ~~~~~ of actual independence.

The character of the times connected religious intolerance with the contest. Episcopacy and monarchy were feared as natural allies: Anabaptists, also, were royalists; they had appeared before the ministry in England as plaintiffs against Massachusetts, and could boast of the special favor of Charles II. The principles of an enlightened toleration had been so rapidly gaining ground, that they had repeatedly possessed a majority in one branch of the legislature; but, now that Massachusetts was compelled to resume its opposition to monarchy, a censorship over the press was established; and the distrust of all dissension from the established forms of dissent, awakened once more the energies of religious bigotry. The representatives of Massachusetts, instead of complying with the wishes of the king, resolved only on measures conducive "to the glory of God, and to the felicity of his people;" that is, to a continuance of their religious institutions, and their democratic independence.

1663. Meantime the people of Massachusetts were not ignorant how great dangers they incurred by refusing to comply with the demand of their sovereign.<sup>1</sup> False rumors were mingled with true reports, and assisted to incense the court at St. James. Whalley and Goffe, it was currently asserted, were at the head of an army;<sup>2</sup> the union of the four New England colonies was believed to have had its origin in the express "purpose of throwing off dependence on England."<sup>3</sup> Sir Thomas Temple, Cromwell's Governor of Acadia, had

<sup>1</sup> Chalmers, 386

<sup>2</sup> MS. letter of Sir T. Temple.

<sup>3</sup> MS. letter of commissioners to T. Prince, of Plymouth.



resided for years in New England, and now appeared as their advocate. "I assure you"—such was Clarendon's message to Massachusetts—"of my true love and friendship to your country; neither in your privileges, charter, government, nor church discipline, shall you receive any prejudice."<sup>1</sup> Yet the news was soon spread abroad, that commissioners would be appointed to regulate the affairs of New England; and at length there was room to believe that they had already embarked, and that ships of war would soon anchor in the harbor of Boston.<sup>2</sup>

CHAP  
XII.

1663

1664

Precautionary measures were promptly adopted. The patent was delivered to a committee of four, by whom it was to be kept safely and secretly for the country. To guard against danger from an armed force, officers and soldiers were forbidden to land from ships, except in small parties; and strict obedience to the laws of Massachusetts was required from them. In conformity to former usage, a day of fasting and prayer was appointed. The usage has been ridiculed. That age was an age of religious faith; every man was required to attend public worship. Not an individual, but the sick, was ordinarily absent; for, in those days, the mother took with her the nursling whom she could not leave. To appoint a day of fasting on a special occasion, was to call together, in their respective assemblies, every individual of the colony, and to engage the attention of the whole people to a single subject, under the sanction of the invisible presence of God. No mode of diffusing intelligence could equal

<sup>1</sup> Temple's MS. letter.

<sup>2</sup> The chief authorities are Hutchinson's Hist. i. c. ii. and Appendix; Hutch. Coll.; Danforth Papers, in Mass. Hist. Coll. xviii.; Chalmers, c. xvi. There are many papers re-

lating to this period in Hazard. Copious abstracts from the Records, and from the MS. State Papers of Massachusetts, have been most liberally furnished me by J. B. Felt

CHAP  
XII.  
1664 this, which reached every man's ear. The whole public mind thus became excited, and its decisions known.

July  
23.

At length the fleet, equipped for the reduction of the Dutch settlements on the Hudson, arrived at Boston, bearing commissioners hostile to colonial liberties, and charged to investigate the manner in which the charters of New England had been exercised, "with full authority to provide for the peace of the country, according to the royal instructions, and their own discretion."

No exertion of power was immediately attempted, but the people of Massachusetts, from the first, descried the approach of tyranny. They feared discretion. They would never trust it to their own magistrates; and should they now submit to the discretion of strangers and enemies? The general court assembled to meet the danger; and measures of redress and prevention were devised.

It was agreed to levy two hundred men for the expected war against the Dutch; and this was done, although the services of the men were never required. But the commission was considered a flagrant violation of chartered rights. The inhabitants of Massachusetts had already adopted views which are now a part of the public opinion of the country, but which are not yet received into the system of international law. In regard to the obedience due to a government, they distinguished between natural obedience and voluntary subjection. The child born on the soil of England, is necessarily an English subject; but they held to the original right of expatriation; that every man may withdraw from the land of his birth, and renounce all duty of allegiance with all claim to pro-

tection. This they themselves had done. Remaining in England, they acknowledged the obligatory force of established law; because those laws were intolerable, they had emigrated to a new world, where they could all have organized their government, as many of them originally did, on the basis of natural rights, and of perfect independence.

CHAP  
XII.

But it had seemed good to them to retain their connection with England; this connection they held to be purely voluntary; originally and solely established, and therefore exclusively defined, by the charter, which was the instrument of that voluntary subjection, and the only existing compact connecting them with England. The right of England to the soil, under the pretence of discovery, they derided as a popish doctrine, derived from Alexander VI.; and they pleaded, as of more avail, their just occupation, and their purchase from the natives.

Such were the views by which they were animated; and, as the establishment of a commission with discretionary powers was not specially sanctioned by their charter, they resolved to resist the orders of the king, and nullify his commission. While, therefore, the fleet was engaged in reducing New York, Massachusetts published an order prohibiting complaints to the commissioners, and, preparing a remonstrance, not against deeds of tyranny, but the menace of tyranny—not against actual wrong, but against a principle of wrong—thus addressed King Charles II. :—

1664  
Sept.  
10.

Oct.  
25.

“Dread Sovereign—The first undertakers of this plantation did obtain a patent, wherein is granted full and absolute power of governing all the people of this place, by men chosen from among themselves, and according to such laws as they should see meet to

CHAP  
XII.

1664  
Oct.  
25.

establish. A royal donation, under the great seal, is the greatest security that may be had in human affairs. Under the encouragement and security of the royal charter, this people did, at their own charges, transport themselves, their wives and families, over the ocean, purchase the land of the natives, and plant this colony, with great labor, hazards, cost, and difficulties; for a long time wrestling with the wants of a wilderness, and the burdens of a new plantation; having also, now above thirty years, enjoyed the privilege of GOVERNMENT WITHIN THEMSELVES, as their undoubted right in the sight of God and man. To be governed by rulers of our own choosing and lawes of our own, is the fundamental privilege of our patent.

“ A commission under the great seal, wherein four persons (one of them our professed enemy) are empowered to receive and determine all complaints and appeals according to their discretion, subjects us to the arbitrary power of strangers, and will end in the subversion of our all.

“ If these things go on, your subjects here will either be forced to seeke new dwellings, or sink under intolerable burdens. The vigor of all new endeavors will be enfeebled; the king himself will be a loser of the wonted benefit by customs, exported and imported from hence into England, and this hopeful plantation will in the issue be ruined.

“ If the aime should be to gratify some particular gentlemen by livings and revenues here, that will also fail, for the poverty of the people. If all the charges of the whole government by the year were put together, and then doubled or trebled, it would not be counted for one of those gentlemen a considerable accommodation. To a coalition in this course the people will

never come ; and it will be hard to find another people that will stand under any considerable burden in this country, seeing it is not a country where men can subsist without hard labor and great frugality.

CHAP  
XII.

1664  
Oct  
25

“ God knows, our greatest ambition is to live a quiet life, in a corner of the world. We came not into this wilderness to seek great things to ourselves ; and if any come after us to seeke them heere, they will be disappointed. We keep ourselves within our line , a just dependence upon, and subjection to, your majestie, according to our charter, it is far from our hearts to disacknowledge. We would gladly do any thing within our power to purchase the continuance of your favorable aspect. But it is a great unhappiness to have no testimony of our loyalty offered but this, to yield up our liberties, which are far dearer to us than our lives, and which we have willingly ventured our lives, and passed through many deaths to obtain.

“ It was Job’s excellency, when he sat as king among his people, that he was a father to the poor. A poor people, destitute of outward favor, wealth, and power, now cry unto their lord the king. May your majestie regard their cause, and maintain their right ; it will stand among the marks of lasting honor to after generations.”

The spirit of the people corresponded with this address. Did any appear to pay court to the commissioners, they became objects of derision. Even the writing to the king and chancellor was not held to be a duty ; the compact by the charter required only the payment to the king of one fifth of all gold and silver ore ; this was an obligation ; any notice of the king beyond this was only by way of civility.<sup>1</sup> It was also

<sup>1</sup> Hutch. Coll. 420.

CHAP. XII.  
 1664 hoped to weary the English government by a tedious correspondence ; which might be continued till a new revolution. “ For who knows,” it was said, “ but there may be a new revolution in England ? ” It is sometimes difficult to distinguish the instinct of fanaticism from the soundest judgment ; fanaticism is sometimes of the keenest sagacity. There were many in New England who confidently expected a revival of liberty after the restoration, and what was called “ the slaying of the witnesses.” “ Who knows,” it was asked, “ what the event of this Dutch war will be ? ” The establishment of arbitrary power would bring arbitrary taxation in its train, for the advantage of greedy courtiers. A report was spread, that Massachusetts was to yield a revenue of five thousand pounds yearly, for the king. Public meetings of the people were held ; the brave and liberal Hawthorne, at the head of a company of train-bands, made a speech which royalists deemed “ seditious ; ” and the inflexible Endicott, just as the last sands of life were running out, addressed the people at their meeting-house in Boston. Charles II. had written to the colony against Endicott, as a person not well affected, and desired that some other person might be chosen governor in his stead ; but Endicott, who did not survive till the day of election, retained his office till the King of Kings summoned him from the world. The aged Davenport was equally unbending. “ The commission,” said he from New Haven, “ is but a trial of our courage ; the Lord will be with his people while they are with him. If you consent to this court of appeals, you pluck down with your own hands the house which wisdom has built for you and your posterity.”

1665.  
 Mar.  
 15.

The elections in the spring of 1665 proceeded with

great quiet; the people firmly sustained the govern-  
 ment. Meantime letters of entreaty had been sent to  
 Robert Boyle and the earl of Manchester; for, from  
 the days of Southampton and Sandys, of Warwick and  
 Say, to those of Burke and Chatham, America was not  
 entirely destitute of friends in England. But none of  
 them would perceive the reasonableness of complaining  
 against an abstract principle. "We are all amazed,"  
 wrote Clarendon, who, says Robert Boyle, was no  
 enemy to Massachusetts; "you demand a revocation  
 of the commission, without charging the commissioners  
 with the least matter of crimes or exorbitances."  
 Boyle echoed the astonishment: "The commissioners  
 are not accused of one harmful thing, even in your  
 private letters." The statesmen of that day in Massa-  
 chusetts were more wise, and understood the doctrine  
 of liberty better than the chancellor of England. A  
 century later, and there were none in England who  
 did not esteem the commission an unconstitutional  
 usurpation.<sup>1</sup>

To Connecticut, the controversy of Massachusetts  
 with the commissioners was fraught with beneficial  
 results. It facilitated the entire union of the two  
 colonies of Hartford and New Haven; and, as the  
 commissioners were desirous to make friends in the  
 other colonies, they avoided all angry collisions, gave  
 no countenance to a claim advanced by the duke of  
 Hamilton to a large tract of territory in the colony,  
 and, in arranging the limits of New York, though the  
 charter of Clarendon's son-in-law extended to the River  
 Connecticut, they established the boundary, on the  
 main, in conformity with the claims of Connecticut  
 itself. Long Island went to the duke of York. Sat-

<sup>1</sup> Boyle, in Mass. Hist. Coll. xviii. Chalmers

CHAP. XII.  
 1664. isfied with the harmony which they had secured by attempting nothing but for the interests of the colony, the commissioners saw fit to praise to the monarch "the dutifulness and obedience of Connecticut," which was "set off with the more lustre by the contrary deportment of Massachusetts."

1665.  
 Feb. 15. We shall soon have occasion to narrate the events in which Nichols was engaged at New York, where he remained. Carr, Cartwright, and Maverick, the other commissioners, returning to Massachusetts, desired that, at the next general election day, the whole male population might be assembled in Boston, to hear the message from the king. The absurd proposal was rejected. "He that will not attend to the request," said Cartwright, "is a traitor."

The nature of the government of Rhode Island, its habitual policy of relying on England for protection, secured to the royal agents in that province a less unfavorable reception. Plymouth,<sup>1</sup> the weakest colony of all, stood firm for its independence; although the commissioners, flattering the long-cherished hopes of the inhabitants, had promised them a charter if they would but set an example of compliance, and allow the king to select their governor from among three candidates, whom they themselves should nominate. The general assembly, after due consideration, "with many thanks to the commissioners, and great protestations of loyalty to the king," "chose to be as they were." The people of Plymouth at that time were so poor, "they could not maintain scholars to their ministers;" but in some places made use of "a gifted brother;" but the brethren were as "gifted" in the nature of liberty as in religion.

<sup>1</sup> Morton and Davis, 310, &c., and 417, &c.



If Plymouth could not be blinded by the dazzling prospect of a charter, there was no room to expect success in Massachusetts. The conference between the two parties degenerated into an altercation. "It is insufferable," said the government, "that the colony should be brought to the bar of a tribunal unknown to its charter." At length it was directly asked, "Do you acknowledge his majesty's commission?" The colony declined giving a direct answer, and chose rather to plead his majesty's charter.

CHAP  
XII.  
1665  
May

May  
19.

May  
23.

Tired of discussion, the commissioners resolved to act; and declared their intention of holding a court to decide a cause in which the colony was cited to appear as defendant. The general court forbade the procedure. The commissioners refused to recede; the morning for the trial dawned; the parties had been summoned; the commissioners were preparing to proceed with the cause, when, by order of the court, a herald stepped forth, and, having sounded the trumpet with due solemnity, made a public proclamation, in the name of the king, and by authority of the charter, declaring to all the people of the colony, that, in observance of their duty to God, to the king, and to their constituents, the general court could not suffer any to abet his majesty's honorable commissioners in their proceedings.

Some extraordinary form of publicity was thought necessary, to give validity to the remonstrance. The herald sounded the trumpet in three several places, and repeated publicly his proclamation. We may smile at this solitary imitation of a feudal ceremony. Yet when had the voice of a herald proclaimed the approach of so momentous a contest? It was not merely a

CHAP. struggle of the general court and the commissioners ;  
 XII. nor yet of Charles II. and Massachusetts ; it was a still  
 1665. more momentous combat—the dawning strife of the  
 new system against the old system, of American poli-  
 tics against European politics.

May  
 24.

The commissioners could only wonder that the arguments of the king, his chancellor, and his secretary, could not convince the government of Massachusetts. “Since you will misconstrue our endeavors,” said they, “we shall not lose more of our labors upon you ;” and so they retreated to the north. There they endeavored to inquire into the bounds of New Hampshire and Maine, and to prepare for the restoration of proprietary claims. Massachusetts was again equally active and fearless ; its governor and council forbade the towns on the Piscataqua to meet, or in any thing to obey the commission, at their utmost peril.<sup>1</sup>

In Maine, the temper of the people was more favorable to royalty ; they preferred the immediate protection of the king to an incorporation with Massachusetts, or a subjection to the heir of Gorges ; and the commissioners, setting aside the officers appointed by Massachusetts, and neglecting the pretensions of Gorges, issued commissions to persons of their selection to govern the district. There were not wanting those who, in spite of threats, openly expressed fears of “the sad contentions” that would follow, and acknowledged that their connection with Massachusetts had been favorable to their prosperity. Secure in the support of a resolute minority, the Puritan commonwealth, soon  
 1668. after the departure of the commissioners, entered the province, and again established its authority by force of arms. Great tumults ensued ; many persons, opposed

<sup>1</sup> Hutch. Coll. 419.

to what seemed a usurpation, were punished for "irreverent speeches;" some even reproached the authorities of Massachusetts "as traitors and rebels against the king;"<sup>1</sup> but the usurpers made good their ascendancy till Gorges recovered his claims by adjudication in England. From the southern limit of Massachusetts to the Kennebeck, the colonial government maintained its independent jurisdiction. The agents of the king left not a trace of their presence. Having been recalled, they had retired in angry petulance, threatening the disloyal with retribution and the gallows.

CHAP.  
XII.

The frowardness of Massachusetts was visited by reproofs from the English monarch; to whom it was well known that "the people of that colony affirmed, his majesty had no jurisdiction over them."<sup>2</sup> It was resolved to transfer the scene of negotiations to England, where Bellingham and Hawthorne were, by a royal mandate, expressly commanded, on their allegiance, to attend, with two or three others, whom the magistrates of Massachusetts were to appoint as their colleagues. Till the final decision of the claims of Gorges, the government of Maine was to continue as the commissioners had left it.

1666  
April  
10

The general court was to execute such commands as exceeded the powers of the magistrates; the general court was therefore convened to consider the letter from the king. The morning of the second day was spent in prayer; six elders prayed. The next day, after a lecture, some debate was had; and petitions, proposing compliance with the king, were afterwards forwarded from Boston, Salem, Ipswich, and Newbury.

Sept.  
11.

<sup>1</sup> Extracts from records communicated by George Folsom.

<sup>2</sup> Hutchinson's History, 1. App. XIX.

CHAP. "Let some regular way be propounded for the debate,"  
 XII. said Bellingham, the governor, a man who emphatically  
 1666. hated a bribe.—"The king's prerogative gives him  
 power to command our appearance," said the moderate  
 Bradstreet; "before God and men we are to obey."  
 —"You may have a trial at law," insinuated an artful  
 royalist; "when you come to England, you may insist  
 upon it and claim it."—"We must as well consider  
 God's displeasure as the king's," retorted Willoughby;  
 "the interest of ourselves and of God's things, as his  
 majesty's prerogative; for our liberties are of concern-  
 ment, and to be regarded as to the preservation; for  
 if the king may send for me now, and another to-  
 morrow, we are a miserable people."—"Prerogative is  
 as necessary as law," rejoined the royalist, who per-  
 haps looked to the English court as an avenue to dis-  
 tinction.—"Prerogative is not above law," said the  
 inflexible Hawthorne, ever the advocate of popular  
 liberty.<sup>1</sup> After much argument, obedience was  
 refused. "We have already"—such was the reply of  
 the general court—"furnished our views in writing, so  
 that the ablest persons among us could not declare our  
 case more fully."

This decision of disobedience was made at a time  
 when the ambition of Louis XIV. of France, eager to  
 grasp at the Spanish Netherlands, and united with De  
 Witt by a treaty of partition, had, in consequence of his  
 Dutch alliance, declared war against England. It was  
 on this occasion, that the idea of the conquest of  
 Canada was first distinctly proposed to New England  
 It was proposed only to be rejected as impossible  
 "A land march of four hundred miles, over rocky  
 mountains and howling deserts," was too terrible an

<sup>1</sup> Mass. Hist. Coll. xviii. 98.

obstacle. But Boston equipped several privateers, and not without success.<sup>1</sup> CHAP  
XII.

At the same time, colonial loyalty did not content itself with barren professions; it sent provisions to the English fleet in the West Indies; and to the navy in England, a ship-load of masts; "a blessing, mighty unexpected, and but for which," adds Pepys,<sup>2</sup> "we must have failed the next year." 1666  
Dec.  
3.

The daring defiance of Massachusetts was not followed by immediate danger. The ministry of Clarendon was fallen, and he himself was become an exile; and profligate libertines had not only gained the confidence of the king's mistresses, but places in the royal cabinet. While Charles II. was dallying with women, and robbing the theatre of actresses—while the licentious Buckingham, who had succeeded in displacing Clarendon, wasted the vigor of his mind and body by indulging in every sensual pleasure "which nature could desire or wit invent"—while Louis XIV. was gaining influence in the English cabinet, by bribing the mistress of the chief of the king's cabal—England remained without a good government, and the colonies flourished in purity and peace. The English ministry dared not interfere with Massachusetts; it was right that the stern virtues of the ascetic republicans should have intimidated the members of the profligate cabinet. The affairs of New England were often discussed; but the privy council was overawed by the moral dignity which they could not comprehend. There were great debates, in which the king<sup>3</sup> took part, "in what style to write to New England." Charles himself commended this affair more expressly, because "the colony" 1671  
May  
26.

<sup>1</sup> Mass. Hist. Coll. xviii. 109.

<sup>2</sup> Pepys, i. 489.

<sup>3</sup> Evelyn, i. 343

CHAP. was rich and strong; able to contest with all other plan-  
 XII. tations about them;” “there is fear,” said the mon-  
 1671. arch, “of their breaking from all dependence on this  
 nation.” “Some of the council proposed a menacing  
 letter, which those who better understood the peevish  
 and touchy humor of that colonie were utterly against.”  
 June After many days, it was concluded,<sup>1</sup> “that, if any, it  
 6. should be only a conciliating paper at first, or civil  
 letter; for it was understood they were a people almost  
 upon the very brink of renouncing any dependence  
 upon the crown.” “Information of the present face  
 of things was desired,” and Cartwright, one of the  
 June commissioners, was summoned before the council, to  
 21. give “a relation of that country;”<sup>2</sup> but such was the  
 picture that he drew, the council were more intimi-  
 dated than ever, so that nothing was recommended  
 beyond “a letter of amnesty.” By degrees, it was  
 Aug proposed to send a deputy to New England, under the  
 3. pretext of adjusting boundaries, but “with secret in-  
 structions to inform the council of the condition of New  
 England; and whether they were of such power as to  
 be able to resist his majesty, and declare for themselves,  
 as independent of the crown.” Their strength was  
 reported to be the cause “which of late years made  
 them refractory.”<sup>3</sup> What need of many words? The  
 king was taken up by “the childish, simple, and baby-  
 face,” of a new favorite;<sup>4</sup> and his traffic of the honor  
 and independence of England to the king of France.  
 The duke of Buckingham, now in mighty favor, was  
 revelling with a luxurious and abandoned rout, having  
 with him the impudent countess of Shrewsbury,  
 and his band of fiddlers; and the discussions at the

<sup>1</sup> Evelyn, ii. 344.

<sup>2</sup> Ibid. 345.

<sup>3</sup> Ibid. 346; see, also, 358

<sup>4</sup> Ibid. 332, 355.

council about New England, were, for the present, as fruitless as the inquiries how nutmegs and cinnamon might be naturalized in Jamaica. CHAP.  
XII.

Massachusetts prospered by the neglect. "It is," said Sir Joshua Child, in his discourse on trade, "the most prejudicial plantation of Great Britain; the frugality, industry, and temperance of its people, and the happiness of their laws and institutions, promise them long life, and a wonderful increase of people, riches, and power." They enjoyed the blessings of self-government and virtual independence. The villages of New England were already the traveller's admiration; the acts of navigation were not regarded; no custom-house was established. Massachusetts, which now stretched to the Kennebeck, possessed a widely-extended trade; acting as the carrier for nearly all the colonies, and sending its ships into the most various climes. Vessels from Spain and Italy, from France and Holland, might be seen in Boston harbor, commerce began to pour out wealth on the colonists. A generous nature employed wealth liberally; after the great fire in London, even the miserable in the mother country had received large contributions. It shows the character of the people, that the town of Portsmouth agreed for seven years to give sixty pounds a year to the college, which shared in the prosperity of Boston, and continued to afford "schismatics to the church;" while the colony was reputed to abound in "rebels to the king." Villages extended; prosperity was universal. Beggary was unknown; theft was rare. If "strange new fashions" prevailed among "the younger sort of women," if "superfluous ribbons" were worn on their apparel, at least "musicians by trade, and dancing schools," were not fostered. It

CHAP.  
XII.

was still remembered that the people were led into the wilderness by Aaron, not less than by Moses; and, in spite of the increasing spirit of inquiry and toleration, it was resolved to retain the Congregational churches "in their purest and most athletic constitution."<sup>1</sup>

Amidst the calmness of such prosperity, many of the patriarchs of the colony,—the hospitable, sincere, but persecuting Wilson; the uncompromising Davenport, ever zealous for Calvinism, and zealous for independence, who founded New Haven on a rock, and, having at first preached beneath the shade of a forest tree, now lived to behold the country full of convenient churches; the tolerant Willoughby, who had pleaded for the Baptists; the incorruptible Bellingham, precise in his manners, and rigid in his principles of independence;—these, and others, the fathers of the people, lay down in peace, closing a career of virtue in the placid calmness of hope, and lamenting nothing so much as that their career was finished too soon for them to witness the fulness of New England's glory.

This prosperity itself portended danger; for the increase of the English alarmed the race of red men, who could not change their habits, and who saw themselves deprived of their usual means of subsistence. It is difficult to form exact opinions on the population of the several colonies in this earlier period of their history; the colonial accounts are incomplete; and those which were furnished by emissaries from England are extravagantly false.<sup>2</sup> Perhaps no great error will be committed, if we suppose the white population of New England, in 1675, to have been fifty-five thousand

<sup>1</sup> Hutchinson, i. 251.

<sup>2</sup> The account in Hutch. Coll. 484, has been very often repeated. It is worthless. The population

and wealth of the country are described in hyperboles, that there may be the greater opportunity for obtaining revenues from the colonists.



souls. Of these, Plymouth may have contained not many less than seven thousand; Connecticut, nearly fourteen thousand; Massachusetts proper, more than twenty-two thousand; and Maine, New Hampshire, and Rhode Island, each perhaps four thousand. The settlements were chiefly agricultural communities, planted near the sea-side, from New Haven to Pemaquid. The beaver trade, even more than traffic in lumber and fish, had produced the villages beyond the Piscataqua; yet in Maine, as in New Hampshire, there was "a great trade in deal boards." Most of the towns were insulated settlements near the ocean, on rivers, which were employed to drive "the saw-mills," then described as a "late invention;" and cultivation had not extended far into the interior. Haverhill, on the Merrimack, was a frontier town; from Connecticut, emigrants had ascended as far as the rich meadows of Deerfield and Northfield; but to the west, Berkshire was a wilderness; Westfield was the remotest plantation. Between the towns on Connecticut River and the cluster of towns near Massachusetts Bay, Lancaster and Brookfield were the solitary abodes of Christians in the desert. The government of Massachusetts extended to the Kennebeck, and included more than half the population of New England; the confederacy of the colonies had also been renewed, in anticipation of dangers.

CHAP  
XII.  
1675

Hazard  
ii. 511

The number of the Indians of that day hardly amounted to thirty thousand in all New England west of the St. Croix. Of these, perhaps about five thousand dwelt in the territory of Maine; New Hampshire may have hardly contained three thousand; and Massachusetts, with Plymouth, never from the first peopled by many Indians, seems to have had less than eight thousand. In Connecticut and Rhode Island, never

CHAP. XII. depopulated by wasting sickness, the Mohegans, the Narragansetts, the Pokanokets, and kindred tribes, 1675. had multiplied their villages round the sea-shore, the inlets, and the larger ponds, which increased their scanty supplies by furnishing abundance of fish. Yet, of these, the exaggerated estimates melt away, when subjected to criticism. To Connecticut, rumor, in the days of the elder Winthrop, gave three or four thousand warrior Indians; and there may have been half of the larger number: the Narragansetts, like so many other tribes, boasted of their former grandeur, but they could not bring into action a thousand bowmen. Thus, therefore, west of the Piscataqua, there were probably about fifty thousand whites and hardly twenty-five thousand Indians; while east of the same stream, there were about four thousand whites, and perhaps more than that number of red men.

Winthrop, i. 105  
Trumbull, i. 40.  
Williamson, i. 483.  
Gallatin, 36, 37.  
Gookin and Holmes, in Mass. Hist. Coll. i. and ix. Answer of General Assembly in 1680, in Chalmers, 205

A sincere attempt had been made to convert the natives, and win them to the regular industry of civilized life. The ministers of the early emigration were fired with a zeal as pure as it was fervent; they longed to redeem these "wrecks of humanity," by planting in their hearts the seeds of conscious virtue, and gathering them into permanent villages.

No pains were spared to teach them to read and write; and, in a short time, a larger proportion of the Massachusetts Indians could do so, than recently of the inhabitants of Russia. Some of them spoke and wrote English tolerably well. Foremost among these early missionaries—the morning star of missionary enterprise—was John Eliot, whose benevolence almost amounted to the inspiration of genius. An Indian grammar was a pledge of his earnestness; the pledge was redeemed by his preparing and publishing a trans-

lation of the whole Bible into the Massachusetts dialect. His actions, his thoughts, his desires, all wore the hues of disinterested love. His uncontrollable charity welled out in a perpetual fountain. CHAP  
XII

Eliot mixed with the Indians. He spoke to them of God, and of the soul, and explained the virtues of self-denial. He became their lawgiver. He taught the women to spin, the men to dig the ground; he established for them simple forms of government; and, in spite of menaces from their priests and chieftains, he instructed them in his own religious faith, and not without success. Groups of Indians used to gather round him as round a father, and, now that their minds were awakened to reflection, often perplexed him with their questions. The minds of the philosopher and the savage are not so wide apart as is often imagined, they both alike find it difficult to solve the problem of existence. The world is divided between materialists and spiritualists. "What is a spirit?" said the Indians of Massachusetts to their apostle. "Can the soul be inclosed in iron so that it cannot escape?"—"When Christ arose, whence came his soul?" Every clan had some vague conceptions of immortality.<sup>1</sup> "Shall I know you in heaven?" said an inquiring red man. "Our little children have not sinned; when they die, whither do they go?"—"When such die as never heard of Christ, where do they go?"—"Do they in heaven dwell in houses, and what do they do?"—"Do they know things done here on earth?" The origin of moral evil has engaged the minds of the most subtle. "Why," demanded the natives on the banks of the Charles, "why did not God give all men good hearts?"—"Since God is all-powerful, why did not God kill

<sup>1</sup> Day-breaking, if not Sun-rising, of the Gospel, 7

CHAP. the devil, that made men so bad?" Of themselves  
 XII. they fell into the mazes of fixed decrees and free will.  
 "Doth God know who shall repent and believe, and  
 who not?" The statesman might have hesitated in  
 his answers to some problems. The ballot-box was to  
 them a mystery. "When you choose magistrates, how  
 do you know who are good men, whom you dare trust?"  
 And again, "If a man be wise, and his sachem weak,  
 must he yet obey him?" Cases of casuistry occurred;  
 I will cite but two, one of which, at least, cannot  
 easily be decided. Eliot preached against polygamy.  
 "Suppose a man, before he knew God," inquired a  
 convert, "hath had two wives; the first childless, the  
 second bearing him many sweet children, whom he  
 exceedingly loves; which of these two wives is he to  
 put away?" And the question which Kotzebue pro-  
 posed in a fiction, that has found its way across the  
 globe, was in real life put to the pure-minded Eliot,  
 among the wigwams of Nonantum. "Suppose a  
 squaw desert and flee from her husband, and live with  
 another distant Indian, till, hearing the word, she  
 repents, and desires to come again to her husband,  
 who remains still unmarried; shall the husband, upon  
 her repentance, receive her again?" The poet of  
 civilization tells us that happiness is the end of our  
 being. "How shall I find happiness?" demanded  
 the savage.<sup>1</sup> And Eliot was never tired with this  
 importunity; the spirit of humanity sustained him to  
 the last; his zeal was not wearied by the hereditary  
 idleness of the race; and his simplicity of life and  
 manners, and evangelical sweetness of temper, won for

<sup>1</sup> Day-breaking, &c. 18. Clear Light appearing more and more,  
 Sunshine of the Gospel, 13. 24. 33, 25, 26, 27. 29, 30. See the tracts  
 34. Glorious Progress, 20. The collected in Mass. Hist. Coll. xxiv

him all hearts, whether in the villages of the emigrants, or "the smoaky cells" of the natives.

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Nor was Eliot alone. In the islands round Massachusetts, and within the limits of the Plymouth patent, missionary zeal and charity were active; and "that young New England scholar," the gentle Mayhew, forgetting the pride of learning, endeavored to win the natives to a new religion. At a later day, he took passage for England to awaken interest there; and the ship in which he sailed was never more heard of. But such had been the force of his example, that his father, though bowed down by the weight of seventy years, resolved on assuming the office of the son whom he had lost, and, till beyond the age of fourscore years and twelve, continued to instruct the natives of the isles; and with the happiest results. The Indians within his influence, though twenty times more numerous than the whites in their immediate neighborhood, preserved an immutable friendship with Massachusetts.<sup>1</sup>

Thus churches were gathered among the heathen; villages of "praying Indians" established; at Cambridge an Indian actually became a bachelor of arts. 1675. Yet Christianity hardly spread beyond the Indians on Cape Cod, Martha's Vineyard, and Nantucket, and the seven feeble villages round Boston. The Narragansetts, a powerful tribe, counting at least a thousand warriors,<sup>2</sup> hemmed in between Connecticut and Plymouth, restless and jealous, retained their old belief; and Philip of Pokanoket, at the head of seven hundred warriors, professed with pride the faith of his fathers.

<sup>1</sup> See Mayhew's *Indian Converts*, and, at the end of it, T. Prince's *Account of English ministers, &c. &c.* Compare Neal's *N. E.*; Mather,

b. vi. c. vi.; Gookin's *Praying Indians*, MS.

<sup>2</sup> Gookin says a thousand; others more.

CHAP. XII.  
 1675 But Philip of Pokanoket, and the tribes that owned his influence, were now shut in by the gathering plantations of the English, and were the first to awaken to a sense of the danger of extermination. True, the inhabitants of New England had never, except in the territory of the Pequods, taken possession of a foot<sup>1</sup> of land without first obtaining a title from the Indians. But the unlettered savage, who repented the alienation of vast tracts, by affixing a shapeless mark to a bond, might deem the English tenure defeasible. Again: By repeated treaties, the red man had acknowledged the jurisdiction of the English, who claimed a guardianship over the Indian, and really endeavored in their courts, with scrupulous justice, and even with favor, to protect him from fraud, and to avenge his wrongs. But the wild inhabitants of the woods or the sea-shore could not understand the duty of allegiance to an unknown sovereign, or acknowledge the binding force of a political compact; crowded by hated neighbors, losing fields and hunting-grounds, and frequently summoned to Boston or Plymouth, to reply to an accusation, or to explain their purposes, they sighed for the forest freedom, which was to them more dear than constitutional liberties to the civilized, and which had been handed down to them from immemorial ages.

The clans within the limits of the denser settlements of the English, especially the Indian villages round Boston, were broken-spirited, from the overwhelming force of the English. In their rude blending of new instructions with their ancient superstitions—in their feeble imitations of the manners of civilization—in their appeals to the charities of Europeans—they had

<sup>1</sup> Winslow, in Hubbard's Indian Wars, 55

quenched the fierce spirit of savage independence. They loved the crumbs from the white man's table.

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1675

But the Pokanokets had always rejected the Christian faith and the Christian manners; and Massasoit had desired to insert in a treaty,<sup>1</sup> what the Puritans never permitted, that the English should never attempt to convert the warriors of his tribe from the religion of their race. The aged Massasoit—he who had welcomed the Pilgrims to the soil of New England, and had opened his cabin to shelter the founder of Rhode Island—now slept with his fathers; and his son, Philip of Pokanoket, had succeeded him as chief over allied tribes. Repeated sales of land had narrowed their domains; and the English had artfully crowded them into the tongues of land, as “most suitable and convenient for them.”<sup>2</sup> There they could be more easily watched; for the frontiers of the narrow peninsulas were inconsiderable. Thus the two chief seats of the Pokanokets were the necks of land, which we now call Bristol and Tiverton. As population pressed upon other savages, the west was open; but as the English villages drew nearer and nearer to them, their hunting-grounds were put under culture; and as the ever-urgent importunity of the English was quieted but for a season by partial concessions from the unwary Indians, their natural parks were turned into pastures; their best fields for planting corn were gradually alienated; their fisheries were impaired by more skillful methods; and, as wave after wave succeeded, they found themselves deprived of their broad acres, and, by their own legal contracts, driven as it were into the sea.

Collisions and mutual distrust were the necessary

<sup>1</sup> Hubbard, 47.

<sup>2</sup> Winslow avows the policy.

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consequence. I can find no evidence of a deliberate conspiracy on the part of all the tribes. The commencement of war was accidental; many of the Indians were in a maze, not knowing what to do, and ready to stand for the English;<sup>1</sup> sure proof of no ripened conspiracy. But to many tribes there were common griefs; they had the same recollections, and the same fears; and, when they met, could not but complain of their common lot. When the young warriors came together, how could they fail to regret the ancient domains of their fathers? Their haughty spirit spurned the English claim of jurisdiction; and they were indignant, that Indian chiefs or warriors should be arraigned before a jury. And what, in their eyes, were paper deeds, the seals and signatures, of which they could not comprehend the binding force? And when the expressions of common passion were repeated by an Indian talebearer, fear magnified the plans of the tribes into an organized scheme of resistance.

The haughty chieftain, who had once before been compelled to surrender his "English arms," and pay  
1674. an onerous tribute, was summoned to submit to an examination, and could not escape suspicion. The wrath of his tribe was roused, and the informer was murdered. The murderers in their turn were identified, seized, tried by a jury, of which one half were  
1675. Indians, and, on conviction, were hanged. The young  
June. men of the tribe panted for revenge; without delay eight or nine of the English were slain in or about Swansey; and the alarm of war spread through the colonies.  
June  
24.

Thus was Philip hurried into "his rebellion;" and he is reported to have wept<sup>2</sup> as he heard that a white

<sup>1</sup> Hubbard, 56.

<sup>2</sup> Callender's Century Sermon.



man's blood had been shed.<sup>1</sup> He had kept his men about him in arms, and had welcomed every stranger; and now, against his judgment and his will, he was involved in war. For what prospect had he of success? Destiny had marked him and his tribe. The English were united; the Indians had no alliance;—the English made a common cause; half the Indians were allies of the English, or were quiet spectators of the fight;—the English had guns enough; but few of the Indians were well armed, and they could get no new supplies;—the English had towns for their shelter and safe retreat; the miserable wigwams of the natives were defenceless;—the English had sure supplies of food; the Indians might easily lose their precarious stores. The individual, growing giddy by danger, rushes, as it were, towards his fate; so did the Indians of New England. Frenzy prompted their rising. It was but the storm in which the ancient inhabitants of the land were to vanish away. They rose without hope, and, therefore, they fought without mercy. For them as a nation, there was no to-morrow.

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1675

The minds of the English were appalled by the horrors of the impending conflict, and superstition indulged in its wild inventions. At the time of the eclipse of the moon, you might have seen the figure of an Indian scalp imprinted on the centre of its disk. The perfect form of an Indian bow appeared in the sky. The sighing of the wind was like the whistling

<sup>1</sup> The authorities on King Philip's war are, Present State of N. E., and four other Tracts, first published in 1675 and 1676, and now, in 1833 and 1836, reprinted by S. G. Drake; Increase Mather's Hist. of Troubles with the Indians; Hubbard's Indian Wars; Church's Hist. of King Philip's War; Records of United Colonies, in Hazard, vol. ii.; Anne Rowlandson's Captivity, Wheeler's Narrative, in New Hamp. Hist. Coll. ii. 5, &c.; Gookin, in 1 Mass. Hist. Coll. i. 148, &c.; Massachusetts Records and Files. Add Callender's Century Sermon; the important notes of Davis on Morton.

CHAP. of bullets. Some distinctly heard invisible troops of  
 XII. horses gallop through the air, while others found the  
 1675. prophecy of calamities in the howling of the wolves.<sup>1</sup>

At the very beginning of danger, the colonists exerted their wonted energy. Volunteers from Massachusetts joined the troops from Plymouth; and within a week from the commencement of hostilities, the insulated Pokanokets were driven from Mount Hope, and in less than a month, Philip was a fugitive among the Nipmucks, the interior tribes of Massachusetts. The little army of the colonists then entered the territory of the Narragansetts, and from the reluctant tribe extorted a treaty of neutrality, with a promise to deliver up every hostile Indian. Victory seemed promptly assured. But it was only the commencement of horrors. Canonchet, the chief sachem of the Narragansetts, was the son of Miantonomoh; and could he forget his father's wrongs? And would the tribes of New England permit the nation that had first given a welcome to the English to perish unavenged? Desolation extended along the whole frontier. Banished from his patrimony, where the pilgrims found a friend, and from his cabin, which had sheltered the exiles, Philip, with his warriors, spread through the country, awakening their brethren to a warfare of extermination.

June  
29.

The war, on the part of the Indians, was one of ambushes and surprises. They never once met the English in open field; but always, even if eightfold in numbers, fled timorously before infantry. But they were secret as beasts of prey, skilful marksmen, and in part provided with fire-arms, fleet of foot, conversant with all the paths of the forest, patient of fatigue and

<sup>1</sup> C. Mather, ii. 486. I. Mather, 34. Hubbard, 120.

mad with a passion for rapine, vengeance, and destruction, retreating into swamps for their fastnesses, or CHAP  
 XII. ~~~~~  
 1675  
 hiding in the greenwood thickets, where the leaves muffled the eyes of the pursuer. By the rapidity of their descent, they seemed omnipresent among the scattered villages, which they ravaged like a passing storm; and for a full year they kept all New England in a state of terror and excitement. The exploring party was waylaid and cut off, and the mangled carcasses and disjointed limbs of the dead were hung upon the trees to terrify pursuers. The laborer in the field, the reapers as they went forth to the harvest, men as they went to mill, the shepherd's boy among the sheep, were shot down by skulking foes, whose approach was invisible. Who can tell the heavy hours of woman? The mother, if left alone in the house, feared the tomahawk for herself and children; on the sudden attack, the husband would fly with one child, the wife with another, and, perhaps, one only escape; the village cavalcade, making its way to meeting on Sunday, in files on horseback, the farmer holding the bridle in one hand, and a child in the other, his wife seated on a pillion behind him, it may be with a child in her lap, as was the fashion in those days, could not proceed safely; but, at the moment when least expected, bullets would whiz amongst them, discharged with fatal aim from an ambush by the way-side. The forest, that protected the ambush of the Indians, secured their retreat. They hung upon the skirts of the English villages, "like the lightning on the edge of the clouds."<sup>1</sup>

What need of repeating the same tale of horrors? Brookfield was set on fire, and rescued only to be abandoned; Deerfield was burned; Hadley, surprised

Aug  
2  
Sept. 1

<sup>1</sup> Washington Irving.

CHAP. during a time of religious service, was saved only by the  
 XII. daring of Goffe, the regicide, now bowed with years,  
 1675. a heavenly messenger of rescue, who darted from his  
 hiding-place, rallied the disheartened, and, having  
 achieved a safe defence, sunk away into his retire-  
 ment, to be no more seen. The plains of Northfield  
 Sept. were wet with the blood of Beers, and twenty of his  
 valiant associates. As Lathrop's company of young  
 men, the very flower of the young men of Essex, all  
 "culled" out of the towns of that county, were con-  
 Sept. conveying the harvests of Deerfield to the lower towns,  
 18. they were suddenly surrounded by a horde of Indians;  
 and, as each party fought from behind trees, the victory  
 was with the far more numerous savages. Hardly a  
 white man escaped; the little stream that winds  
 through the tranquil scene, by its name of blood, com-  
 memorates the massacre of that day.<sup>1</sup> Springfield was  
 Oct. burned, and Hadley once more assaulted. The re-  
 moter villages were deserted; the pleasant residences,  
 that had been won by hard toil in the desert, the  
 stations of civilization in the wilderness, were laid  
 waste.

But the English were not the only sufferers. In  
 winter, it was the custom of the natives to dwell  
 together in their wigwams; in spring, they would be  
 dispersed through the woods. In winter, the warriors  
 who had spread misery through the west, were shel-  
 tered among the Narragansetts; in spring, they would  
 renew their devastations. In winter, the absence of  
 foliage made the forests less dangerous; in spring,  
 every bush would be a hiding-place. It was resolved  
 to regard the Narragansetts as enemies; and a little  
 Dec. before the winter solstice, a thousand men, levied by  
 18.

<sup>1</sup> See the names in note to E. Everett's Address at Bloody Brook, 37

the united colonies, and commanded by the brave Josiah Winslow, a native of New England, invaded their territory. After a night spent in the open air, they waded through the snow from day-break till an hour after noon; and at last reached the cluster of wigwams which a fort protected. Davenport, Gardner, Johnson, Gallop, Sicly, Marshall, led their companies through the narrow entrance in the face of death, and left their lives as a testimony to their patriotism and courage. Feeble palisades could not check the determined valor of the white men; and the group of Indian cabins was soon set on fire. Thus were swept away the humble glories of the Narragansetts; the winter's stores of the tribe, their curiously-wrought baskets, full of corn, their famous strings of wampum, their wigwams nicely lined with mats,—all the little comforts of savage life were consumed. And more—their old men, their women, their babes, perished by hundreds in the fire.

CHAP  
XII.

1675

Dec.  
19

Then, indeed, was the cup of misery full for these red men. Without shelter and without food, they hid themselves in a cedar swamp, with no defence against the cold but boughs of evergreen trees. They prowled the forests and pawed up the snow, to gather nuts and acorns; they dug the earth for ground-nuts; they ate remnants of horse-flesh as a luxury; they sunk down from feebleness and want of food. Winter and famine, and disease consequent on vile diet, were the allies of the English; while the English troops, after much severe suffering, found their way to firesides.

The spirit of Canonchet did not droop under the disasters of his tribe. "We will fight to the last man," said the gallant chieftain, "rather than become servants to the English." Taken prisoner at last, near

April

CHAP. the Blackstone, a young man began to question him  
 XII. "Child," replied he, "you do not understand war; I  
 1676. will answer your chief." His life was offered him, if  
 he would procure a treaty of peace; he refused the  
 offer with disdain. "I know," added he, "the Indians  
 will not yield." Condemned to death, he only an-  
 swered, "I like it well; I shall die before I speak any  
 thing unworthy of myself."

Meantime the Indian warriors were not idle. "We  
 will fight," said they, "these twenty years; you have  
 houses, barns, and corn; we have now nothing to  
 lose;" and one town in Massachusetts after another—  
 Lancaster, Medfield, Weymouth, Groton, Marlborough  
 —were laid in ashes.

No where was there more distress than at Lancaster.  
 Forty-two persons sought shelter under the roof of  
 Mary Rowlandson; and, after a hot assault, the  
 Indians succeeded in setting the house on fire. Will  
 the mothers of the United States, happy in the midst  
 of unexampled prosperity, know the sorrows of woman  
 in a former generation? "Quickly," writes Mary  
 Rowlandson, "it was the dolefullest day that ever mine  
 eyes saw. Now the dreadful hour is come. Some in  
 our house were fighting for their lives; others wallow-  
 ing in blood; the house on fire over our heads, and the  
 bloody heathen ready to knock us on the head, if we  
 stirred out. I took my children to go forth; but the  
 Indians shot so thick, that the bullets rattled against  
 the house, as if one had thrown a handful of stones.  
 We had six stout dogs, but none of them would stir.  
 \* \* \* The bullets flying thick, one went through my  
 side, and through my poor child in my arms." The  
 brutalities of an Indian massacre followed; "there  
 remained nothing to me," she continues, now in cap-

tivity, "but one poor wounded babe. Down I must sit in the snow, with my sick child, the picture of death, in my lap. Not the least crumb of refreshing came within either of our mouths from Wednesday night to Saturday night, except only a little cold water. \* \* \* One Indian, and then a second, and then a third, would come and tell me, Your master will quickly knock your child on the head. This was the comfort I had from them; miserable comforters were they all."<sup>1</sup>

Nor were such scenes of ruin confined to Massachusetts. At the south, the whole Narragansett country was deserted by the English. Warwick was burned; Providence was attacked and set on fire. There was no security but to seek out the hiding-places of the natives, and destroy them by surprise. On the banks of the Connecticut, just above the Falls that take their name from the gallant Turner, was an encampment of large bodies of hostile Indians; a band of one hundred and fifty volunteers, from among the yeomanry of Springfield, Hadley, Hatfield, and Northampton, led by Turner and Holyoke, making a silent march in the dead of night, came at day-break upon the wigwams. The Indians are taken by surprise; some are shot down in their cabins; others rush to the river, and are drowned; others push from shore in their birchen canoes, and are hurried down the cataract.

As the season advanced, the Indians abandoned every hope. Their forces were wasted; they had no fields that they could plant. Such continued warfare without a respite was against their usages. They began, as the unsuccessful and unhappy so often do, to quarrel among themselves; recriminations ensued;

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May  
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<sup>1</sup> M. Rowlandson's Narrative. 12-25

CHAP. those of Connecticut charged their sufferings upon  
XII. Philip; and those who had been his allies, became  
1676. suppliants for peace. Some surrendered to escape  
starvation. In the progress of the year, between two  
and three thousand Indians were killed or submitted.  
Church, the most famous partisan warrior, went out to  
hunt down parties of fugitives. Some of the tribes  
wandered away to the north, and were blended with  
the tribes of Canada. Did they there nourish the  
spirit of revenge, and remember their ancient haunts,  
that they might one day pilot fresh hordes of invaders  
from the north, to renew the work of devastation? Philip  
himself, a man of no ordinary elevation of character,  
was chased from one hiding-place to another. He had  
vainly sought to engage the Mohawks in the contest;  
now that hope was at an end, he still refused to hear  
of peace, and struck dead the warrior who proposed  
it. At length, after the absence of a year, he resolved,  
as it were, to meet his destiny; and returned to the  
beautiful land where were the graves of his forefathers,  
the cradle of his infancy, and the nestling-place of  
his tribe. Once he escaped narrowly, leaving his wife  
and only son as prisoners. "My heart breaks," cried  
the tattooed chieftain, in the agony of his grief; "now  
I am ready to die." His own followers began to plot  
against him, to make better terms for themselves, and  
in a few days he was shot by a faithless Indian. The  
captive orphan was transported. So perished the  
princes of the Pokanokets. Sad to them had been  
their acquaintance with civilization. The first ship  
that came on their coast, kidnapped men of their  
kindred; and now the harmless boy, that had been  
cherished as an only child, and the future sachem of  
their tribes, the last of the family of Massasoit, was  
sold into

Aug.  
3.



bondage, to toil as a slave<sup>1</sup> under the suns of Bermuda. Of the once prosperous Narragansetts, of old the chief tribe of New England, hardly one hundred men remained. The sword, fire, famine, and sickness, had swept them from the earth.

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1676

During the whole war, the Mohegans remained faithful to the English; and not a drop of blood was shed on the happy soil of Connecticut. So much the greater was the loss in the adjacent colonies. Twelve or thirteen towns were destroyed; the disbursements and losses equalled in value half a million of dollars—an enormous sum for the few of that day. More than six hundred men, chiefly young men, the flower of the country, of whom any mother might have been proud, perished in the field. As many as six hundred houses were burned. Of the able-bodied men in the colony, one in twenty had fallen; and one family in twenty had been burnt out. The loss of lives and property was, in proportion to numbers, as distressing as in the revolutionary war. There was scarcely a family from which death had not selected a victim.

Let us not forget a good deed of the generous Irish; they sent over a contribution, small, it is true, to relieve in part the distresses of Plymouth colony. Connecticut, which had contributed soldiers to the war, now furnished the houseless with more than a thousand bushels of corn. "God will remember and reward that pleasant fruit." Boston imitated the example, for "the grace of Christ," it was said, "always made Boston exemplary" in works of that nature.

The eastern hostilities with the Indians had a different origin, and were of longer continuance. The news of the rising of the Pokanokets was, indeed, the

<sup>1</sup> Davis, in Morton, 453, &c.

CHAP. XII.  
 1676. signal for the commencement of devastations; and, within a few weeks, the war extended over a space of nearly three hundred miles. But in Maine it was a border warfare, growing out of a consciousness of wrongs, and a thirst for revenge. Sailors had committed outrages, and the Indians avenged the crimes of a corrupt ship's crew on the villages. There was no general rising of the Abenakis, or Eastern tribes, no gatherings of large bodies of men. Of the English settlements nearly one half were destroyed in detail; the inhabitants were either driven away, killed, or carried into captivity; for covetousness sometimes provoked to mercy, by exciting the hope of a ransom.

Aug 11. The escape of ANNE BRACKETT, grand-daughter of George Cleeves, the first settler of Portland, was the marvel of that day. Her family had been taken captives at the sack of Falmouth. When her captors hastened forward to further ravages on the Kennebeck, she was able to loiter behind; the eye of the mother discerned the wreck of a birchen bark, which, with needle and thread from a deserted house, she patched and repaired; then, with her husband, a negro servant, and her infant child, she trusted herself to the sea in the tattered canoe, which had neither sail nor mast, and was like a feather on the waves. She crossed Casco Bay, and, arriving at Black Point, where she feared to find Indians, and at best could only have hoped to find a solitude, how great was her joy, as she discovered a vessel from Piscataqua, that had just sought an anchoring-place in the harbor! <sup>1</sup>

The surrender of Acadia to the French had made the struggle more arduous; for the Eastern Indians

<sup>1</sup> Hubbard's Indian Wars, 234. Compare Church, 166. MS. Letters Willis's Portland, i. 143, 147, 155. from Willis and Farmer.

obtained supplies of arms from the French on the Penobscot. To defeat the savage enemy effectually, the Mohawks were invited to engage in the war; a few of them took up the hatchet: but distance rendered coöperation impossible. After several fruitless attempts at treaties, peace was finally established by Andros as governor of Pemaquid, but on terms which acknowledged the superiority of the Indians. On their part, the restoration of prisoners and the security of English towns were stipulated; in return, the English were to pay annually, as a quit-rent, a peck of corn for every English family.<sup>1</sup>

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XII.

1677

1678  
April  
12

The defence of New England had been made by its own resources. Jealous of independence, it never applied to the parent country for assistance; and the earl of Anglesey reproached the people with their public spirit. "You are poor," said he, "and yet proud." The English ministry, contributing nothing to repair colonial losses, made no secret of its intention to "reassume the government of Massachusetts into its own hands;"<sup>2</sup> and, before a single season had effaced the traces of the blood of her sons, while the ground was still wet with the blood of her yeomanry, the wrecks of her villages were still smoking, and the Indian war-cry was yet ringing in the forests of Maine, Edward Randolph, the English emissary, arrived in New England.

June  
10

The messenger and message were received with coldness. The governor avowed ignorance of the officer whose signature was affixed to the letter from the king, and denied the right of the king, or of parliament, to bind the colony by laws adverse to its

<sup>1</sup> Williamson, i. 553  
N. E. &c. &c.

Neal's

<sup>2</sup> Burk's Virginia, ii. Appendix,  
xxxvii.

CHAP. interests. "The king," said the honest Leverett,  
 XII. "can in reason do no less than let us enjoy our liberties  
 1676 and trade, for we have made this large plantation in  
 the wilderness at our own charge, without any con-  
 tribution from the crown."

Randolph, at once the agent for Mason, and the messenger from the privy council, belonged to that class of hungry adventurers with whom America ultimately became so familiar. His zeal led him, in the course of nine years, to make eight voyages to America; and now, on his return to England, after a residence of but six weeks in the New World, that he might excite the office-seekers in the court of Charles II., he exaggerated the population of the country four-fold, and its wealth in a still greater proportion. His statements deserve little confidence;<sup>1</sup> yet they made the English ministry more eager to narrow the territory, cripple the trade, and recall the charter of Massachusetts.

The colony, reluctantly yielding to the direct commands of Charles II., resolved to send William Stoughton and Peter Bulkley as envoys to England; but, agreeably to the advice of the elders, their powers were circumscribed "with the utmost care and caution."

In their memorial respecting the extent of their territory, the court represented their peculiar unhappiness, to be required, at one and the same time, to maintain before courts of law a title to the provinces, and to dispute with a savage foe the possession of dismal deserts.

1677 Remonstrance was of no avail. A committee of the privy council, which examined all the charters, refused

<sup>1</sup> Hutch. Coll. 503, &c. &c. Hutch. Hist. i. 280, &c.

to decide, on the claims of the resident settlers to the land which they occupied, but denied to Massachusetts the right of jurisdiction over Maine and New Hampshire. The decision was so manifestly in conformity with English law, that the colonial agents attempted no serious defence.

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1677

The provinces being thus severed from the government of Massachusetts, King Charles was willing to secure them as an appanage for his reputed son, the kind-hearted, but worthless duke of Monmouth, the Absalom of that day, whose weakness was involved in a dishonest opposition to his father, and whom frivolous ambition at last conducted to the scaffold. It was thought that the united provinces would furnish a noble principality with an immediate and increasing revenue. But before the monarch, whom extravagance had impoverished, could resolve on a negotiation, Massachusetts, through the agency of a Boston merchant, obtained possession of the claims of Gorges, by a purchase and regular assignment. The price paid was £1250—about six thousand dollars.

May  
6.

It was never doubted that a proprietary could alienate the soil; it was subsequently questioned whether the rights of government could be made a subject of traffic.

This assignment was the cause of a series of relations, which, in part, continue to the present day. In a pecuniary point of view, no transaction could have been for Massachusetts more injurious; for it made her a frontier state, and gave her the most extensive and most dangerous frontier to defend.

But Massachusetts did not, at this time, come into possession of the whole territory which now constitutes the state of Maine. France, under the treaty

CHAP  
XII.

of Breda, claimed and occupied the district from St Croix to the Penobscot; the duke of York held the tract between the Penobscot and the Kennebeck, claiming, indeed, to own the whole tract between the Kennebeck and the St. Croix; while Massachusetts was proprietary only of the district between the Kennebeck and the Piscataqua.

A novel form of political institution ensued. Massachusetts, in her corporate capacity, was become the lord proprietary of Maine; the little republic on the banks of the Charles was the feudal sovereign of this eastern lordship. Maine had thus far been represented in the Massachusetts house of representatives; henceforward she was to be governed as a province, according to the charter to Gorges. In obedience to an ordinance of the general court, the governor and assistants of Massachusetts proceeded to organize the government of Maine. The president and council were appointed by the magistrates of Massachusetts; at the same time, a popular legislative branch was established, composed of deputies from the several towns in the district. Danforth, the president, was a man of worth and republican principles; yet the pride of the province was offended by its subordination; the old religious differences had not lost their influence; and royalists and churchmen prayed for the interposition of the king.<sup>1</sup> Massachusetts was compelled to employ force to assert its sovereignty, which, nevertheless, was exercised with moderation and justice.<sup>2</sup>

<sup>1</sup> Sullivan's Maine, 384. Williamson, i. 557, &c. Hutch. Coll. Mass. Records, iv.

<sup>2</sup> Chalmers, 488: "No assembly, of which the representatives of the people composed a constituent part, was allowed because none had

been mentioned in the original grant." An assembly was regularly held. Williamson's Maine, i. 566, &c. The reason assigned is as unfounded as the statement in Chalmers. In the grant of 1639, the assent of the majority of the free-

The change of government in New Hampshire was less quietly effected. On the first apprehension that the claim of Mason would be revived, the infant people, assembling in town-meetings, expressed their content with the government of Massachusetts.

CHAP  
XII.

1675.

But the popular wish availed little in the decision of a question of law; the patent of Mason was duly investigated in England; it was found that he had no right to jurisdiction over New Hampshire; the unappropriated lands were allowed to belong to him; but the rights of the settlers to the soil which they actually occupied, were reserved for litigation in colonial courts.<sup>1</sup>

1677

To further that end, a new jurisdiction was established; New Hampshire was separated from Massachusetts, and organized as a royal province. It was the first royal government ever established in New England. The king, reserving a negative voice to himself and his officers, engaged to continue the privilege of an assembly, unless he or his heirs should deem that privilege "an inconvenience."

1679

July  
24

The persons first named by the king to the offices of president and council, were residents of the colony, and friends to the colonists; but, perceiving that their appointment had no other object than to render the transition to a new form of government less intolerable, they accepted office reluctantly.

At length a general assembly was convened at Portsmouth. Its letter<sup>2</sup> to Massachusetts is a testimony of its gratitude. "We acknowledge your care for us,"—it was thus that the feeble colony addressed its more

1680

Mar.  
16.

holders is required for all acts of legislation. Hazard, i. 445. It is true, the proprietary supremacy of Massachusetts was unpalatable to many. Willis's Portland, i. 158.

Maine Hist. Collections, i. 302.

<sup>1</sup> Compare Letter of King Charles, in Mass. Hist. Coll. xxi. 72.

<sup>2</sup> Adams's Portsmouth, 65—67 Belknap.

CHAP. powerful neighbor,—“ we thankfully acknowledge your  
 XII kindness, while we dwelt under your shadow, owning  
 1680 ourselves deeply obliged that, on our earnest request,  
 you took us under your government, and ruled us well.  
 If there be opportunity for us to be any wise service-  
 able to you, we shall show how ready we are to em-  
 brace it. Wishing the presence of God to be with  
 you, we crave the benefit of your prayers on us, who  
 are separated from our brethren.”

The claims of affection having been acknowledged, the colony proceeded to assert its rights by a solemn decree, the first in their new code ; “ No act, imposition, law, or ordinance, shall be valid, unless made by the assembly and approved by the people.” Thus did New Hampshire seize the earliest moment of its separate existence, to express the great principle of self-government, and take her place by the side of Massachusetts and Virginia. When the code of the infant government was transmitted to England, it was disapproved both for style and matter ; and its provisions were rejected as incongruous and absurd. Nor was Mason successful in establishing his claims to the soil. The colonial government protected the colonists, and restrained his exactions.

Hastening to England to solicit a change, the proprietary was allowed to make such arrangement as promised auspicious results to his own interests. The scenes that occurred are instructive. Mason, a party in suits to be commenced, was authorized to select the person to be appointed governor. He found a fit agent in Edward Cranfield, a man who had no object in banishing himself to the wilds of America, but to wrest a fortune from the sawyers and lumber-dealers of New Hampshire. He avowed his purpose openly ;



and the moral tone of that day esteemed it no dishonor. But he insisted on good security. By a deed enrolled in chancery, Mason surrendered to the king one fifth part of all quit-rents, for the support of the governor, and gave to Cranfield a mortgage of the whole province for twenty-one years, as collateral security for the payment of his salary. Thus invested with an ample royal commission,<sup>1</sup> with the promise of a fixed salary, a fifth of all quit-rents, a mortgage of the province, and the exclusive right to the anticipated abundant harvest of fines and forfeitures, Cranfield deemed his fortune secure, and, relinquishing a profitable employment in England, embarked for the banks of the Piscataqua.

CHAP  
XII.1682  
Jan.  
25.

But the first assembly which he convened dispelled all his golden visions of an easy acquisition of fortune. To humor the governor, the "rugged" legislators voted him a gratuity of two hundred and fifty pounds, which the needy adventurer greedily accepted; but they would not yield their liberties; and the governor in anger dissolved the assembly.

Nov.  
14.1683  
Jan.  
20

The dissolution of an assembly was a novel procedure in New England. Such a thing had till now been unheard of. Popular discontent became extreme; and a crowd of rash men raised the cry for "liberty and reformation." The leader, Edward Gove, an unlettered enthusiast, was confined in irons, and condemned to the death that barbarous laws denounced against treason, and, having been transported to England, was for three years kept a prisoner in the tower of London.

The lawsuits about land were multiplied. Packed juries and partial judges settled questions rapidly; but

<sup>1</sup> Mass. Hist. Coll. v. 232.

CHAP  
XII.  
Mason derived no benefit from a decision in his favor ;  
for he could neither get possession of the estates, nor  
1683. find a purchaser.

Meantime, Cranfield, with a subservient council, began to exercise powers of legislation ; and, like a greedy tenant whose lease is expiring, he still hoped to amass a fortune by taxes and arbitrary fees of office. Did the towns privately send an agent to England, Cranfield would tolerate no complaints ; and Vaughan, who had been active in obtaining depositions, was required to find securities for good behavior. He refused, declaring that he had broken no law ; and the governor immediately imprisoned him.

1684 Cranfield still sighed for money ; and now stooping to falsehood, and hastily calling an assembly, on a vague rumor of an invasion, he demanded a sudden supply of the means of defence. The representatives of New Hampshire would not be hastened ; they took time to consider ; and, after debate, they negatived the bill which the governor had prepared.

Jan.  
14.

Cranfield next resolved to intimidate the clergy, and forbade the usual exercise of church discipline. In Portsmouth, Moody, the minister, replied to his threats by a sermon, and the church was inflexible.

Cranfield next invoked the aid of the ecclesiastical laws of England, which he asserted were in force in the colony. The people were ordered to keep Christmas as a festival, and to fast on the thirtieth of January. But the capital stroke of policy was an order, that all persons should be admitted to the Lord's supper as freely as in the Episcopal or Lutheran church, and that the forms of the English liturgy should in certain cases be adopted. The order was disregarded

That nothing might be wanting, the governor himself appointed a day, on which he claimed to receive the elements at the hands of Moody, after the forms of the English church. Moody refused; was prosecuted, condemned, and imprisoned. Religious worship was almost entirely broken up in the colony. But the people did not yield; and Cranfield, vexed at the stubbornness of the clergy, gave information in England, that, "while the clergy were allowed to preach, no true allegiance could be found."<sup>1</sup> It had long been evident, "there could be no quiet, till the factious preachers were turned out of the province."

CHAP  
XII.  
1684.

One more attempt was made to raise an income, by means of taxes, imposed by the vote of the subservient council. That the people might willingly pay them, a rumor of a war with the Eastern Indians was spread abroad; and Cranfield made a visit to New York, under pretence of concerting measures with the governor of that province. The English ministry was also informed that his majesty's service required the presence of a ship-of-war. The committee of plantations had been warned that "without some visible force to keep the people of New Hampshire under, it would be a difficult or impossible thing to execute his majesty's commands, or the laws of trade."

Feb  
14.

But the yeomanry were not terrified; illegal taxes could not be gathered; associations were formed for mutual support in resisting their collection. At Exeter, the sheriff was driven off with clubs, and the farmers' wives had prepared hot water to scald his officer, if he had attempted to attach property in the house. At Hampton, he was beaten, robbed of his sword, seated upon a horse, with a rope round his

<sup>1</sup> Chalmers, 497, 510.

CHAP  
XII.

1684

neck, and conveyed out of the province. If rioters were committed, they were rescued by a new riot, if the troop of horse of the militia were ordered out, not a man obeyed the summons.

Cranfield, in despair, wrote imploringly to the government in England, "I shall esteem it the greatest happiness in the world to be allowed to remove from these unreasonable people. They cavil at the royal commission, and not at my person. No one will be accepted by them, who puts the king's commands in execution."

The conduct of Cranfield met with the entire approbation of the lords of trade; he was allowed to withdraw from the province; but the government in England had no design of ameliorating the political condition of the colonists.

The character of New Hampshire, as displayed in this struggle for freedom, remained unchanged. It was ever esteemed in England "factious in its economy, affording no exemplary precedents" to the friends of arbitrary power.

Massachusetts might, perhaps, still have defied the king, and escaped or overawed the privy council; but the merchants and manufacturers of England, fearing the colony as their rival, possessed intelligence to discern how their monopoly might be sustained, and perseverance to press steadily towards their object.

1675 Their complaints had been received with favor; their selfish reasoning was heard with a willingness to be convinced; and the English statesmen who maintained the absolute sovereignty of parliament, must have esteemed Massachusetts without excuse.

1676. The agents of Massachusetts had brought with them no sufficient power; an amnesty for the past would

readily have been conceded ; for the future, it was resolved to reduce Massachusetts to “a more palpable dependence.” That this might be done with the consent of the colony, the agents were enjoined to procure larger powers. But no larger powers were granted.

CHAP.  
XII.  
1676.

It was against fearful odds that Massachusetts continued the struggle. All England was united. Whatever party triumphed, the mercantile interest would readily procure an enforcement of the laws of trade. “The country’s neglect of the Acts of Navigation,” wrote the agents, “has been the most unhappy neglect. Without a compliance in that matter, nothing can be expected but a total breach.” “All the storms of displeasure” would be let loose.

It was not, therefore, a surprise, when the committee of plantations raised the question, whether the original charter had any legal entity. The crown, however, would not deny the validity of the patent, but suggested the avoiding it by a *quo warranto*.

The colony resolved, if it must fall, to fall with dignity. Religion had been the motive of the settlement ; religion was now its counsellor. The fervors of the most ardent devotion were kindled ; a more than usually solemn form of religious observance was adopted ; a synod of all the churches in Massachusetts was convened, to inquire into the causes of the dangers to New England liberty, and the mode of removing the evils. Historians have mentioned this incident with levity ; no more fit mode could have been devised to awaken the attention of every individual in the commonwealth to a consideration of the subject.

Meantime the general court had enacted several laws, partially removing the ground of complaint. But

1678,  
1679

CHAP. they related to forms, rather than to realities. High  
 XII. treason was made a capital offence; the oath of alle-  
 1678, giance was required; the king's arms were put up in  
 1679. the court-house. But it was more difficult to conform  
 to the laws of trade. The colony was unwilling to  
 forfeit its charter and its religious liberties on a pecu-  
 niary question; and yet, to acknowledge its readiness  
 to submit to an act of parliament, was regarded as a  
 cession of the privilege of independent legislation. It  
 devised, therefore, an expedient. It declared that  
 "the Acts of Navigation were an invasion of the rights  
 and privileges of the subjects of his majesty in the  
 colony, they not being represented in parliament."  
 "The laws of England," they add, "do not reach  
 America." In connection with this declaration, the  
 general court gave validity to the laws of navigation  
 by an act of its own.

Such is the renewed direct denial, on the part of a  
 colony, of the supremacy of parliament, on the ground  
 of a want of representation. Massachusetts adopted  
 towards Charles II. the same views which she had  
 successfully avowed to the English nation in the days  
 of the Long Parliament.

The troubles connected with the popish plot de-  
 layed the settlement of the affairs of New England.  
 1679. The agents, Stoughton and Bulkley, returned in 1679,  
 Dec and reached Boston in December. With them came  
 Randolph, now appointed an officer of the customs.  
 The new command of the king, that other agents  
 should be sent over with unlimited powers, was disre-  
 garded. It was evident the subversion of the charter  
 was designed.

Twice did Charles II. remonstrate against the diso-  
 bedience of his subjects; twice did Randolph cross the

Atlantic, and return to England, to assist in directing the government against Massachusetts. The commonwealth was inflexible. At length, in February, 1682, the aspect of affairs in England rendered delay more dangerous; and Dudley and Richards were selected as agents. Yet, while the prayers of the whole commonwealth went up for their safety, and the safety of the patent, they were expressly enjoined to consent to nothing that should infringe the privileges of the government established under the charter. A singular method was also attempted. In the English court every thing was venal. France had succeeded in bribing the king to betray the political interests of England; Massachusetts was willing to bribe the monarch into clemency towards its liberties.

The commission of the deputies was not acceptable. They were ordered to obtain full powers for the entire regulation of the government, and the threat of a judicial process was renewed. The agents represented the condition of the colony as desperate. A general war against corporations was begun; many cities in England had surrendered. Was it not safest for the colony to decline a contest, and throw itself upon the favor or forbearance of the king? Such was the theme of universal discussion throughout the colony; the common people spoke of it at their firesides; the topic went with them to church; it entered into their prayers; it filled the sermons of the ministers; and, finally, Massachusetts resolved, in a manner that showed it to be distinctly the sentiment of the people, to resign the territory of Maine, which was held by purchase, but not to concede one liberty or one privilege which was held by charter. If liberty was to receive its death-blow, better that it should die by the

CHAP  
XII.

1682

1682  
Sept

CHAP. violence and injustice of others, than by their own  
 XII. weakness.

The message closed the duties of the agents. A *quo*  
 1683. *warranto* was issued ; Massachusetts was arraigned  
 before an English tribunal, under judges holding their  
 office at the pleasure of the crown ; and Randolph,  
 Oct. the hated messenger, arrived with the writ. At the  
 same time, a declaration from the king asked once  
 more for submission, promising as a reward the royal  
 favor, and the fewest alterations in the charter consist-  
 ent with the support of a royal government.

The people of Massachusetts had been close ob-  
 servers of events in England. They had seen a popu-  
 lar party, of which Shaftesbury assumed the guidance,  
 and of which the house of commons was the scene of  
 victories, rise, act, and become defeated. They had  
 seen Charles II. gradually establish despotic power.  
 They had seen the people of England apparently  
 acquiescing in the subjection of parliament. An in-  
 surrection had indeed been planned ; the doctrine had  
 indeed been whispered, that resistance to oppression  
 was lawful. But the doctrine had been expiated by  
 the blood of Sidney and of Russell ; and the colonists  
 July knew, that, on the very day of the death of Russell,  
 21. the university of Oxford, recalling the days of Henry  
 VIII., and asserting an historical fact rather than a  
 principle, had declared "*submission* and obedience.  
 clear, absolute, and without exception, to be the badge  
 and character of the church of England." They knew  
 that many cities of England had surrendered their char-  
 ters ; that London itself, the metropolis which had shel-  
 tered Hampden against Charles I., had found resistance  
 ineffectual ; and to render submission in Massachusetts  
 easy, by showing that opposition was desperate, two



hundred copies of the proceedings against London, <sup>CHAP</sup> were sent over to be dispersed among the people. <sup>XII.</sup> The governor and assistants, the patrician branch of <sup>1683.</sup> the government, were persuaded of the hopelessness of further resistance; even a tardy surrender of the charter might conciliate the monarch. They, therefore, resolved to remind the king of his promises, and “not to contend with his majesty in a court of law;” they would “send agents, empowered to receive his majesty’s commands.”

Nov.  
15.

The magistrates referred this vote to “their brethren the deputies” for concurrence. During a full fortnight the subject was debated, that a decision might be made in harmony with the people.

“Ought the government of Massachusetts,” thus it was argued, “submit to the pleasure of the court as to alteration of their charter? Submission would be an offence against the majesty of Heaven; the religion of the people of New England and the court’s pleasure cannot consist together. By submission Massachusetts will gain nothing. The court design an essential alteration. destructive to the vitals of the charter. The corporations in England that have made an entire resignation, have no advantage over those that have stood a suit in law; but if we maintain a suit, though we should be condemned, we may bring the matter to chancery or to a parliament, and in time recover all again. We ought not to act contrary to that way, in which God hath owned our worthy predecessors, who, in 1638, when there was a *quo warranto* against the charter, durst not submit. In 1664, they did not submit to the commissioners. We, their successors, should walk in their steps, and so trust in the God of our fathers, that we shall see his salvation. Submission would gratify our adversaries and grieve our friends.

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XII.

1683

Our enemies know it will sound ill in the world, for them to take away the liberties of a poor people of God in a wilderness. A resignation will bring slavery upon us sooner than otherwise it would be ; and will grieve our friends in other colonies, whose eyes are now upon New England, expecting that the people there will not, through fear, give a pernicious example unto others.

“ Blind obedience to the pleasure of the court cannot be without great sin, and incurring the high displeasure of the King of Kings. Submission would be contrary unto that which has been the unanimous advice of the ministers, given after a solemn day of prayer. The ministers of God in New England have more of the spirit of John Baptist in them, than now, when a storm hath overtaken them, to be reeds, shaken with the wind. The priests were to be the first that set their foot in the waters, and there to stand till the danger be past. Of all men, they should be an example to the Lord’s people, of faith, courage, and constancy. Unquestionably, if the blessed Cotton, Hooker, Davenport, Mather, Shepherd, Mitchell, were now living, they would, as is evident from their printed books, say, Do not sin in giving away the inheritance of your fathers.

“ Nor ought we submit without the consent of the body of the people. But the freemen and churchmembers throughout New England will never consent hereunto. Therefore the government may not do it.

“ The civil liberties of New England are part of the inheritance of their fathers ; and shall we give that inheritance away ? Is it objected that we shall be exposed to great sufferings ? Better suffer than sin. It is better to trust the God of our fathers, than to put confidence in princes. If we suffer because we

dare not comply with the wills of men against the will of God, we suffer in a good cause, and shall be accounted martyrs in the next generation and at the great day.”<sup>1</sup> 1683

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The decision of the colony, by its representatives, is on record. “The deputies consent not, but adhere to their former bills.” Nov 30.

Addresses were forwarded to the king, urging forbearance; but entreaty and remonstrance were vain. 1684  
A *scire facias* was issued in England; and before the colony could act upon it, just one year and six days after the judgment against the city of London, the charter was conditionally adjudged to be forfeited; and the judgment was confirmed on the first day of the Michaelmas term. A copy of the judgment was received in Boston in July of the following year. June 18.  
1685  
July 2.

Thus fell the charter, which the fleet of Winthrop had brought to the shores of New England, which had been cherished with anxious care through every vicissitude, and on which the fabric of New England liberties had rested. There was now no barrier between the people of Massachusetts and the absolute will of the court of England. Was religion in danger? Was landed property secure? Would commercial enterprise be paralyzed by restrictions? Was New England destined to learn from its own experience the nature of despotism? Gloomy forebodings overspread the colony.

<sup>1</sup> Mass. Hist. Coll. xxi. 74—81. from the old Hutchinson papers. Every word, unless it be some small connecting words, is taken exactly I have omitted some things, but have not added a line.

## CHAPTER XIII.

## SHAFTESBURY AND LOCKE LEGISLATE FOR CAROLINA.

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XIII.

MEANTIME civilization had advanced at the south; and twin stars were emerging beyond the limits of Virginia. The country over which Soto had rambled in quest of gold, where Calvinists, befriended by Coligny, had sought a refuge, and where Raleigh had hoped to lay the foundations of colonial principalities, was beginning to submit to the culture of civilization.

Massachusetts and Carolina were both colonized under proprietary charters, and of both the charters were subverted; but while the proprietaries of the former were emigrants themselves, united by the love of religious liberty, the proprietaries of the latter were a company of English courtiers, combined for the purpose of a vast speculation in lands. The government established in Massachusetts was essentially popular, and was the growth of the soil; the constitution of Carolina was invented in England. Massachusetts was originally colonized by a feeble band of suffering yet resolute exiles, and its institutions were the natural result of the good sense and instinct for liberty of an agricultural people; Carolina was settled under the auspices of the wealthiest and most influential nobility, and its fundamental laws were framed with forethought by the most sagacious politician and the

most profound philosopher of England. The king, through an obsequious judiciary, annulled the government of Massachusetts; the colonists repudiated the constitutions of Carolina. The principles of the former possessed an inherent vitality, which nothing has yet been able to destroy; the frame of the latter, as it disappeared, left no trace of its transitory existence, except in the institutions which sprung from its decay.

The reign of Charles II. was not less remarkable for the rapacity of the courtiers, than for the debauchery of the monarch. The southern part of our republic, ever regarded as capable of producing all the staples that thrive on the borders of the tropics, was coveted by statesmen who controlled the whole patronage of the British realms. The province of Carolina, extending from the thirty-sixth degree of north latitude to the River San Matheo, was accordingly erected into one territory; and the historian Clarendon, the covetous though experienced minister, hated by the people, faithful only to the king;<sup>1</sup> Monk, so conspicuous in the restoration, and now ennobled as duke of Albemarle; Lord Craven,<sup>2</sup> a brave Cavalier, an old soldier of the German discipline, supposed to be husband to the queen of Bohemia; Lord Ashley Cooper, afterwards earl of Shaftesbury; Sir John Colleton, a royalist of no historical notoriety; Lord John Berkeley, with his younger brother,<sup>3</sup> Sir William Berkeley, the governor of Virginia; and the passionate, and ignorant, and not too honest Sir George Carteret,<sup>4</sup> —were constituted its proprietors and immediate sove-

CHAP.  
XIII.1663  
Mar.  
24.<sup>1</sup> Pepys, i. 192, 366. Evelyn.<sup>3</sup> Morryson, in Burk, iii. 266.<sup>2</sup> Life of Lord Keeper Guilford, 393. Pepys, i. 115.<sup>4</sup> Pepys, i. 356, 140, 235, 236, 228, 176.

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The grant had hardly been made before it became apparent that there were competitors, claiming possession of the same territory. It was included by the Spaniards within the limits of Florida ; and the castle of St. Augustine was deemed proof of the actual possession of an indefinite adjacent country. Spain had never formally acknowledged the English title to any possessions in America ; and when a treaty was finally concluded at Madrid, it did but faintly concede the right of England to her transatlantic colonies, and to a continuance of commerce in “ the accustomed seas.”

And not Spain only claimed Carolina. In 1630, a patent for all the territory had been issued to Sir Robert Heath ; and there is room to believe that, in 1639, permanent plantations were planned and perhaps attempted by his assign.<sup>2</sup> William Hawley appeared in Virginia as “ governor of Carolina,” the land between the thirty-first and thirty-sixth parallels of latitude ; and leave was granted by the Virginia legislature, that it might be colonized by one hundred persons from Virginia, “ freemen, being single, and disengaged of debt.”<sup>3</sup> The attempts were certainly unsuccessful, for the patent was now declared void,

<sup>1</sup> The two Charters to the Proprietors of Carolina, small 4to.

Richmond, labelled No. 1, 1639—1642, p. 70.

<sup>2</sup> Hening, i. 552. Records in the office of the general court at

<sup>3</sup> Richmond Records, No. 1. 1639—1642, p. 93.

because the purposes for which it was granted had never been fulfilled.<sup>1</sup>

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More stubborn rivals were found to have already<sup>2</sup> planted themselves on the River Cape Fear. Hardly had New England received within its bosom a few scanty colonies, before her citizens and her sons began roaming the continent and traversing the seas in quest of untried fortune. A little bark, navigated by New England men, had hovered off the coast of Carolina; they had carefully watched the dangers of its navigation; had found their way into the Cape Fear River; had purchased of the Indian chiefs a title to the soil, and had boldly planted a little colony of herdsmen far to the south of any English settlement on the continent. Already they had partners in London, and hardly was the grant of Carolina made known, before their agents pleaded their discovery, occupancy, and purchase, as affording a valid title to the soil, while they claimed the privileges of self-government as a natural right.<sup>3</sup> A compromise was offered; and the proprietaries, in their "proposals to all that would plant in Carolina," promised emigrants from New England religious freedom, a governor and council to be elected from among a number whom the emigrants themselves should nominate, a representative assembly, independent legislation, subject only to the negative of the proprietaries, land at a rent of a halfpenny an acre, and such freedom from customs as the charter would warrant.<sup>4</sup> Yet the lands round Cape Fear were not inviting

1660  
or  
1661

1663  
Aug.  
6.

<sup>1</sup> Williamson's N. C. i. 84, 85. i. 95, 1660. Again, Martin, i. 137, Berkeley, *ibid.* 255. Martin, i. 94, contradicts himself, and says 1660. 125. Chalmers, 515. <sup>3</sup> Mass. Hist. Coll. xxi. 55—59.

<sup>2</sup> Lawson's Description, p. 73. Martin, i. 116, 117, 126. Letter in "In the year 1661, or thereabouts." Williamson, i. 256. <sup>4</sup> Chalmers, 518

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to men who could choose their abodes from the whole wilderness; the herds, and the fields in which they browsed, were for a season abandoned to the care of friendly Indians;<sup>1</sup> and the emigrants, revisiting their former homes, "spread a reproach on the harbor and the soil."<sup>2</sup> But the colony was not at once wholly deserted; and if its sufferings became extreme, Massachusetts, the young mother of colonies, not indifferent to the fate of her children, listened to their prayer "for some relief in their distress," and in May, 1667, ministered to their wants by a general contribution through her settlements.<sup>3</sup> The infant town planted on Oldtown Creek, near the south side of Cape Fear River, did not prosper, the Indians took offence at the New England planters, and though they had no guns, yet they never gave over, till, by their bows and arrows, they had entirely rid themselves of the intruders.<sup>4</sup> Other causes than the roving restlessness of the Independents from Massachusetts produced "the distractions" which ensued; nature herself, especially in the wilderness, prompts and encourages the love of freedom.

The conditions offered to the colony of Cape Fear "were not intended for the meridian" of Virginia. "There," said the proprietaries, in their instructions to Sir William Berkeley, "we hope to find more facile people" than the New England men. Yet they intrusted the affair entirely to Sir William's management. He was to get settlers as cheaply as possible; yet at any rate to get settlers.

<sup>1</sup> Journal of Gentlemen from Barbadoes, in Lawson, 72, 73.

<sup>2</sup> Mass. Hist. Coll. xxi. 58.

<sup>3</sup> Massachusetts Records for May, 1667, vol. iv. part ii. p. 337.

<sup>4</sup> Lawson, 74.



Like Massachusetts, Virginia was the mother of a cluster of states; like the towns of New England, the plantations of Virginia extended along the sea. The country on Nansemond River had been settled as early as 1609; in 1622, the adventurous Pory, then secretary of the Old Dominion, travelled over land to the South River, Chowan, and, on his return, celebrated the kindness of the native people, the fertility of the country, and the happy climate, that yielded two harvests in each year.<sup>1</sup> If no immediate colonization ensued, if the plans formed in England by Sir Robert Heath, or by Lord Maltravers, Heath's assign, were never realized, the desire of extending the settlements to the south still prevailed in Virginia; and twenty years after the excursion of Pory, a company that had heard of the river that lay south-west of the Appomattox, petitioned, and soon obtained leave of the Virginia legislature to prosecute the discovery, under the promise of a fourteen years' monopoly of the profits.<sup>2</sup> Exploring parties to the south not less than to the west, to Southern Virginia, or Carolina,<sup>3</sup> the early name, which had been retained in the days of Charles I. and of Cromwell, and which was renewed under Charles II.,<sup>4</sup> continued to be encouraged by similar giants. Clayborne,<sup>5</sup> the early trader in Maryland, still cherished a fondness for discovery; and the sons of Governor Yeardley<sup>6</sup> wrote to England with exultation, that the northern country of Carolina had been explored by "Virginians born."

CHAP.  
XIII.1622.  
Feb.1642  
Jan.

1643

1652

<sup>1</sup> Smith's Virginia, ii. 64.<sup>2</sup> Hening, i. 262. Williamson, i. 91. "For more than twenty years," &c. Had Williamson for his opinion other grounds than this act, which, however, does not sustain his statement? He cites no authority.<sup>3</sup> Thurloe, ii. 273, 274. Hening, i. 552.<sup>4</sup> Compare Carolina, by T. A. 1682, p. 3.<sup>5</sup> Hening, i. 377.<sup>6</sup> Thurloe, ii. 273, 274. Letter of Francis Yeardley to John Farrar.

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We are not left to conjecture, who of the inhabitants of Nansemund of that day first traversed the intervening forests and came upon the rivers that flow into Albemarle Sound. The company was led by Roger Green, and his services were rewarded by the grant of a thousand acres, while ten thousand acres were offered to any hundred persons who would plant on the banks of the Roanoke, or on the south side of the Chowan and its tributary streams.<sup>1</sup> These conditional grants seem not to have taken effect; yet the enterprise of Virginia did not flag; and Thomas Dew, once the speaker of the assembly, formed a plan for exploring the navigable rivers still further to the south, between Cape Hatteras and Cape Fear.<sup>2</sup> How far this spirit of discovery led to immediate emigration, it is not possible to determine. The county of Nansemund had long abounded in non-conformists;<sup>3</sup> and it is certain the first settlements on Albemarle Sound were a result of spontaneous overflowings from Virginia. Perhaps a few vagrant families were planted within the limits of Carolina<sup>4</sup> before the restoration. At that period, men who were impatient of interference, who dreaded the enforcement of religious conformity, who distrusted the spirit of the new government in Virginia, plunged more deeply into the forests. It is known that, in 1662, the chief of the Yeopim Indians granted to George Durant<sup>5</sup> the neck

<sup>1</sup> Hening, i. 380, 381.

<sup>2</sup> *Ibid.* 422.

<sup>3</sup> Winthrop, ii. 334. Johnson's *Wonderw. Prov. B.* iii. c. xi.

<sup>4</sup> Williamson, i. 79, 91, and note on 93. Williamson cites no authorities. The accounts in the historians of North Carolina are confused. As far as I can learn, no memorials of the earliest settlers

remain. I have no document older than 1663, and no exact account, which I dare trust, older than 1662.

<sup>5</sup> Winthrop, ii. 334, speaks of Mr. Durand, of Nansemund, elder of a Puritan "very orthodox church," in that county, and banished from Virginia in 1648, by Sir William Berkeley. Were the exile and the colonist in any way connected?

of land which still bears his name ;<sup>1</sup> and, in the following year, George Cathmaid could claim from Sir William Berkeley a large grant of land upon the Sound, as a reward for having established sixty-seven persons in Carolina.<sup>2</sup> This may have been the oldest considerable settlement ; there is reason to believe that volunteer emigrants had preceded them.<sup>3</sup> In September, the colony had attracted the attention of the proprietaries, and Berkeley was commissioned to institute a government over the region, which, in honor of Monk, received the name that time has transferred to the bay. The plantations were chiefly on the north-east bank of the Chowan ; and, as the mouth of that river is north of the thirty-sixth parallel of latitude, they were not included in the first patent of Carolina. Yet Berkeley, who was but governor of Virginia, and was a joint proprietor of Carolina, obeyed his interest as landholder more than his duty as governor ; and, severing the settlement from the Ancient Dominion, established a separate government over men who had fled into the woods for the enjoyment of independence, and who had already, at least in part, obtained a grant of their lands from the aboriginal lords of the soil.

Berkeley did not venture to discuss the political principles or dispute the possessions of these bold pioneers. He appointed William<sup>4</sup> Drummond, an emigrant to

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1663  
April  
1.

<sup>1</sup> MSS. communicated by D. L. Swain, governor of North Carolina, in 1835.

<sup>2</sup> MSS. from D. L. Swain.

<sup>3</sup> Chalmers, 519, "For some years."

<sup>4</sup> *William*. Martin, i. 138, says *George Drummond*. Hening, ii. 226, Act i. identifies the man, and

settles the question. *Williamson*, i. 119, is even more inaccurate than *Martin* ; he says *Drummond* died in the colony. So carelessly has the history of N. C. been written, that the name, the merits, and the end of its first governor were not known.

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Virginia<sup>1</sup> from Scotland,<sup>2</sup> probably a Presbyterian, a man of prudence and popularity, deeply imbued with the passion for popular liberty,<sup>3</sup> to be the governor of Northern Carolina; and, instituting a simple form of government, a Carolina assembly,<sup>4</sup> and an easy tenure of lands, he left the infant people to take care of themselves; to enjoy liberty of conscience and of conduct in the entire freedom of innocent retirement; to forget the world, till rent-day drew near, and quit-rents might be demanded.<sup>5</sup> Such was the origin of fixed settlements in North Carolina. The child of ecclesiastical oppression was swathed in independence.

1666. But not New England and Virginia only turned their eyes to the southern part of our republic. Several planters of Barbadoes, dissatisfied with their condition, and desiring to establish a colony under their own exclusive direction, despatched a vessel to examine the country. What other report could be made by the careful leaders of the expedition, than that the climate was agreeable, and the soil of various qualities; that game abounded; that the natives were ready to promise peace?<sup>6</sup> They purchased of the Indians a tract of land thirty-two miles square, on Cape Fear River, near the neglected settlement of the New Englanders, and their employers begged of the proprietaries a confirmation of the purchase, and a separate charter of government. Not all their request

<sup>1</sup> Hening, i. 549, ii. 158.

<sup>2</sup> Sir Wm. Berkeley's List, &c., copied by Greenhow, published by P. Force, 1835. "Drummond, a Scotchman."

<sup>3</sup> Berkeley, as above. And a Narrative of the Indian and Civil Wars in Virginia, in Mass. Hist. Coll. xi. 79. in Force's edition, p. 46.

<sup>4</sup> Richmond Records, No. 3. 1663—1668, 348—353. "Wm. Drummond, governor of Carolina, and the assembly there." p. 349. This was July 12, 1666.

<sup>5</sup> Chalmers, 520.

<sup>6</sup> The account is reprinted in Lawson, 65—73. Martin, 180, &c., less perfectly.

was granted; yet liberal terms were proposed; and Sir John Yeamans, the son of a Cavalier, a needy baronet, who, to mend his fortune, had become a Barbadoes planter, was appointed governor, with a jurisdiction extending from Cape Fear to the St Matheo. The country was called Clarendon. "Make things easy to the people of New England; from thence the greatest supplies are expected;" such were his instructions. Under an ample grant of liberties for the colony, he conducted, in the autumn of 1665, a band of emigrants from Barbadoes, and on the south bank of Cape Fear River laid the foundation of a town, which flourished so little, that its site is at this day a subject of dispute.<sup>1</sup> Yet the colony, barren as were the plains around them, made some advances; it exported boards, and shingles, and staves, to Barbadoes. The little traffic was profitable, and was continued; emigration increased; the influence of the proprietaries fostered its growth; and it has been said that, in 1666, the plantation already contained eight hundred souls. Many preferred it, as a place of residence, to Barbadoes, and Yeamans, who understood the nature of colonial trade, managed its affairs without reproach.<sup>2</sup>

Meantime the proprietaries, having collected minute information respecting the coast, had learned to covet an extension of their domains; and, indifferent to the claims of Virginia, and in open contempt of the garrison of Spain at St. Augustine, the covetous Clarendon and his associates easily obtained from the king a new charter, which granted to them, from the Atlantic to the Pacific Ocean, all

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1663

1665.  
June  
13.

<sup>1</sup> See Lawson's Map. Martin, i. 142, 143.      <sup>2</sup> Williamson, i. 100.

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1665

the land lying between twenty-nine degrees and thirty-six degrees thirty minutes, north latitude; a territory extending seven and a half degrees from north to south, and more than forty degrees from east to west; comprising all the territory of North and South Carolina, Georgia, Tennessee, Alabama, Mississippi, Louisiana, Arkansas, much of Florida and Missouri, nearly all of Texas, and a large portion of Mexico. The soil, and, under the limitation of a nominal allegiance, the sovereignty also, were theirs, with the power of legislation, subject to the consent of the future freemen of the colony. The grant of privileges was ample, like those to Rhode Island and Connecticut. An express clause in the charter for Carolina opened the way for religious freedom; another held out to the proprietaries a hope of revenue from colonial customs, to be imposed in colonial ports by Carolina legislatures; another gave them the power of erecting cities and manors, counties and baronies, and of establishing orders of nobility, with other than English titles. It was evident that the founding of an empire was contemplated; for the power to levy troops, to erect fortifications, to make war by sea and land on their enemies, and to exercise martial law in cases of necessity, was not withheld. Every favor was extended to the proprietaries; nothing was neglected but the interests of the English sovereign and the rights of the colonists.<sup>1</sup>

Thus the most ample privileges and territories were conferred on the corporation of eight; had the lands been divided, each would have received a vast realm for his portion. Yet, when William Sayle, of the  
1648 Summer Islands, who, long before, had attempted to

<sup>1</sup> Carolina Charters, 4to. Reprinted often Williamson, l. 230.

plant a colony of Puritans from Virginia in the Bahama Isles,<sup>1</sup> returned from a later voyage of discovery, which had embraced the isles in the Gulf of Florida,<sup>2</sup> of these too, the "Eleutheria" of a former day, then almost a desert, comprising the land in America on which Columbus first kneeled, and including all the islands within a belt of five degrees, possession was solicited and obtained.

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1667

With the new charters the designs of the company expanded. The germs of colonies already existed; imagination encouraged in futurity every extravagant anticipation. It was deemed proper to establish a form of government commensurate in its dignity with the auspices of the colony and the vastness of the country; Clarendon was no longer in England; and Ashley Cooper, earl of Shaftesbury, the most active and the most able of the corporators, was deputed to frame for the dawning states a perfect constitution, worthy to endure throughout all ages.

Shaftesbury was at this time in the full maturity of his genius; celebrated for eloquence, philosophic genius, and sagacity; high in power, and of aspiring ambition. Born to great hereditary wealth, the pupil of Prideaux had given his early years to the assiduous pursuit of knowledge; the intellectual part of his nature had from boyhood obtained the mastery over the love of indulgence and luxury. Connected with the great landed aristocracy of England, cradled in politics, and chosen a member of parliament at the age of nineteen, his long public career was checkered by the greatest varieties of success. It is a very common error of the incurious observer, to attribute frequent change to statesmen who have held the helm

<sup>1</sup> Winthrop, ii. 334, 335.<sup>2</sup> Hewat's S. Carolina, i. 48.

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in seasons of vicissitudes ; and Shaftesbury, whose political career merits severe reprobation, has been charged with repeated derelictions. But men of great mental power, though they may often change the instruments which they employ, change their principles and their purposes rarely. The party connections of Shaftesbury were affected by the revolutions of the times ; but he has been falsely charged with political inconsistency. He often changed his associates, never his purposes ;<sup>1</sup> alike the enemy to absolute monarchy and to democratic influence, he resolutely connected his own aggrandizement with the privileges and interests of British commerce, of Protestant religious liberty, and of the landed aristocracy of England. In the Long Parliament, Shaftesbury acted with the people against absolute power ; but, while Vane adhered to the parliament from love of popular rights, Shaftesbury adhered to it as the guardian of aristocratic liberty. Again, under Cromwell, Shaftesbury was still the opponent of arbitrary power. At the restoration, he would not tolerate an agreement with the king ; such agreement, at that time, could not but have been democratic, and adverse to the privileges of the nobility ; which, therefore, in the plenitude of the royal power, sought an ally against the people. When Charles II. showed a disposition to become, like Louis XIV., superior to the gentry as well as to the democracy, Shaftesbury immediately joined the party opposed to the ultra royalists, not as changing his principles,<sup>2</sup> but from hostility to the supporters of prerogative. The party which he represented, the great

<sup>1</sup> Constantia, fide, vix parem alibi invenias, superiorem certe nullibi. Locke's Epitaph on Shaftesbury. Locke, ix. 281.

<sup>2</sup> Pepys, i. 219. But Dryden writes, "Restless, unfixed in principles and place." This is true of his party connections, not his principles.



aristocracy of wealth, had to sustain itself between the people on one side, and the monarch on the other. The "nobility" was, in his view, the "rock" of "English principles;"<sup>1</sup> the power of the peerage, and of arbitrary monarchy, were "as two buckets, of which one goes down exactly as the other goes up."<sup>2</sup> In the people of England, as the depository of power and freedom, Shaftesbury had no confidence; his system protected wealth and privilege; and he desired to deposit the conservative principles of society in the exclusive custody of the favored classes. Cromwell had proposed, and Vane had advocated, a reform in parliament; Shaftesbury hardly showed a disposition to diminish the influence of the nobility over the lower house.<sup>3</sup>

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Such were the political principles of Shaftesbury; and his personal character was analogous. He loved wealth without being a slave to avarice; and, though he would have made no scruple of "robbing the devil or the altar,"<sup>4</sup> he would not pervert the course of judgment, or be bribed into the abandonment of his convictions.<sup>5</sup> If, as lord chancellor, he sometimes received a present, his judgment was never suspected of a bias. Quick to discern the right, and careless of precedents, usages, and bar-rules, he was prompt to render an equitable decision. Every body applauded but the lawyers; they censured the contempt of ancient forms; the diminished weight of authority, and the neglect of legal erudition; the historians, the

<sup>1</sup> "A Letter from a Person of Quality to his Friend in the Country," in Locke, x. 226, 242.

<sup>2</sup> Pepys, i. 219.

<sup>3</sup> "As to making Shaftesbury a friend to our ideas of liberty, it is impossible, at least in my opinion. Yet he is very far from being the

devil he is described." C. J. Fox-See introduction to Fox's History of James II. p. 50.

<sup>4</sup> Pepys, i. 366.

<sup>5</sup> Evelyn, ii. 361, asserts positively that Shaftesbury did not advise the king to invade the exchequer. Lingard is severe in his judgment.

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poets, common fame, even his enemies, declared that never had a judge possessed more discerning eyes, or cleaner hands ;

“Unbribed, unbought, the wretched to redress,  
Swift of despatch, and easy of access.”

In changing friendships, he never betrayed the confidence of former friends ; and the changes were a consequence of his principles, not of his ambition. Even his enemies allowed, that, as a royalist minister, he might have “freely gathered the golden fruit ;” but he disdained the monarch’s favor, and stood firmly by the vested rights of his order.

In person, he was small, and of that peculiar organization which is alike irritable and versatile. It belongs to such a man to have cunning rather than wisdom ; celerity rather than dignity ; the very high powers of abstraction and generalization rather than the still higher power of successful action. He transacted business with an admirable ease and mastery,<sup>1</sup> for his lucid understanding delighted in general principles ; but he could not successfully control men, for he had neither conduct in the direction of a party, nor integrity in the choice of means. He would use a prejudice as soon as an argument ; would stimulate a superstition as soon as wake truth to the battle ; would flatter a crowd or court a king. Having debauched his mind into a contempt for the people, he attempted to guide them by inflaming their passions.

This contempt for humanity punishes itself ; Shaftesbury was destitute of the healthy judgment which comes from sympathy with his fellow-men. Alive to the force of an argument, he never could judge of its

<sup>1</sup> Pepys, i. 222 ; or Shaftesbury. Compare, also, North and Burnet.

effect on other minds ; his subtle wit, prompt to seize on the motives to conduct, and the natural affinities of parties, could not discern the moral obstacles to new combinations. He had no natural sense of propriety ; he despised gravity, as, what indeed it often is, the affectation of dulness ; and thought it no condescension to charm by drollery. Himself without any veneration for prejudice or prescriptive usage, he never could estimate the difficulty of abrogating a form or overcoming a prejudice. His mind regarded purposes and results ; and he did not so much defy appearances as rest ignorant of their power ; an indifference, which, in some respects, was an immorality. Desiring to exclude the duke of York from the throne, no delicacy of sentiment restrained him from proposing the succession to the uncertain issue of an abandoned woman, who had once been mistress to the king ; and he saw no cruelty in urging Charles II. to a divorce from a confiding wife, who had no blemish but barrenness.

The same want of common feeling, joined to a surprising mobility, left Shaftesbury in ignorance of the energy of religious convictions. Sceptics are apt to be superstitious ; the organization that favors the moral restlessness of perpetual doubt often superinduces a nervous timidity. Shaftesbury was indifferent to religion ; his physical irritability made him not indifferent to superstition. He would not fear God, but he watched the stars ; he did not receive Christianity, and he could not reject astrology.

Excellent in counsel, Shaftesbury was poor as an executive agent. His restless spirit fretted at delay, and grew feverish with impatient waiting. His eager impetuosity betrayed the designs of the poor dissimu-

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lator; and when unoccupied, his vexed and anxious mind lost its balance, and planned desperate counsels. In times of tranquillity, the crafty intriguer was too passionate for success; but when the storm was really come, and old landmarks were washed away, and the wonted lights in the heavens were darkened, Shaftesbury was a daring and successful statesman; for he knew how to evolve a rule of conduct from general principles.

1669. At a time when John Locke was unknown to the world, the sagacity of Shaftesbury had detected the deep riches of his mind, and selected him for a bosom friend and adviser in the work of legislation for Carolina. Locke was at this time in the midway of life, adorning the clearest understanding with the graces of gentleness, good humor, and beautiful ingenuousness. Of a sunny disposition, he could be choleric without malice, and gay without levity. Like the younger Winthrop, he was a most dutiful son. In dialectics, he was unparalleled, except by his patron. His lucid mind despised the speculations of a twilight philosophy, esteeming the pursuit of truth the first object of life, and its attainment as the criterion of dignity; and therefore he never sacrificed a conviction to an interest. The ill success of the democratic revolution of England had made him an enemy to popular innovations. He had seen the commons of England incapable of retaining the precious conquest they had made; and being neither a theorist like Milton, nor a tory like Tillotson, he cherished what at that day were called English principles; looking to the aristocracy as the surest adversaries of arbitrary power. He did not, like Sidney, sigh for the good old cause of a republic; nor, like Penz, confide in the instincts of

humanity ; but regarded the privileges of the nobility as the guaranties of English liberties. Emphatically free from avarice, he could yet, as a political writer, deify liberty under the form of wealth ; to him slavery seemed no unrighteous institution ; and he defines <sup>1</sup> “ political power to be the right of making laws for regulating and preserving property.” Destitute of enthusiasm of soul, he had no kindling love for ideal excellence. He abhorred the designs, and disbelieved the promises, of democracy ; he could sneer at the enthusiasm of Friends. Unlike Penn, he believed it possible to construct the future according to the forms of the past. No voice of God within his soul called him away from the established usages of England ; and, as he went forth to lay the foundations of civil government in the wilderness, he bowed his mighty understanding to the persuasive influence of Shaftesbury.<sup>2</sup>

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1669

But the formation of political institutions in the United States was not effected by giant minds, or “nobles after the flesh.” American history knows but one avenue to success in American legislation—freedom from ancient prejudice. The truly great lawgivers in our colonies first became as little children.<sup>3</sup>

In framing constitutions for Carolina, Locke forgot the fundamental principles of practical philosophy. There can be no such thing as a creation of laws ; for laws are but the arrangement of men in society, and good laws are but the arrangement of men in society in their just and natural relations. It is the prerogative of self-government, that it adapts itself to

<sup>1</sup> Locke, of Civil Gov. b. ii. c. i.  
<sup>2</sup> Dedication to the Posthumous Pieces of Mr. John Locke.

Intellectus ab idolis liberandus est, ut non alius sit aditus ad regnum, in scientiis, quam ad regnum cœlorum ; in quod nisi sub persona, &c.

<sup>3</sup> Bacon, Nov. Org. i. lxxviii.

CHAP. every circumstance which can arise. Its institutions  
 XIII. if often defective, are always appropriate; for they  
 1669 are the exact representation of the condition of a  
 people, and can be evil only because there are evils in  
 society; exactly as a coat may suit an ill-shaped  
 person. Habits of thought and action fix their stamp  
 on the public code; the faith, the prejudices, the hopes  
 of a people, may be read there; and, as knowledge  
 advances, one prejudice after another, each erroneous  
 judgment, each perverse enactment, yields to the  
 imbodied force of the common will. The method to  
 success in legislating for Carolina, could only have  
 been the counsels of the emigrants themselves.

The constitutions for Carolina merit attention as the  
 only continued<sup>1</sup> attempt within the United States  
 to connect political power with hereditary wealth.  
 America was singularly rich in every form of repre-  
 sentative government; its political experience was so  
 varied, that, in modern European constitutions, hardly  
 a method of constituting an upper or a popular house  
 has thus far been suggested, of which the character  
 and the operation had not already been tested in the  
 history of our fathers. No one of the early colonies pos-  
 sessed a larger experience than Carolina; the disputes  
 of a thousand years were crowded into a generation.

But few of the enfranchising principles which were  
 then rapidly gaining a distinct existence, received at  
 that time a just or a perverse application. Europe  
 suffered from obsolete, but not inoperative, laws; no  
 statute of Carolina was to bind beyond a century.  
 Europe suffered from the multiplication of law-books  
 and the perplexities of the law; in Carolina, not a com-

<sup>1</sup> So, in 1698, April 11, a new form of the fundamental constitutions was agreed on; and article 7 asserts, "All power and dominion is most naturally founded in property" The two Charters, &c. p. 54,—a small 4to., printed without date.

mentary might be written on the constitutions, the statutes, or the common law. Europe suffered from the furies of English bigotry; Carolina promised, not equal rights, but toleration to "Jews, Heathens, and other Dissenters," to "men of any religion." In other respects, "the interests of the proprietors," the desire of "a government most agreeable to monarchy," and the dread of "a numerous democracy,"<sup>1</sup> are avowed as the sole motives for forming the fundamental constitutions of Carolina. The rights of the resident emigrants were less considered.

The proprietaries, as sovereigns, constituted a close corporation of eight—a number which was never to be diminished or increased. The dignity was hereditary: in default of heirs, the survivors elected a successor. Thus was formed an upper house, "a diet of Starosts,"<sup>2</sup> self-elected and immortal.

For purposes of settlement, the almost boundless territory was to be divided into counties, each containing four hundred and eighty thousand acres. The creation of two orders of nobility; of one landgrave or earl, of two caciques or barons for each county, preceded the distribution of lands into five equal parts, of which one remained the inalienable property of the proprietaries, and another formed the inalienable and indivisible estates of the nobility. The remaining three fifths were reserved for what was called the people; and might be held by lords of manors who were not hereditary legislators, but, like the nobility, exercised judicial powers in their baronial courts. The number of the nobility might neither be increased nor diminished; election supplied the places left

<sup>1</sup> See the Preamble in Charters, &c. p. 33; in Martin, i. App. lxxi.

<sup>2</sup> Gillies' Arist. ii. 248.

CHAP. vacant for want of heirs ; for, by an agrarian principle  
 XIII. estates and dignities were not allowed to accumulate.

1669 The instinct of aristocracy dreads the moral power of a proprietary yeomanry ; the perpetual degradation of the cultivators of the soil was enacted. The leet-men, or tenants, holding ten acres of land at a fixed rent, were not only destitute of political franchises, but were adscripts to the soil ; “under the jurisdiction of their lord, without appeal ;” and it was added, “all the children of leet-men shall be leet-men, and so to all generations.”<sup>1</sup>

Grotius, in a former generation, had defended slavery as a rightful condition ; a few years later, and William Penn is said to have employed the labor of African bondmen ; it is not surprising that John Locke could propose, without compunction, that every freeman of Carolina shall have absolute power and authority over his negro slaves.

By the side of the seignories, baronies, and manors, it was supposed that some freeholders would also be found ; no elective franchise could be conferred on a freehold of less than fifty acres, and no eligibility to the parliament on a freehold of less than five hundred.

All executive power, and, in the last resort, all judiciary power, rested with the proprietaries themselves. The seven subordinate courts had each a proprietary for its chief ; and of the forty-two counsellors of whom they were composed, twenty-eight were appointed by the proprietaries and the nobility. The judiciary was placed far beyond the reach of popular influence. To one aristocratic court was intrusted the superintendence of the press ; and, as if not only men would submit their minds, but women their tastes, and chil-

<sup>1</sup> Constitutions, sect. 22.



dren their pastimes, to a tribunal, another court had cognizance of "ceremonies and pedigrees," "of fashions and sports."<sup>1</sup> Of the fifty who composed the grand council of Carolina, fourteen only represented the commons, and of these fourteen, the tenure of office was for life.

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XIII.  
1669

The constitutions recognized four estates—the proprietaries, the landgraves, the caciques, and the commons. In the parliament, all the estates assembled in one chamber; apart from the proprietaries, who might appear by deputies, the commons elected four members for every three of the nobility; but the influence of a great landed aristocracy in controlling elections was already well understood; and none but large proprietaries were eligible to the parliament. An aristocratic majority might, therefore, always be relied upon; but, to prevent danger, three methods, reproduced, in part, in modern monarchical constitutions, were adopted; the proprietaries reserved to themselves a negative on all the proceedings of parliament; no subject could be proposed—an analogous clause existed in the charter granted by Louis XVIII. to France—except through the grand council; and in case of a constitutional objection to a law, either of the four estates might interpose a veto. Popular enfranchisement was made an impossibility. Executive, judicial and legislative power were beyond the reach of the people.

A few singularities were in harmony with the great outlines of the system. In trials by jury, the majority decided; a rule fatal to the oppressed; for where moral courage is requisite for an honest verdict, more than a small minority cannot always be expected.—Another clause, which declared it "a base and vile

<sup>1</sup> Constitutions, sect. 45.

CHAP. XIII. thing to plead for money or reward," could not but  
 1669. compel the less educated classes to establish between  
 themselves and the nobility the relation of clients and  
 patrons.

Such were the constitutions devised for Carolina by Shaftesbury and Locke, by the statesman who was the type of the revolution of 1688, and the philosopher who was the antagonist of Descartes and William Penn. Several American writers have attempted to exonerate Locke from a share in the work which they condemn; but it harmonizes with the principles of his philosophy, and with his theories on government. To his late old age he preserved with care the evidence of his legislative labors; and his admirers esteemed him the superior of the contemporary Quaker king, the rival of "the ancient philosophers," to whom the world had "erected statues." The constitutions were  
 1669, signed on the twenty-first of July, 1669; and a com-  
 July. mission as governor was issued to William Sayle.

In a second draft of the constitutions, against the wishes of Locke, a clause was interpolated, declaring that while every religion should be tolerated, the Church of England, as the only true and orthodox church, was to be the national religion of Carolina, and was alone to receive public maintenance by grants from the colonial parliament. This revised copy was not signed till March, 1670. To a colony of which the majority were likely to be dissenters, the change was vital;<sup>1</sup> it was scarcely noticed in England, where the model became the theme of extravagant applause. "It is without compare," wrote Blome, in 1672. "Empires," added an admirer of Shaftesbury, "will be ambitious of subjection to the noble government which deep

<sup>1</sup> This discovery is due to William James Rivers of Charleston, S. C.

wisdom has projected for Carolina ;”<sup>1</sup> and the proprietaries believed they had set their seals to “a sacred and unalterable” instrument, which they fearlessly decreed should endure “forever.”

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As far as depended upon the proprietaries, the government was immediately organized ; and Monk, duke of Albemarle, was constituted palatine. But the contrast between the magnificent model of a constitution and the humble settlements of Carolina, rendered the inappropriateness of the forms too ludicrously manifest. Was there room for a palatine and land-graves, for barons and lords of manors, for an admiralty court and a court of heraldry, among the scattered cabins between the Chowan and the ocean ?

Albemarle had been increased by fresh emigrants from New England, and by a colony of ship-builders from the Bermudas,<sup>2</sup> who lived contentedly with Stevens as chief magistrate, under a very wise and simple form of government. A few words express its outlines ; a council of twelve, six named by the proprietaries, and six chosen by the assembly ; an assembly, composed of the governor, the council, and twelve delegates from the freeholders of the incipient settlements,—formed a government worthy of popular confidence. No interference from abroad was anticipated ; for freedom of religion, and security against taxation, except by the colonial legislature, were solemnly conceded. The colonists were satisfied ; the more so, as their lands were confirmed to them, by a solemn grant, on the terms which they themselves had proposed.<sup>3</sup>

1668  
May  
1.

The authentic record of the legislative history of North Carolina, begins with the autumn of 1669,<sup>4</sup>

<sup>1</sup> W. Talbot's Dedication of Lederer's Discoveries. So, too, Wilson, in the Dedication, in 1682, to his tract on Carolina.

<sup>2</sup> Martin, i. 142.

<sup>3</sup> Williamson, i. 259. Martin, i.

<sup>4</sup> Chalmers, 525, 555, from pro-

CHAP. XIII. when the legislators of Albemarle, ignorant of the scheme which Locke and Shaftesbury were maturing  
 1669. framed a few laws, which, however open to objection, were suited to the character, opinions, and manners, of the inhabitants, and which, therefore, endured long after the designs of Locke were abandoned in despair. New settlements invite the adventurer and welcome the needy. The strictest rule for the recovery of debts, so much desired in mercantile communities, where large trusts are necessarily reposed in individuals, and where delay becomes a failure, was not suited to the less anxious lives and the universal hospitality of a purely agricultural community. The planters of Albemarle, giving a five years' security to the emigrant debtor, enacted that none should for five years be sued for any cause of action arising out of the country. Marriage was made a civil contract, requiring for its validity nothing more than the consent of parties before a magistrate with witnesses. New settlers were exempted from taxation for a year. Was it the care for peace, or the instinct of monopoly, which prohibited strangers from trading with the neighboring Indians? As every adventurer who joined the colony received a bounty in land, frauds were checked by withholding a perfect title, till the emigrant should have resided two years in the colony. The members of this early legislature probably received no compensation; to meet the expenses of the governor and council, a fee of thirty pounds of tobacco was exacted in every lawsuit. Such was the simple legislation of men, who, being destitute of fortune, had

prietary papers, and therefore the nearest approach to original authority. Martin, i. 145, changes the date on inconclusive arguments.

The assembly referred to in the grant of May 1, 1668, must have been an earlier assembly.

roamed in quest of it. The laws were sufficient, were confirmed by the proprietaries, were reënacted in 1715, and were valid in North Carolina for more than half a century.<sup>1</sup>

CHAP.  
XIII.

1670

Hardly had these few laws been established, when the new constitution was forwarded to Albemarle, and the governor was doomed to repeated fruitless attempts at its introduction. The nature of the people rendered its introduction impossible; and its promulgation did but favor anarchy by invalidating the existing system, which it could not replace. The proprietaries, contrary to stipulations with the colonists, superseded the existing government; and the colonists resolutely rejected the substitute.

1670  
to  
1674.

Far different was the welcome with which the people of North Carolina met the first messengers of religion. From the commencement of the settlement, there seems not to have been a minister in the land; there was no public worship but such as burst from the hearts of the people themselves, if at times natural feeling took the form of words, and the planters hailed Heaven as they went forth to the tasks of the morning. But man is by nature prone to religious impressions; and when at last William Edmundson came to visit his Quaker brethren among the groves of Albemarle, "he met with a tender people;"<sup>2</sup> delivered his doctrine "in the authority of truth," and made converts to the society of Friends. A quarterly meeting of discipline was established; and the society, of which opposition to spiritual authority is the badge, was the first to organize a religious government in Carolina.<sup>3</sup>

1672

<sup>1</sup> Martin, i. 146.  
VOL. II.

<sup>2</sup> Fox's Journal, 453  
20

<sup>3</sup> Martin, i. 155, 156.

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XIII.

1672

In the autumn of the same year, George Fox, the father of the sect, the upright man, who could say of himself, "What I am in words, I am the same in life,"<sup>1</sup> travelled across "the great bogs," of the Dismal Swamp, commonly "laying abroad anights in the woods by a fire," till at last he reached a house in Carolina, and obtained the luxury of a mat by the fireside. Carolina had ever been the refuge of Quakers and "renegadoes"<sup>2</sup> from ecclesiastical oppression; and Fox was welcomed to their safe asylum. The people "lived lonely in the woods," with no other guardian to their solitary houses than a watch-dog. There have been religious communities, which, binding themselves by a vow to a life of study and reflection, have planted their monasteries in the solitudes of the desert, on the place where they might best lift up their hearts to contemplative enjoyments. Here was a colony of men from civilized life, scattered among the forests, hermits with wives and children, resting on the bosom of nature, in perfect harmony with the wilderness of their gentle clime. With absolute freedom of conscience, benevolent reason was the simple rule of their conduct. Such was the people to whom George Fox explained the beautiful truth that gives vitality to his sect, "opening many things concerning the light and spirit of God that is in every one," without distinction of education or race. He became the guest of the governor of the province, who, with his wife, "received him lovingly." The plantations of that day were upon the bay, and along the streams that flow into it: the rivers and the inlets were the highways of Carolina; the boat and the lighter birchen skiff the only

<sup>1</sup> Fox, 345.

<sup>2</sup> Lord Culpepper, in Chalmers, 356.

equipage; every man knew how to handle the oar; and there was hardly a woman in the land but could paddle a canoe.<sup>1</sup> As Fox continued his journey, the governor, having been admonished to listen to the voice of truth in the oracles of nature, accompanied him to the water's edge; and, as the chief magistrate of North Carolina and the envoy of humanity travelled together on foot through the ancient woods, it might indeed have seemed, far more than in the companionship of Shaftesbury and Locke, that the days of the legislation of philosophy were about to be revived. For in the character of his wisdom, in the method of its acquisition by deep feeling, reflection, and travel, and in its fruits, George Fox far more nearly resembled the simplicity of the ancient sages, the peers of Thales and Solon, whom common fame has immortalized. From the house of the governor the traveller continued his journey to the residence of "Joseph Scot, one of the representatives of the country," where he had "a sound and precious meeting" with the people. His eloquence reached their hearts, for he did but assert the paramount value of the impulses and feelings which had guided them in the wilderness. George Fox "had a sense of all conditions;" for "how else could he have spoken to all conditions?"<sup>2</sup> At another meeting, "the chief secretary of the province," who "had been formerly convinced," was present; and Fox became his guest, yet not without "much ado;" for, as the boat approached his plantation, it grounded in the shallow channel, and could not be brought to shore. But a little skiff shot promptly to the traveller's

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 1672

<sup>1</sup> Comp. Lawson, 84. So, too, Brckell's Natural Hist. of N. C. p. 33. <sup>2</sup> Fox, 65. The visit to Carolina, at pp. 458, &c. Philadelphia stereotype edition.

CHAP. relief; the wife of the secretary of state came herself  
XIII. in a canoe, and brought him to her hospitable home.

1672 As Fox turned again towards Virginia, he could say that he had found the people of North Carolina "generally tender and open;" and that he had made among them "a little entrance for truth." If the introduction of the constitutions of Locke had before been difficult, it was now become impossible.

While it was thus practically uncertain what was  
1674. the government of North Carolina, the country was left without a governor by the death of Stevens. The assembly, conforming to a prudent instruction of the proprietaries, elected a successor; and Cartwright, their speaker, acted for two years at the head of the  
1674 administration. But the difficulty of introducing the  
to  
1676. model did not diminish; and, having failed to preserve order, Cartwright resolved to lay the state of the country before the proprietaries, and embarked for England. At the same time, the representatives of  
1676. Albemarle sent Eastchurch, the new speaker of their assembly, to explain their grievances.

It marks, in some measure, a good disposition in the proprietaries, that they selected Eastchurch, the messenger from the colony, to be its governor; but Miller, whom the colonists had formerly driven into Virginia, was at the same time appointed secretary of the province and collector of the customs; and the constitutions and act of navigation could never be acceptable.

There was little direct commerce between Albemarle and England; the new officers embarked for Carolina by way of the West Indies, where Eastchurch remained for a season; while Miller proceeded to the  
1677. province, in which he was now to hold the triple office  
July of president or governor, secretary, and collector.



The government had for about a year been left in what royalists called "ill order and worse hands;"<sup>1</sup> that is, it had been a government of the people themselves, favoring popular liberty, even to the protection of the friends of colonial independence. The suppression of a fierce insurrection of the people of Virginia, had been followed by the vindictive fury of ruthless punishments; and "runaways, rogues, and rebels," that is to say, fugitives from arbitrary tribunals, non-conformists, and friends to popular liberty, "fled daily to Carolina, as their common subterfuge and lurking-place." Did letters from the government of Virginia demand the surrender of leaders in the rebellion, Carolina refused to betray the fugitives who sought shelter in her forests.<sup>2</sup>

The presence of such emigrants made oppression more difficult than ever; but here, as throughout the colonies, the navigation acts were the cause for greater restlessness and more permanent discontent. And never did national avarice exhibit itself more meanly than in the relations of English legislation to North Carolina. The whole state hardly contained four thousand inhabitants; <sup>3</sup> a few fat cattle, a little maize, and eight hundred hogsheads of tobacco, formed all their exports; their humble commerce had attracted none but small vessels from New England; and the mariners of Boston, guiding their vessels through the narrow entrances of the bay, brought to the doors of the scattered planters the few foreign articles which

<sup>1</sup> Proprietaries, in Williamson, i. 262.

<sup>2</sup> Berry and Morrison, in Burk's Virginia, ii. 259. Martin, i. 166, interprets runaways to mean negroes. The whole tenor of the document

and the context hardly favors his interpretation; runaways seem to have been fugitives from what the royalists called justice.

<sup>3</sup> Chalmers, 533. The accounts of the population are contradictory.

CHAP. XIII.  
 1677. the exchange of their produce could purchase. And yet this inconsiderable traffic, so little alluring, but so convenient to the colonists, was envied by the English merchant; the law of 1672 was now to be enforced; the traders of Boston were to be crowded from the market by an unreasonable duty; and the planters to send their harvests to England as they could.<sup>1</sup>

How unwelcome, then, must have been the presence of Miller, who levied the hateful tribute of a penny on every pound of tobacco exported to New England! A jealousy of the northern colonies was also fostered; "they cannot," it was urged,<sup>2</sup> "be friends to the prosperity of Carolina, which will certainly in time render them inconsiderable." But the antiquated prejudices of Europe were not to gain entrance beyond the Atlantic; and never did one American colony repine at the increase of another. The traffic with Boston continued, though burdened with a tax which produced an annual revenue of twelve thousand dollars—an enormous burden for the petty commerce and the few inhabitants of that day. Nor was this all; the traders were exposed to so much violence and harshness from Miller, that they were with difficulty persuaded not to abandon the country.

The planters of Albemarle were men who had been led to the choice of their residence from a hatred of restraint, and had lost themselves among the woods in search of independence. Are there any who doubt man's capacity for self-government, let them study the history of North Carolina; its inhabitants were restless and turbulent in their imperfect submission to a government imposed on them from abroad; the administration of the colony was firm, humane, and tranquil

<sup>1</sup> Martin, i. 167.

<sup>2</sup> Chalmers, 534.

when they were left to take care of themselves. Any government but one of their own institution was oppressive.

CHAP  
XIII.  
1678

The attempt at enforcing the navigation acts hastened an insurrection, which was fostered by the refugees from Virginia and the New England men; and which, having been the effect of deliberate contrivance,<sup>1</sup> was justified by the first American manifesto. It became the disciples of George Fox and the people of Carolina to act in harmony with their consciences, and to publish to the world the motives to their conduct. Excessive taxation, an abridgment of political liberty by the change in the form of government, with the "denial of a free election of an assembly," and the unwise interruption of the natural channels of commerce, were the threefold grievances of the colony. The leader in the insurrection was John Culpepper, one of those "very ill men" who loved popular liberty, and whom the royalists of that day denounced as having merited "hanging, for endeavoring to set the poor people to plunder the rich."<sup>2</sup> One of the counsellors joined in the rebellion;<sup>3</sup> the rest, with Miller, were imprisoned; "that thereby the country may have a free parliament, and may send home their grievances."<sup>4</sup> The events that followed prove the sincerity of this plea; for North Carolina was much infected with that passion for representative government, which was the epidemic of America. Having deposed and imprisoned the president and the deputies of the proprietaries and set at nought the acts of parliament, the

<sup>1</sup> Papers in Williamson, i. 265.

<sup>2</sup> Williamson, i. 263.

<sup>3</sup> Ibid. 266.

<sup>4</sup> Manifesto. "The president hath denied a free election of an

assembly." This, Williamson, i. 134, classes among weak and flimsy arguments. Why should an apologist for Bacon clamor against Culpepper?

CHAP. XIII.  
 1678. people recovered from anarchy, tranquilly organized a government, and established courts of justice. The insurrection was a deliberate rising of the people against the pretensions of the proprietaries and the laws of navigation; the uneducated population of that day formed conclusions as just as those which a century later pervaded the country. Eastchurch arrived in Virginia; but his commission and authority were derided; and he himself was kept out by force of arms;<sup>1</sup> while the insurgents, among whom was George Durant, the oldest landholder in Albemarle, 1679. having completed their institutions, sent Culpepper and another to England to negotiate a compromise. It proves in Culpepper a conviction of his own rectitude, that he did not hesitate to accept the trust.

But the late president and his fellow-sufferers, having escaped from confinement in Carolina, appeared also in England with adverse complaints. To a struggle between the planters and the proprietaries, the English public had been indifferent; but Miller presented himself as the champion of the navigation acts, and enlisted in his favor the jealous anger of the mercantile cities. Culpepper, just as he was embarking for America, was taken into custody, and his interference with the collecting of duties, which he was charged with embezzling, and which there is no reason to believe he had applied to other than public purposes, stimulated a prosecution; while his opposition to the proprietaries was held to justify an indictment for an act of high treason, committed without the realm.

A statute of Henry VIII.<sup>2</sup> was the authority for arraigning a colonist before an English jury—an act of

<sup>1</sup> Williamson, i. 264.

<sup>2</sup> 35 Henry VIII. c. 2.

tyranny against which Culpepper vainly protested, claiming "to be tried in Carolina, where the offence was committed."—"Let no favor be shown him,"<sup>1</sup> said Lauderdale and the lords of the plantations. But when he was brought up for trial, Shaftesbury, who at that time was in the zenith of popularity, courted every form of popular influence, and, with clear sagacity, penetrated the injustice of the accusation, appeared in his defence, and procured his acquittal.<sup>2</sup> Thus was the insurrection in Carolina excused by the verdict of an English jury.

CHAP  
XIII.1680  
June.

But how should the proprietaries establish their authority in the plantations? Should they send an armed force to hunt the planters from their houses? The proprietaries had for the motive of their conduct the love of gain; and a violent government would have been too costly and unproductive an enterprise. Avarice, therefore, compelled moderation; and a compromise was offered. But a compromise was the confession of weakness. It was a natural expedient to send one of the proprietaries themselves to look after the interests of the company; and Seth Sothel, who had purchased the rights of Lord Clarendon, was selected for the purpose. But Sothel, on his voyage, was taken captive by the Algerines.

1679  
1680

Meantime, the temporary government of Carolina, under Harvey, Jenkins, and Wilkinson, had been

1679  
to  
1682

<sup>1</sup> Report in Williamson, i. 266.

<sup>2</sup> Chalmers, 537, and documents. Martin, i. 170, 171. Williamson, i. 133. Chalmers, with great consistency, condemned Culpepper, just as he condemned Bacon and Jefferson, Hancock and John Adams. But Williamson has allowed himself to be confused by the judgments of royalists, and, vol. i. p.

135, calls the fathers of North Carolina a set of "rioters and robbers." Shaftesbury and the English jury were more just than the historian. The fact that George Durant, one of the earliest settlers, was concerned in the insurrection, identifies it with the genuine people, the old inhabitants of Carolina.

- CHAP. XIII.  
 1680. abandoned, or intrusted by the proprietaries to the friends of the insurgents. I find the name of Robert Holden,<sup>1</sup> Culpepper's associate and colleague, as receiver-general, while "the traitor, George Durant,"<sup>2</sup> quietly discharged the duty of a judge. "Settle order amongst yourselves,"<sup>3</sup> wrote the proprietaries; and order had already been settled by the wise moderation of the government.<sup>4</sup> Would the disciples of Fox subscribe to the authority of the proprietaries? "Yes," they replied, "with heart and hand, to the best of our capacities and understandings, so far as is consonant with God's glory and the advancement of his blessed truth;"<sup>5</sup> and the restricted promise was accepted. An act of amnesty, on easy conditions, was adopted; but the feeling of personal independence, and the very nature of life in the New World, were firmer guaranties of security than all promises of pardon.

It is said that the popular administration did not wholly refrain from persecuting the few royalists in the province;<sup>6</sup> but, if complaints were made, no act of injustice appears to have required the

<sup>1</sup> MSS. communicated to me by D. L. Swain.

<sup>2</sup> Same manuscripts.

<sup>3</sup> Chalmers, 539.

<sup>4</sup> I narrowly escaped being deceived by the passage in Martin, i. 173. "President Harvey, whom he (Wilkinson) relieved," &c. How could a man write so carelessly and so positively? Harvey was president but a few months; and "those implicated in the late revolt" were the dominant party. It is not history which is treacherous, but hasty writers, who are credulous and careless. I was saved from trusting Martin by Williamson, i. 137, who speaks of John Jenkins as governor; and still more by MSS. liberally furnished me by the

late governor of North Carolina. Harvey had ceased to be governor in June, 1680.

<sup>5</sup> MSS. from D. L. Swain, copied from the records of Berkley Precinct.

<sup>6</sup> The passage in Chalmers, 539, nearly resembles many similar ones in his volume. His account, in all cases of the kind, must be received with great hesitancy. The coloring is always wrong; the facts usually perverted. He writes like a lawyer and a disappointed politician; not like a calm inquirer. His statements are copied by Graham, obscured by Martin, and, strange to say, exaggerated by Williamson i. 138.

rebuke of the proprietaries, or the censure of the sove- CHAP  
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reign. It is certain, that Sothel, on reaching the 1683  
colony, found tranquillity established. The counties  
were quiet and well regulated, because not subjected  
to a foreign sway; the planters, in peaceful independ-  
ence, enjoyed the good will of the wilderness. Sothel  
arrived, and the scene was changed.

Sothel was of the same class of governors with  
Cranfield of New Hampshire. He was one of the  
eight proprietaries, and had accepted the government  
in the hope of acquiring a fortune. From among  
many as infamous as himself, historians have selected  
him as the most infamous.<sup>1</sup> Many colonial governors  
displayed rapacity and extortion towards the people;  
Sothel cheated his proprietary associates, as well as 1683  
plundered the colonists. To the colonists he could not to  
1688  
be acceptable, for it was his duty to establish the con-  
stitutions, and enforce the navigation acts. To intro-  
duce the constitutions was impossible, unless for one  
who could transform a log cabin into a baronial castle,  
a negro slave into a herd of leet-men. And how  
could one man, without soldiers, and without a vessel  
of war, enforce the navigation acts? Having neither  
the views nor the qualities of a statesman, Sothel had  
no higher purpose than to satiate his sordid passions;  
and, like so many others, employed his power to  
gratify his covetousness, by exacting unjust fees, or by  
engrossing traffic with the Indians. His object was  
money; he valued his office as the means of gaining  
it. That the charges against him are vague, extending  
in no case to loss of life, or to any specific act of cru-

<sup>1</sup> Chalmers, 539. All are agreed in the sordid worthlessness of Sothel. But Williamson, i. 270, must be compared with Williamson, i. 209, 210, where an accuser of Sothel is himself proved before a jury to have been "a cheating rogue."

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1688 elty, seems to prove that his avarice was not singularly exorbitant. Had he done much more than practise the usual arts of exaction with which nearly every royal province was becoming familiar? But the people of North Carolina, already experienced in rebellion, having borne with him about five years, at length deposed him without bloodshed, and appealed once more to the proprietaries. It is conclusive proof that Sothel had committed no acts of wanton wickedness, that he preferred a request to submit his case to an assembly, fearing the colonists, whom he had pillaged, less than the men whom he had betrayed. His request was granted, and the colony condemned him to a twelve months' exile, and a perpetual incapacity for the government.<sup>1</sup>

Here was a double grief to the proprietaries; the rapacity of Sothel was a breach of trust; the judgment of the assembly an ominous usurpation. The planters of North Carolina recovered tranquillity so soon as they escaped the misrule from abroad; and, sure of amnesty, esteemed themselves the happiest people on earth. They loved the pure air and clear skies of their "summer land."<sup>2</sup> True, there was no fixed minister in the land till 1703;<sup>3</sup> no church erected till 1705; no separate building for a court-house till 1722; no printing-press till 1754.<sup>4</sup> Careless of religious sects, or colleges, or lawyers, or absolute laws, the early settlers enjoyed liberty of conscience and personal independence; freedom of the forest and of the river. The children of nature listened to the inspirations of nature. From almost every plantation they enjoyed a

<sup>1</sup> Compare Chalmers, 539, 540. Williamson, i. 136—141; Martin, i. 176, 186.—Hewat, i. 103, 104, writes confusedly.

<sup>2</sup> Lawson, 63, 80.

<sup>3</sup> Martin, i. 218, 219.

<sup>4</sup> Thomas's History of Printing, ii. 150



noble prospect of spacious rivers, of pleasant meadows, enamelled with flowers; of primeval forests, where the loftiest branches of the tulip-tree or the magnolia were wrapped in jasmines and honeysuckles. For them the wild bee stored its honey in hollow trees; for them unnumbered swine fattened on the fruits of the forest or the heaps of peaches; for them, in spite of their careless lives and imperfect husbandry, cattle multiplied on the pleasant savannahs; and they desired no greater happiness than they enjoyed.<sup>1</sup> What though Europe was rocked to its centre by commotions? What though England was changing its constitution? Should the planter of Albemarle trouble himself for Holland or France? for James II. or William of Orange? for a popish party or a high church party? Almost all the American colonies were chiefly settled by those to whom the uniformities of European life were intolerable; North Carolina was settled by the freest of the free; by men to whom the restraints of other colonies were too severe; they were not so much caged in the woods as scattered in lonely granges. There was neither city nor township; there was hardly even a hamlet, or one house within sight of another; nor were there roads, except as the paths from house to house were distinguished by notches in the trees.<sup>2</sup> But the settlers were gentle in their tempers, of serene minds, enemies to violence and bloodshed. Not all the successive revolutions had kindled vindictive passions; freedom, entire freedom, was enjoyed without anxiety as without guaranties; the charities of life were scattered at their feet, like the flowers on their meadows; and the spirit of humanity

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XIII.<sup>1</sup> Brickell, 32, 46, 91, 154, 256, 259.<sup>2</sup> Brickell, 262, 263.

CHAP. XIII. maintained its influence in the Arcadia, as royalist writers will have it, "of rogues and rebels," in the paradise of Quakers.

Of South Carolina, the first settlement was founded by the proprietaries, and resembled in its origin an investment of capital by a company of land-jobbers, who furnished the emigrants with the means of embarking for America, established on its shores their own commercial agent, and undertook for themselves the management of all commercial transactions. But success attended neither the government which they instituted, nor the industry which they fostered. Self-government, in private labors and in public administration, alone possesses the elasticity which can have due reference to the materials of society, and adapt itself to every emergency and condition. South Carolina was a scene of turbulence till the constitutions were abandoned; and industry was unproductive till the colonists despised patronage and relied on themselves.

1670. It was in January, 1670, more than a month before  
Jan. the revised Model was signed, a considerable number of emigrants set sail for Carolina, which, both from climate and soil, was celebrated in advance as "the beauty and envy of North America."<sup>1</sup> They were conducted by Joseph West, as commercial agent for the proprietaries, and by William Sayle, who was probably a Presbyterian, and having more than twenty years before made himself known as leader in an attempt to plant an "Eleutheria" in the isles of the Gulf of Florida, was now constituted a proprietary governor, with jurisdiction extending as far north as Cape Carteret, as far south as the Spaniards would tolerate.

<sup>1</sup> Talbot, in dedication of Lederer.

Having touched at Ireland and Barbadoes,<sup>1</sup> the ships which bore the company entered the well-known waters where the fleet of Ribault had anchored, and examined the site where the Huguenots had engraved the lilies of France, and erected the fortress of Carolina.<sup>2</sup> But the vicinity of Beaufort was not destined to harbor the first colony of the English; the emigrants, after short delay,<sup>3</sup> sailed into Ashley River, and on "the first high land," in a spot that seemed "convenient for tillage and pasturing," the three<sup>4</sup> ship-loads of emigrants, who as yet formed the whole people of South Carolina, selected their resting-place, and began their first town. Of this town not a vestige remains, except the line of a moat, which served as a defence against Indians. Every log-house has vanished, and the site is absorbed in a plantation.<sup>5</sup> Yet, few as were the settlers, who had come to take possession of the vast hunting-grounds of the natives, no immediate danger was apprehended; epidemic sickness and sanguinary wars had swept away the ancient tribes, and left the neighboring coasts almost a desert.<sup>6</sup>

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1670

An historian of South Carolina<sup>7</sup> has related, that the

<sup>1</sup> Chalmers, 529, says Barbadoes; and not inadvertently. Dalcho, *Hist. of Prot. Ep. Church in S. C.*, p. 9, shows that Sayle was at Bermuda. Dalcho is very useful for the early history of S. C., and is more scrupulous than Ramsay.

<sup>2</sup> Ramsay, i. 34 and 2.

<sup>3</sup> Ramsay says, i. 2, in 1671. He is in error. See Dalcho, 9. See, also, Dalcho, p. 10, where it appears that, May 1, 1671, it was known in England that the colony had planted on Ashley River. There is no evidence that the ships did more than sail into the harbor of Port Royal,

and, after a survey, sail out again. Chalmers, 530, favors the error into which Ramsay subsequently fell. Wilson, in his *Carolina*, p. 7, says nothing of Port Royal. "Ashley River first settled in 1670."

<sup>4</sup> Wilson's *Carolina*, 7.

<sup>5</sup> Drayton's *S. Carolina*, 200.

<sup>6</sup> Archdale's *Carolina*, 2. I am indebted to P. Ravenel, of Charleston, a descendant of the Huguenots, for this work, and other valuable materials.

<sup>7</sup> Ramsay, i. 34, 35. The error is clearly refuted in Dalcho, 11 and 16. *Comp. Chalmers*, 529.

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 1670. emigrants at first submitted to "a species of military government." This is error. The emigrants had hardly landed, before they instituted a government on the basis of liberty. A true copy of the original fundamental constitutions had been furnished them; but it was indeed impossible "to execute the grand model." As easily might trees have been turned into cathedrals, or castles, at a word, erected in those solitary groves on the savannahs, that resembled the parks in England; <sup>1</sup> the laws of the moral world are unyielding. A parliamentary convention was held; five members of the grand council were elected to act with five whom the proprietaries had appointed; the whole body possessed a veto on the executive; and, with the governor and twenty delegates, who were now elected by the people, constituted the legislature of the province. Representative government was established and continued to be cherished. In 1672, all previous parliaments and parliamentary conventions were dissolved; for the colonists, now rapidly increasing, demanded "a new parliament." Such was the government which South Carolina instituted for herself; it did not deem it possible to conform more closely to the constitutions. But the proprietaries indulged the vision of realizing their introduction. John Locke, with Sir John Yeamans and James Carteret, was  
 1671. created a landgrave; and the revised copy of the Model was sent over, with a set of rules and instructions. But Shaftesbury misjudged; there was already a people in South Carolina; and if the aristocratic council acknowledged the validity of the constitutions, they were firmly resisted by the popular representatives. Thus the organization of the commonwealth

1672.  
 April  
 19.

<sup>1</sup> Wilson's Carolina. 11

contained a political feud, and led to the party of the proprietaries and the party of the people; religious divisions combining with political feuds, the friends of the High Church, always a minority, favored the former, while all classes of dissenters united with the latter.

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Every early settlement is necessarily attended with great privations; the planting of Carolina did not encounter unusual hardships. The enterprising mind of Shaftesbury applied itself with zeal wherever he was interested; and, though the colony was at one moment so disheartened as to meditate desertion, the timely arrival of supplies scattered the clouds of despondency.<sup>1</sup> The Indians, though few, were unfriendly; and it was with arms at hand that the emigrants gathered oysters, or swept the rivers, or toiled at building. The labors of agriculture in the sultry clime were appalling to Englishmen; neither did the culture of European grains promise to be successful; but extreme distress did not ensue; and the proprietaries showed no intention of abandoning their plantation.

The first site for a town had been chosen without regard to commerce. The point between the two rivers, to which the names of Shaftesbury<sup>2</sup> were given, soon attracted attention; those who had purchased grants there, desirous of obtaining neighbors, willingly offered to surrender one half of their land as "commons of pasture." The offer was in part refused; but the neck of land then called Oyster Point, soon to become a village named from the reigning king, and, after more than a century, incorporated as the city of

<sup>1</sup> Hewat, i. 52.

<sup>2</sup> Wilson's Carolina, 7.

na, by T. A., 1682, p. 37. "Shaftesbury a great patron to Carolina."

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Charleston, immediately gained a few inhabitants; and on the spot where opulence now crowds the wharfs of the most prosperous mart on our southern seaboard, among ancient groves that swept down to the rivers' banks, and were covered with the yellow jasmine, which burdened the vernal zephyrs with its perfumes, the cabins of graziers began the city. Long afterwards, the splendid vegetation which environs Charleston, especially the pine, and cedar, and cypress trees along the broad road which is now Meeting street, delighted the observer by its perpetual verdure.<sup>1</sup> The settlement, though for some years it struggled against an unhealthy climate,<sup>2</sup> steadily increased; and to its influence is in some degree to be attributed the love of letters, and that desire of institutions for education, for which South Carolina was afterwards distinguished.

The institutions of Carolina were still further modified by the character of the emigration that began to throng to her soil.

1671. The proprietaries continued to send emigrants, who were tempted by the offer of land<sup>3</sup> at an easy quitrent. One hundred and fifty acres were granted for "every able man-servant, negroes as well as Christians."
1671. From Barbadoes arrived Sir John Yeamans, with African slaves.<sup>4</sup> Thus the institution of negro slavery is coëval with the first plantations on Ashley River. Of the original thirteen states, South Carolina alone was from its cradle essentially a planting state with slave labor. In Maryland, in Virginia, the custom of employing indented servants long prevailed; and the class of white laborers was always numerous; for no

<sup>1</sup> Dalcho, 15—20. Archdale.

<sup>2</sup> Ramsay, ii. 70. Chalmers,

541.

<sup>3</sup> Chalmers, 529. Dalcho, 19.

<sup>4</sup> Dalcho, 13. Hewat, i. 53

where in the United States is the climate more favorable to the Anglo-Saxon laborer than in Virginia. It was from the first observed that the climate of South Carolina was more congenial to the African than that "of the more northern colonies;"<sup>1</sup> and at once it became the great object of the emigrant "to buy negro slaves, without which," adds Wilson, "a planter can never do any great matter."<sup>2</sup> Every one of the colonies received slaves from Africa within its borders; the Dutch merchants, who engaged in planting New York, were largely interested in the slave trade, and covenanted to furnish emigrants to that colony with all the negroes they might desire; but the stern severity of the climate in some measure defeated the purpose. In South Carolina, the labor of felling the forests, of tilling the soil, was avoided by the white man; climate favored the purposes of commercial avarice; and the negro race was multiplied so rapidly by importations, that in a few years, we are told, the blacks were to the whites in the proportion of twenty-two to twelve;<sup>3</sup> a proportion that had no parallel north of the West Indies.

The changes that were taking place on the banks of the Hudson, had excited discontent; the rumor of wealth to be derived from the fertility of the south, cherished the desire of emigration; and almost within a year from the arrival of the first fleet in Ashley River, two ships came with Dutch emigrants from New York, and were subsequently followed by others of their countrymen from Holland.<sup>4</sup>

<sup>1</sup> Wilson's Carolina, 15.

<sup>2</sup> Ibid. 17.

<sup>3</sup> Letter from South Carolina, by a Swiss gentleman, p. 40.

<sup>4</sup> Hewat, i. 73. More definite, Daleho, p. 12. Ramsay, i. 4, errs in his date. The voyage was in 1671, not in 1674

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Imagination already regarded Carolina as the chosen spot for the culture of the olive; and, in the region where flowers bloom every month in the year, forests of orange-trees were to supplant the groves of cedar; silkworms to be fed from plantations of mulberries; and choicest wines to be ripened under the genial influences of a nearly tropical sun. For this end Charles II., with an almost solitary instance of munificence towards a colony, provided at his own expense two small vessels, to transport to Carolina a few foreign Protestants, who might there domesticate the productions of the south of Europe.<sup>1</sup>

1679.  
April.

From England, also, emigrations were considerable. The character of the proprietaries was a sufficient invitation to the impoverished Cavalier; and the unfortunate of the church of England could look to the shores of Carolina as the refuge where they were assured of favor. Even Shaftesbury, when he was committed to the Tower, desired leave to expatriate himself, and become an inhabitant of Carolina.<sup>2</sup>

1670.  
to  
1688.1681.  
July.

Nor did churchmen alone emigrate. The condition of dissenters in England was no longer a state of security or liberty; and the promise of equal immunities tempted many of them beyond the Atlantic, to colonies where their worship was tolerated, and their civil rights asserted. Of these, many were attracted to the glowing clime of Carolina, carrying with them intelligence, industry, and sobriety. A contemporary historian commemorates with singular praise the company of dissenters from Somersetshire, who were conducted to Charlestown by Joseph Blake, brother to the gallant admiral, so celebrated for naval genius and

1683.

<sup>1</sup> Chalmers, 541. Ramsay, ii. 5.

<sup>2</sup> Lingard's England, xiii. c. vii

Carolina, by T. A. p. 8, 9.



love of country. Blake was already advanced in life ; but he could not endure the present miseries of oppression, and feared still greater evils from a popish successor ;<sup>1</sup> and he devoted to the advancement of emigration all the fortune which he had inherited as the fruits of his brother's victories. Thus the plunder of the wealth of New Spain assisted to people Carolina.

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A colony of Irish, under Ferguson, were lured by the fame of the fertility of the south, and were received with so hearty a welcome, that they were soon merged among the other colonists.<sup>2</sup>

The condition of Scotland, also, compelled its inhabitants to seek peace by abandoning their native country. Just after the death of Shaftesbury, a scheme, which had been concerted during the tyranny of Lauderdale, was revived. Thirty-six noblemen and gentlemen had entered into an association for planting a colony in the New World ; their agents had contracted with the patentees of South Carolina for a large district of land, where Scottish exiles for religion might enjoy freedom of faith and a government of their own.<sup>3</sup> Yet the design was never completely executed. A gleam of hope of a successful revolution in England, led to a conspiracy for the elevation of Monmouth. The conspiracy was matured in London, under pretence of favoring emigration to America ; and its ill success involved its authors in danger, and brought Russell and Sydney to the scaffold. It was, therefore, with but a small colony, that the Presbyterian Lord Cardross, many of whose friends had suffered imprisonment, the rack, and death itself, and who had him-

1683

1684.

<sup>1</sup> Oldmixon, i. 337, 338, and 341. Oldmixon is here good authority. Comp. Hewat, i. 89.

<sup>2</sup> Chalmers, 543.

<sup>3</sup> Wodrow, ii. 230. Laing, iv. 133.

CHAP. self been persecuted under Lauderdale,<sup>1</sup> set sail for  
 XIII. Carolina. But even there the ten families of outcasts  
 1684. found no peace. They planted themselves at Port  
 Royal;<sup>2</sup> the colony of Ashley River claimed over them  
 a jurisdiction which was reluctantly conceded. Car-  
 dross returned to Europe, to render service in the  
 approaching revolution; and the Spaniards, taking  
 umbrage at a plantation established on ground which  
 they claimed as a dependency of St. Augustine,  
 1686. invaded the frontier settlement, and laid it entirely  
 waste. Of the unhappy emigrants, some returned to  
 Scotland; some mingled with the earlier planters of  
 Carolina.<sup>3</sup>

More than a hundred years had elapsed since Coligny, with the sanction of the French monarch, had selected the southern regions of the United States as the residence of Huguenots. The realization of that design, in defiance of the Bourbons, is the most remarkable incident in the early history of South Carolina, and was the result of a persecution, which not only gave a great addition to the intelligence and moral worth of the American colonies, but, for Europe, hastened the revolution in the institutions of the age.

John Calvin, by birth a Frenchman, was to France the apostle of the reformation; but his faith had ever been feared as the creed of republicanism; his party had been pursued as the sect of rebellion; and it was only by force of arms, that the Huguenots had obtained a conditional toleration. Even the edict of Nantz placed their security, not on the acknowledgment of the permanent principle of legislative justice,

<sup>1</sup> Laing iv. 72.

<sup>2</sup> Ramsay says, in 1682.

<sup>3</sup> Archdale, 14. Hewat, i. 89.

Chalmers, 547, 548. Ramsay i.  
127. Laing, iv. 187

but on a compromise between contending parties. It was but a confirmation of privileges which had been extorted from the predecessors of Henry IV. And yet it was the harbinger of religious peace; so long as the edict of Nantz was honestly respected, the Huguenots of Languedoc were as tranquil as the Lutherans of Alsace. But their tranquillity invited from their enemies a renewal of attacks; no longer a powerful faction, they were oppressed with rigor; having ceased to be feared, they were exposed to persecution.

When Louis XIV. approached the borders of age, he was troubled by remorse; the weakness of superstition succeeded to the weakness of indulgence; and the flatteries of bigots, artfully employed for their own selfish purposes, led the vanity of the monarch to seek, in making proselytes to the church, a new method of gaining glory, and an atonement for the voluptuous profligacy of his life. Louis was not naturally cruel, but was an easy dupe of those in whom he most confided—of priests, and of a woman. The daughter of an adventurer,—for nearly ten years of childhood a resident in the West Indies, educated a Calvinist, but early converted to the Roman faith,—Madame de Maintenon, had, in the house of a burlesque poet, learned the art of conversation, and, in the intimate society of Ninon de l'Enclos, had studied the mysteries of the passions. Of a clear and penetrating mind, of a calculating judgment, which her calm imagination could not lead astray, she never forgot her self-possession in a generous transport, and was never mastered even by the passions which she sought to gratify. Already advanced in life when she began to attract the attention of the king, whose character she profoundly understood, she sought to inthrall his mind by

CHAP. XIII. the influences of religion ; and, becoming herself devout or feigning to be so, always modest and discreet, she knew how to awaken in him compunctions which she alone could tranquillize, and subjected his mind to her sway by substituting the sentiment of devotion for the passion of love. The conversion of the Huguenots was to excuse the sins of his earlier years. They, like herself, were to become reconciled to the church ; yet not by methods of violence. Creeds were to melt away in the sunshine of favor, and proselytes to be won by appeals to interest.

Huguenots were, therefore, to be employed no longer in public office ; they were, as far as possible, excluded from the guilds of tradesmen and mechanics ; and a Calvinist might not marry a Roman Catholic wife. Direct bribery was also employed ; converts were purchased ; and, as it seemed not unreasonable that, where money is paid, a bargain should be fulfilled, severe laws punished a relapse.

The multitude may always defend itself against the pride of any one, by claiming for itself a collective wisdom superior to that of the wisest individual. The same is true of the moral qualities ; there exists in the many a force of will which no violence can break, a firmness of conviction which no bribery can undermine. The first methods of conversion were fruitless. Strange human nature ! In men who had taken a bribe for conversion, there often remained a principle strong enough to sustain them in returning to their first opinions, and in suffering for them.

Proselytism next invaded the most sacred rights of human nature, and children of seven years old were invited to abjure the faith of their fathers. The Hu-

guenots began to emigrate; for their industry and skill made them welcome in every Protestant country; and Louis, desiring to convert, not to expel, his subjects, forbade emigration, under penalty of the galleys. The ministers of the Calvinists were now tormented; their chapels were arbitrarily razed; their funds for charitable purposes confiscated; their schools shut up; their civil officers disfranchised. Did cruel oppression produce disobedience? The rack and the wheel gave to Huguenots their martyrs.

At court, the triumph of the widow of Scarron, aided by the confessors, seemed complete; but Louvois, the ambitious minister of war, could not brook this superior influence; and, since the conversion of Huguenots was the path to the monarch's favor, he resolved to enlist the military resources of France in the service, and to "dragoon" the Calvinists into a reverence for the church. Instead of missionaries, soldiers were now sent into Calvinistic districts, to be quartered in Protestant families, and to torment them into conversion. Meantime, emigration was a felony, and the frontiers were carefully guarded to prevent it. The hounds were let loose on game shut up in a close park. Here was an invention which multiplied tyranny indefinitely, and lodged its lustful and ferocious passions under every roof, within the secret recesses of every family.

At length, the edict of Nantz was formally revoked. Calvinists might no longer preach in churches or in the ruins of churches; all public worship was forbidden them; and the chancellor Le Tellier could shout aloud, "Now, Lord, lettest thou thy servant depart in peace;" even the eloquent Bossuet, in false

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rhetoric that reflects disgrace on his understanding and heart,<sup>1</sup> could declare the total overthrow of heresy; while Louis XIV. believed his glory perfected by an absolute union of all dissenters with the Roman church.

But the extremity of danger inspired even the wavering with courage. What though they were exposed, without defence, to the fury of an unbridled soldiery, whom hatred of heretics had steeled against humanity? Property was exposed to plunder; religious books were burned; children torn from their parents; faithful ministers, who would not abandon their flocks, broken on the wheel. Men were dragged to the altars, to be tortured into a denial of the faith of their fathers; and a relapse was punished with extreme rigor. The approach of death removes the fear of persecution; bigotry invented a new terror; the bodies of those who died rejecting the sacraments, were thrown out to wolves and dogs. The mean-spirited, who changed their religion, were endowed by law with the entire property of their family. The dying father was made to choose between wronging his conscience by apostasy and beggaring his offspring by fidelity. All children were ordered to be taken away from Protestant parents; but that law it was impossible to enforce; nature will assert her rights. It became a study to invent torments, dolorous, but not mortal; to inflict all the pain the human body could endure, and not die. What need of recounting the horrid enormities committed by troops whose commanders had been ordered "to use the utmost rigor towards those who will not adopt the creed of the king?" to push to an

<sup>1</sup> Leurs faux pasteurs, &c. Oraison Fun. de Le Tellier. The insinuation was false.

extremity the vain-glorious fools who delay their conversion to the last?" What need of describing the stripes, the roastings by slow fires, the plunging into wells, the gashes from knives, the wounds from red-hot pincers, and all the cruelties employed by men who were only forbidden not to ravish nor to kill? The loss of lives cannot be computed. How many thousands of men, how many thousands of children and women, perished in the attempt to escape, who can tell? An historian has asserted that ten thousand perished at the stake, or on the gibbet and the wheel.<sup>1</sup>

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But the efforts of tyranny were powerless. Truth enjoys serenely her own immortality; and opinion, which always yields to a clearer conviction, laughs violence to scorn. The unparalleled persecution of vast masses of men for their religious creed, occasioned but a new display of the power of humanity; the Calvinists preserved their faith over the ashes of their churches, and the bodies of their murdered ministers. The power of a brutal soldiery was defied by whole companies of faithful men, that still assembled to sing their psalms; and from the country and the city, from the comfortable homes of wealthy merchants, from the abodes of a humbler peasantry, from the workshops of artisans, hundreds of thousands of men rose up, as with one heart, to bear testimony to the indefeasible, irresistible right to freedom of mind.

Every wise government was eager to offer a refuge to the upright men who would carry to other countries the arts, the skill in manufactures, and the wealth of France. Emigrant Huguenots put a new aspect on the north of Germany, where they constituted towns and sections of cities, introducing manufactures before

<sup>1</sup> Rulhière, *Cœuvres*, v. 221.

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unknown. A suburb of London was filled with French mechanics; the prince of Orange gained entire regiments of soldiers, as brave as those whom Cromwell led to victory; a colony of them reached even the Cape of Good Hope. In our American colonies they were welcome every where. The religious sympathies of New England were awakened; did any arrive in poverty, having barely escaped with life?—the towns of Massachusetts contributed liberally to their support, and provided them with lands. Others repaired to New York; but the warmer climate was more inviting to the exiles of Languedoc, and South Carolina became the chief resort of the Huguenots. What though the attempt to emigrate was by the law of France a felony? In spite of every precaution of the police, five hundred thousand souls escaped from their country. The unfortunate were more wakeful to fly than the ministers of tyranny to restrain.

1685 “We quitted home by night, leaving the soldiers in their beds, and abandoning the house with its furniture,” said Judith, the young wife of Pierre Manigault “We contrived to hide ourselves for ten days at Romans, in Dauphiny, while a search was made for us; but our faithful hostess would not betray us.”—Nor could they escape to the seaboard, except by a circuitous journey through Germany and Holland, and thence to England, in the depths of winter. “Having embarked at London, we were sadly off. The spotted fever appeared on board the vessel, and many died of the disease; among these, our aged mother. We touched at Bermuda, where the vessel was seized. Our money was all spent; with great difficulty we procured a passage in another vessel. After our arrival in Carolina



we suffered every kind of evil. In eighteen months, our eldest brother, unaccustomed to the hard labor which we were obliged to undergo, died of a fever. Since leaving France, we had experienced every kind of affliction—disease, pestilence, famine, poverty, hard labor. I have been for six months, without tasting bread, working the ground like a slave; and I have passed three or four years without having it when I wanted it. And yet," adds the excellent woman, in the spirit of grateful resignation, "God has done great things for us, in enabling us to bear up under so many trials."

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This family was but one of many that found a shelter in Carolina, the general asylum of the Calvinist refugees. Escaping from a land where the profession of their religion was a felony, where their estates were liable to be confiscated in favor of the apostate, where the preaching of their faith was a crime to be expiated on the wheel, where their children might be torn from them, to be subjected to the nearest Catholic relation, —the fugitives from Languedoc on the Mediterranean, from Rochelle, and Saintange, and Bordeaux, the provinces on the Bay of Biscay, from St. Quentin, Poitiers, and the beautiful valley of Tours, from St. Lo and Dieppe, men who had the virtues of the English Puritans, without their bigotry, came to the land to which the tolerant benevolence of Shaftesbury had invited the believer of every creed. From a land that had suffered its king, in wanton bigotry, to drive half a million of its best citizens into exile, they came to the land which was the hospitable refuge of the oppressed; where superstition and fanaticism, infidelity and faith, cold speculation and animated zeal, were alike admitted without question, and where the fires of

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religious persecution were never to be kindled. There they obtained an assignment of lands, and soon had tenements; there they might safely make the woods the scene of their devotions, and join the simple incense of their psalms to the melodies of the winds among the ancient groves. Their church was in Charleston; and thither, on every Lord's day, gathering from their plantations upon the banks of the Cooper, and taking advantage of the ebb and flow of the tide, they might all regularly be seen, the parents with their children, whom no bigot could now wrest from them, making their way in light skiffs, through scenes so tranquil, that silence was broken only by the rippling of oars, and the hum of the flourishing village at the confluence of the rivers.

Other Huguenot emigrants established themselves on the south bank of the Santee, in a region which has since been celebrated for affluence and refined hospitality.

The United States are full of monuments of the emigrations from France. When the struggle for independence arrived, the son of Judith Manigault intrusted the vast fortune he had acquired to the service of the country that had adopted his mother; the hall in Boston, where the eloquence of New England rocked the infant spirit of independence, was the gift of the son of a Huguenot; when the treaty of Paris for the independence of our country was framing, the grandson of a Huguenot, acquainted from childhood with the wrongs of his ancestors, would not allow his jealousies of France to be lulled, and exerted a powerful influence in stretching the boundary of the states to the Mississippi. On our north-eastern frontier state.

the name of the oldest college bears witness to the wise liberality of a descendant of the Huguenots. The children of the Calvinists of France have reason to respect the memory of their ancestors.<sup>1</sup>

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It has been usual to relate, that religious bigotry denied to the Huguenot emigrants immediate denization. If full hospitality was for a season withheld, the delay grew out of a controversy in which all Carolinians had a common interest, and the privileges of citizenship were conceded so soon as it could be done by Carolinians themselves. It had not yet been determined with whom the power of naturalizing foreigners resided, nor how Carolina should be governed. The great mass of the people were intent on framing their own institutions; and collisions with the lords proprietors long kept the government in confusion.

1691  
1697

For the proprietary power was essentially weak. The company of courtiers, which became no more than a partnership of speculators in colonial lands, had not sufficient force to resist foreign violence or assert domestic authority. It could derive no strength but from the colonists themselves, or from the crown. But the colonists connected self-protection with the right of self-government, and the crown would not incur expense, except on a surrender of the jurisdiction. Thus the proprietary government, having its organ in the council, could prolong its existence only by concessions, and was destined by its inherent weakness to

<sup>1</sup> Rulhière, *Éclaircissements sur les Causes de la Révocation de l'Édit de Nantes*, in the 5th vol. of his works, an important work on this subject. Voltaire, *Siècle de Louis XIV.* c. xxxvi. Ancillon, (himself a descendant of Huguenots,

Tableau, &c. tom. iv. c. xxiii. For America, Ramsay's *Carolina*, i. 5-8. Dan. Ravenel, in (Charleston) *City Gazette*, for May 12 and 15, 1826. Holmes, in *Mass. Hist. Coll.* xxii. 1-83

CHAP. XIII. be overthrown by the popular party which was favored by the commons.

1670. At first the proprietaries acquiesced in a government which had little reference to the constitutions. The first governor had sunk under the climate and the hardships of founding a colony. His successor, Sir

1671. John Yeamans, was a sordid calculator, bent on acquiring a fortune. He encouraged his employers in expense, and enriched himself, without gaining respect or hatred. "It must be a bad soil," said his weary

1674. employers, "that will not maintain industrious men, or we must be very silly that would maintain the idle." If they continued their outlays, it was in hopes of seeing vineyards, and olive-groves, and plantations, established; they refused supplies of cattle, and desired returns in compensation for their expenditures.

1674 to 1683. The moderation and good sense of West were able to preserve tranquillity for about nine years; but the lords, who had first purchased his services by the grant of all their merchandise and debts in Carolina, in the end dismissed him from office, on the charge that he favored the popular party.

The continued struggles with the proprietaries hastened the emancipation of the people from their rule; but the praise of having been always in the right cannot be awarded to the colonists. The latter claimed the right of weakening the neighboring Indian tribes by a partisan warfare, and a sale of the captives into West Indian bondage; their antagonists demanded that the treaty of peace with the natives should be preserved.<sup>1</sup> Again, the proprietaries offered some favorable modifications of the constitutions; the colonists respected the modifications no more than the

<sup>1</sup> Archdale, 13, 14. Hewat, i. 78. Chalmers, 542, 543.

original laws. A rapid change of governors augmented the confusion. There was no harmony of interests between the lords paramount and their tenants, or of authority between the executive and the popular assembly. As in all other colonies south of the Potomac, colonial legislation did not favor the collection of debts that had been contracted abroad; the proprietaries demanded a rigid conformity to the cruel and intolerant method of the English courts. It had been usual to hold the polls for elections at Charleston only; as population extended, the proprietaries ordered an apportionment of the representation; but Carolina would not allow districts to be carved out and representation to be apportioned from abroad; and the useful reformation could not be adopted till it was demanded and effected by the people themselves.

England had always favored its merchants in the invasion of the Spanish commercial monopoly; had sometimes protected pirates; and Charles II. had conferred the honors of knighthood on a freebooter. The treaty of 1667 changed the relations of the pirate and the contraband trader. But men's habits do not change so easily; and in Carolina, especially after Portroyal had been laid waste by the Spaniards, there were not wanting those who regarded the buccaneers as their natural allies against a common enemy;<sup>1</sup> and thus opened one more issue with the proprietaries.

When the commerce of South Carolina had so increased that a collector of plantation-duties was appointed, a new struggle arose. The palatine court, careful not to offend the king, who, nevertheless, was not diverted from the design of annulling their charter by a process of law, gave orders that the acts of

<sup>1</sup> Hewat, i. 92, 93. Chalmers, 547, 548.

CHAP. navigation should be enforced. The colonists, who  
 XIII had made themselves independent of the proprietaries  
 1685 in fact, esteemed themselves independent of parliament of right. Here, as every where, the acts were indignantly resisted as at war with natural equity, here they were also hated as an infringement of the conditions of the charter, of which the validity was their motive to emigrate.

The pregnant cause of dissensions in Carolina could not be removed, till the question of powers should be definitively settled. The proprietaries were willing to believe, that the cause existed in the want of dignity and character in the governor. That affairs might be more firmly established, James Colleton, a brother of a proprietary, was appointed governor, with the rank of landgrave and an endowment of forty-eight thousand acres of land; but neither his relationship, nor his rank, nor his reputation, nor his office, nor his acres, could procure for him obedience; because the actual relations between the contending parties were in  
 1686. no respect changed. When Colleton met the colonial  
 Nov. parliament which had been elected before his arrival, a majority refused to acknowledge the binding force of the constitutions; by a violent act of power, Colleton, like Cromwell in a similar instance in English history, excluded the refractory members from the parliament. What could follow but a protest from the disfranchised members against any measures which might be adopted by the remaining minority?

1687. \* A new parliament was still more intractable; and the "standing laws" which they adopted were negatived by the palatine court.

From questions of political liberty, the strife between the parties extended to all their relations.

When Colleton endeavored to collect quit-rents, not only on cultivated fields, but on wild lands also, direct insubordination ensued; and the assembly, imprisoning the secretary of the province, and seizing the records, defied the governor and his patrons, and entered on a career of absolute opposition. CHAP  
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1687

Colleton resolved on one last desperate effort, and, pretending Janger from Indians or Spaniards, called out the militia, and declared martial law. But who were to execute martial law? The militia were the people, and there were no other troops. Colleton was in a more hopeless condition than ever; for the assembly believed itself more than ever bound to protect the country against a military despotism. It was evident, the people were resolved on establishing a government agreeable to themselves. The English revolution of 1688 was therefore imitated on the banks of the Ashley and Cooper. Soon after William and Mary were proclaimed, a meeting of the representatives of South Carolina disfranchised Colleton, and banished him from the province. 1689  
1690

## CHAPTER XIV.

## THE COLONIES ON THE CHESAPEAKE BAY.

CHAP. XIV. FOR more than eight years, "THE PEOPLE OF VIRGINIA" had governed themselves; and their government had been conducted with wise moderation. 1652 to 1660 Tranquillity and a rapid increase of population promised the extension of its borders; and colonial life was sweetened by the enjoyment of equal franchises. No trace of established privilege appeared in its code or its government; in its forms and in its legislation, Virginia was a representative democracy; so jealous of a landed aristocracy, that it insisted on universality of suffrage; so hostile to the influence of commercial wealth, that it would not tolerate the "mercenary" ministers of the law; so considerate for religious freedom, that each parish was left to take care of itself. Every officer was, directly or indirectly, chosen by the people.

The power of the people naturally grew out of the character of the early settlers, who were, most of them, adventurers, bringing to the New World no wealth but enterprise; no rank but that of manhood; no privileges but those of Englishmen. The principle of the English law which grants real estate to the eldest born, was respected; but generations of Virginians had hardly as yet succeeded each other; the rule had produced no effect upon society, and, from the



beginning, had been modified in many counties by the custom of gavelkind.<sup>1</sup> Virginia could not imitate those great legislative reforms of the Long Parliament, because her happier soil was free from the burdens of forest laws and military tenures, courts of wards, and star-chambers. The tendency towards a multiplication of religious sects began already to be perceptible, under the freedom of a popular government. In its care for a regular succession of representative assemblies, Virginia exceeded the jealous friends of republican liberty in England; there triennial parliaments had been established by law; the Virginians, imitating the terms of the bill, claimed the privilege of a biennial election of their legislators.<sup>2</sup> In addition to the strength derived from the natural character of the emigrants, from the absence of feudal institutions, from the entire absence of the excessive refinements of legal erudition, and from the constitution, legislation, and elective franchises of the colonists, a new and undefined increase was gained by the universal prevalence of the spirit of personal independence. An instinctive aversion to too much government was always a trait of southern character, expressed in the solitary manner of settling the country, in the absence of municipal governments, in the indisposition of the scattered inhabitants to engage in commerce, to collect in towns, or to associate in townships under corporate powers. As a consequence, there was little commercial industry; and, on the soil of Virginia, there were no vast accumulations of commercial wealth. The exchanges were made almost entirely—

<sup>1</sup> Jones's State of Virginia, p. 61.

<sup>2</sup> Hening, i. 517. The bill is modelled after the "act for preventing inconveniences happening by the

long intermission of parliament," passed by the commons of England in 1640.

CHAP. XIV. and it continued so for more than a century—by factors of foreign merchants. Thus the influence of wealth, under the modern form of stocks and accumulations of money, was always inconsiderable; and men were so widely scattered—like hermits among the heathen—that far the smallest number were within reach of the direct influence of the established church or of government. In Virginia, except in matters that related to foreign commerce, a man's own will went far towards being his law.

Yet the germs of an aristocracy existed; and there was already a tendency towards obtaining for it the sanction of colonial legislation. Unlike Massachusetts, Virginia was a continuation of English society. The first colonists were not fugitives from persecution; they came, rather, under the auspices of the nobility, the church, and the mercantile interests of England; they brought with them an attachment to monarchy; a deep reverence for the Anglican church; a love for England and English institutions. Their minds had never been disciplined into an antipathy to feudalism, their creed had never been shaken by the progress of skepticism; no new ideas of natural rights had as yet inclined them to "faction." The Anglican church was, therefore, without repugnance, sanctioned as the religion of the state; and a religion established by law always favors aristocracy; for it seeks support, not in conviction only, but in vested rights. The rise of the plebeian sects, which swarmed in England, was, for the present at least, prevented, and unity of worship, with few exceptions, continued for about a century from the settlement of Jamestown. The aristocracy of Virginia was, from its origin, exclusively a landed aristocracy; its germ lay in the manner in which rights to the soil had

been obtained. For every person whom a planter should, at his own charge, transport into Virginia, he could claim fifty acres of land; and thus a body of large proprietors had existed from the infancy of the settlement.<sup>1</sup> These vast possessions, often an inheritance for the eldest born, awakened the feelings of family pride.

The power of the rising aristocracy was still further increased by the deplorable want of the means of education in Virginia. The great mass of the rising generation could receive little literary culture; the higher degrees of cultivated intelligence in the colony were confined to a small number of favored emigrants. Many of the royalists who came over after the death of Charles I., brought to the colony the culture and education that belonged to the English gentry of that day; and the direction of affairs necessarily fell into their hands. The instinct of liberty may create popular institutions; they cannot be preserved in their integrity except by the conscious intelligence of the people.

But the distinctions in society were rendered more marked by the character of the plebeian population of Virginia. Many of them had reached the shores of Virginia as servants; doomed, according to the severe laws of that age, to a temporary bondage. Some of them, even, were convicts; but it must be remembered, the crimes of which they were convicted were chiefly political. The number transported to Virginia for social crimes was never considerable; scarcely enough to sustain the sentiment of pride in its scorn of the laboring population; certainly not enough to affect its character. Yet the division of society into two classes was strongly marked, in a degree une-

<sup>1</sup> Virginia's Cure, by R. G. 1662, p. 8

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quailed in any northern colony, and unmitigated by public care for education.<sup>1</sup> The system of common schools was unknown. "Every man," said Sir William Berkeley in 1671, "instructs his children according to his ability;" a method which left the children of the ignorant to hopeless ignorance. The instinct of aristocracy dreaded the general diffusion of intelligence, and even the enfranchising influence of the preaching of the ministers. "The ministers," continued Sir William, in the spirit of the aristocracy of the Tudors, "should pray oftener and preach less. But, I thank God, there are no free schools, nor printing; and I hope we shall not have, these hundred years; for learning has brought disobedience, and heresy, and sects into the world, and printing has divulged them, and libels against the best government. God keep us from both." Thus, in addition to the difficulties which the degraded caste of servants encountered in their endeavors to lift themselves into distinction, the power of the government was exerted to depress whole classes of society. We rightly abhor the envy, which delights in debasing excellence; it is a still greater crime against humanity, to combine against the masses in their struggle for intellectual and social advancement.

Still servants were emancipated, when their years of servitude were ended; and the law was designed to secure and to hasten their enfranchisement. The insurrection, which was plotted by a number of servants in 1663, had its origin in impatience of

<sup>1</sup> "Their almost general want of schooles, for the education of their children, is of most sad consideration, most of all bewailed of the parents there, and therefore

the arguments drawn from thence, most likely to prevail with them cheerfully to embrace the Remedy." *Virginia's Cure*, p. 5.

servitude and oppression. A few bondmen, soldiers of Cromwell, and probably Roundheads, were excited by their own sufferings, and by the nature of life in the wilderness, to indulge once more in vague desires for a purer church and a happier condition. From the character of the times, their passions were sustained by political fanaticism; but no definite plan of revolution was devised; nor did the conspiracy extend beyond a scheme of indented servants to anticipate the period of their freedom. The effort was the work of ignorant men, and was easily suppressed.<sup>1</sup> The facility of escape compelled humane treatment of white servants.

Towards the negro the laws were less tolerant. The statute which declares who are slaves, followed the old idea, long prevalent through Christendom, "All servants, not being Christians, imported into this country by shipping, shall be slaves." Yet it was added, "conversion to the Christian faith doth not make free." The early Anglo-Saxon rule, interpreting every doubtful question in favor of liberty, declared the children of freemen to be free. Virginia was humane towards men of the white race; was severe towards the negro. Doubts arose, if the offspring of an Englishman by a negro woman should be bond or free; and the rule of the Roman law prevailed over the Anglo-Saxon. The offspring followed the condition of its mother. Enfranchisement of the colored population was not encouraged; the female slave was not subject to taxation; the emancipated negress "a tithable." "The death of a slave from extremity of correction, was not accounted felony; since it

<sup>1</sup> Hening, ii. 510. Beverley. MS. of the General Court of Virginia. Letter from N. P. Howard, clerk

CHAP. cannot be presumed"—such is the language of the  
 XIV statute—"that prepened malice, which alone makes  
 1669 murder felony, should induce any man to destroy his  
 own estate." The legislature did not understand hu-  
 man passion; no such opinion now prevails. Finally,  
 1672. it was made lawful for "persons, pursuing fugitive  
 colored slaves, to wound, or even to kill them." The  
 master was absolute lord over the negro. The slave,  
 and the slave's posterity, were bondmen; though  
 afterwards, when the question was raised, the devise  
 of negro children *in posse*, the future increase of a  
 bondwoman, was void. As property in Virginia con-  
 sisted almost exclusively of land and laborers, the  
 increase of negro slaves was grateful to the pride and  
 to the interests of the large landed proprietors. After  
 a long series of years, the institution of slavery  
 renewed a landed aristocracy, closely resembling the  
 feudal nobility; the culminating point was the period  
 1705. when slaves were declared to be real estate, and might  
 1727. be constituted by the owner adscriptis to the soil.<sup>1</sup>

The aristocracy which was thus confirmed in its  
 influence by the extent of its domains, by its superior  
 intelligence, and by the character of a large part of  
 the laboring class, naturally aspired to the government  
 of the country; from among them the council was  
 selected; many of them were returned as members of  
 the legislature; and in the organization of the militia,  
 they also held commissions. The entire absence of  
 local municipal governments necessarily led to an  
 extension, unparalleled in the United States, of the  
 power of the magistrates. The justices of the peace  
 for each county fixed the amount of county taxes

<sup>1</sup> Hening, ii. 283, 490, 491, 170, Virginia Practice, i. 527. Hening  
 267, 270, 299. Conway Robinson's iv. 222. Compare v. 432

assessed and collected them, and superintended their disbursement ; so that military, judicial, legislative, and executive powers were often deposited in the hands of men, who, as owners of large estates, masters of many indented servants, and lords of slaves, already began to exhibit the first indications of an established aristocracy.

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Thus, at the period of the restoration, two elements were contending for the mastery in the political life of Virginia ; on the one hand, there was in the Old Dominion a people ; on the other, a rising aristocracy. The present decision of the contest would depend on the side to which the sovereign of the country would incline. During the few years of the interruption of monarchy in England, that sovereign had been the people of Virginia ; and its mild and beneficent legislation, careless of theory, and unconscious of obeying impulses which were controlling the common advancement of humanity, had begun to loosen the cords of religious bigotry, to confirm equality of franchises, to foster colonial industry by freedom of traffic with the world. The restoration of monarchy changed the course of events, took from the people of Virginia the power which was not to be recovered for more than a century, and gave to the forming aristocracy a powerful ally in the royal government and its officers. The early history of Virginia not only illustrates the humane and ameliorating influences of popular freedom, but also presents a picture of the confusion, discontent, and carnage, which are the natural consequences of selfish legislation and a retrograde movement in the cause of popular liberty.

The emigrant royalists had hitherto not acted as a political party, but took advantage of peace to estab-

CHAP. lish their fortunes.<sup>1</sup> Their numbers were constantly  
 XIV. increasing; their character and education procured  
 1660 them respect and influence; yet no collisions ensued. If one assembly had, what Massachusetts never did, submitted to Richard Cromwell—if another had elected Berkeley as governor—the power of the people still preserved its vigor, and controlled legislative action. But on the tidings of the restoration of Charles II., the fires of loyalty blazed up, perhaps the more vehemently for their long inactivity. Virginia shared the passionate joy of England. In the mother-country, the spirit of popular liberty, contending at once with ancient institutions which it could not overthrow, had been productive of much calamity, and had overwhelmed the tenets of popular enfranchisement in disgust and abhorrence. In Virginia, where no such ancient abuses existed, the same spirit had been productive only of benefits. Yet to the colony England still seemed a home; and the spirit of English loyalty pervaded the plantations along the Chesapeake. With the people it was a generous enthusiasm; to many of the leading men loyalty opened a career for ambition; and with general consent, Sir William Berkeley, no longer acting as governor, elected by the people, but assuming such powers as his royal commission bestowed, issued writs for an assembly in the name of the king.<sup>2</sup> The sovereignty over itself, which Virginia had exercised so well, had come to an end.

The excitement of the moment favored the friends of royalty; and the first assembly which was elected  
 1661. after the restoration, was composed of landholders and Cavaliers; men in whose breasts the passions of colo-

<sup>1</sup> Clarendon.

<sup>2</sup> Burk, ii. 120.



nial life had not wholly mastered the attachment to English usages. Of the assembly of 1654, not more than two members were elected at the restoration; of the assembly of March, 1660, of which an adjourned meeting was held in October, the last assembly elected during the interruption, only eight were re-elected to the first assembly of Charles II., and, of these eight, not more than five retained their places.<sup>1</sup> New men came upon the theatre of legislation, bringing with them new principles. The restoration was, for Virginia, a political revolution.

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XIV.

1661

Mar  
12

The "first session"<sup>2</sup> of the royalist assembly was in March, 1661. One of its earliest acts—disfranchising a magistrate "for factious and schismatical demeanors,"<sup>3</sup>—marks its political character; but, as democratic institutions had tranquilly and naturally been introduced, so the changes which were now to take place, proceeded from the instinct of selfishness, the hatred to popular power, the blind respect for English precedents, and not from any settled theory of government, or well-developed principles of conduct.

Mar  
12

The apprehensions of Virginia were awakened by the establishment of the colonial monopoly in the navigation act; and the assembly, alarmed at this open violation of the natural and prescriptive "freedoms" of the colony, appointed Sir William Berkeley its agent, to present the grievances of Virginia and procure their redress. Here, again, the influence of royalist legis-

<sup>1</sup> Hening, i. 386, 387, and 526—530; ii. 197, &c. 250.

<sup>2</sup> That this was the "first session," appears from comparing Hening, ii. 147, with Hening, ii. 31. Burk, ii. 120, seems to have been confused by the old mode of reckoning. The assembly of October 11,

1660, was still the last republican assembly. Berkeley had been directed to issue forth his summons to the "present burgesses;" that is, to those chosen before the restoration Hening, i. 542, 543.

<sup>3</sup> Hening, ii. 39. The victim was "Major John Bond."

CHAP. lation is perceptible; no distrust of the royal power  
 XIV. was excited; freedom of trade was the object to  
 1661. which desires were directed, and Virginia reposed  
 confidently in the favor of its monarch. Far different  
 had been the course of the New England states,  
 where the perpetual dread of royal interference per-  
 severed in soliciting charters, till they were obtained.  
 Virginia, unhappy in her confidence, lost irrevocably  
 the opportunity of obtaining a liberal patent.

The Ancient Dominion was equally unfortunate in  
 the selection of its agent. Sir William Berkeley did  
 not, even after years of experience, understand the  
 principles of the act against which he was deputed to  
 expostulate. We have seen that he obtained for  
 himself and partners a portion of the territory of Vir-  
 ginia; for the colony he did not secure one franchise.

It merits remark that, even at the hands of Charles  
 II., the democratic colonies of Rhode Island and  
 Connecticut received greater favor than Virginia.  
 The king employed the loyalty of Virginia to its  
 injury.

July 21. For more than a year the navigation act, which had  
 been communicated to the Dutch merchants of New  
 Belgium, was virtually evaded in Virginia;<sup>1</sup> mariners  
 of New England, lading their vessels with tobacco,  
 did but touch at a New England harbor on the Sound,  
 and immediately sail for the wharfs of New Amster-  
 dam. But this remedy was partial and transient.  
 By the very nature of foreign commerce, the act of  
 navigation could easily be executed in Virginia, be-  
 cause the colony had few ships of its own, and no  
 foreign vessel dared to enter its ports; and the unequal  
 legislation pressed upon its interests with intense se-

<sup>1</sup> Stuyvesant, July 15, 1662. Albany Records, xviii. 197, and 157, 158.

verity. The number of the purchasers of its tobacco was diminished; and the English merchants, sure of their market, grew careless about the quality of the article which they supplied. To the colonist as consumer, the price of foreign goods was enhanced; to the colonist as producer, the opportunity of a market was narrowed. CHAP  
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1661

Virginia long attempted to devise a remedy against the commercial oppression of England. It was the strong, exercising tyranny over the weak; there could be no remedy but independence. Yet the planters vainly flattered themselves that, by producing an artificial scarcity of tobacco, they might alleviate their distress; and it was repeatedly proposed to Carolina and Maryland, to omit for a year the culture of their staple. These negotiations always remained fruitless; yet the pertinacity with which they were pursued, proves the extremity of suffering occasioned by the acts of navigation.<sup>1</sup>

The burden laid upon the intercolonial traffic was the more intolerable to the Virginians, because it produced no revenue. It was established exclusively to favor the monopoly of the English merchant; and its avails were all abandoned as a good income to the officers to stimulate their vigilance.<sup>2</sup> 1672

Thus, at the very season when the rising aristocracy of Virginia was seeking, by the aid of royal influence, to confirm its supremacy, the policy of the English government oppressed colonial industry so severely as to excite the hostility of the united province. The party which separated itself from the people, and united with the king in the desire of gaining a

<sup>1</sup> Hening, ii. 190, 200, 209, 221, 224, 228, 229, 232, 251, 252.

<sup>2</sup> Beverley 66.

CHAP. triumph over democratic influences, was always on  
 XIV. the point of reconciling itself with the people, and  
 ~~~~~  
 1661 making a common cause against the tyranny of the
 metropolis. On the one hand, it was impelled to
 rest for support and look for favor to the English
 monarch; and on the other, by a community of
 national pride and a fellowship of interests and
 wrongs, it was blended with the people. The
 really adverse parties in Virginia were royalists,
 and the people. The landed aristocracy of Vir-
 ginia was divided in its affections; and the side
 to which it inclined was always sure of victory.
 Did it combine with monarchy? A retrograde move-
 ment in society was the consequence. Did it join
 with the people? Such union was the harbinger of
 success to popular liberty, and of progress towards
 independence.

At the epoch of the restoration, the rising aristocracy
 gained the ascendancy in the legislature. We have
 seen that the assembly disfranchised "a factious and
 schismatical magistrate;" in the course of its long-
 continued sessions, it modified the democratical fea-
 tures of the constitution, and effected a radical change
 in favor of aristocratic influences. The committee
 which was appointed to reduce the laws of Virginia
 to a code, introduced no new principles favorable to
 liberty, but as if society were capable of being checked
 1662. in its progress, and confined to fixed forms, it restored
 Mar. the ancient institutions, and repealed the milder laws
 that Virginia had adopted when she governed herself.
 The English Episcopal church became once more the
 religion of the state; and though there were not
 ministers in above a fifth part of the parishes, so
 that the church was scattered in the desolate places

of the wilderness without comeliness,¹ yet the laws demanded strict conformity, and required of every one to contribute to the support of the established church. For assessing parish taxes twelve vestrymen were now to be chosen in each parish, with power to fill all vacancies in their own body. Here was a revolution in church affairs; the control passed from the parish to a close corporation, which the parish could neither alter nor overrule. In England, dissenters were attempting changes in the liturgy; Virginia required the whole liturgy to be thoroughly read; no non-conformist might teach, even in private, under pain of banishment; no reader might expound the Catechism or the Scriptures. The obsolete severity of the laws of Queen Elizabeth was revived against the Quakers. Absence from church was for them an offence, punishable by a monthly fine of twenty pounds sterling. To meet in conventicles of their own, was forbidden under further penalties.

Nor did the law remain a dead letter. A large number of Quakers was arraigned before the court, as recusants. "Tender consciences," said Owen firmly, "must obey the law of God, however they suffer."—"There is no toleration for wicked consciences." was the reply of the court.

The reformation had diminished the power of the clergy by declaring marriage a civil contract, not a sacrament. The Independents allowed no marriage but by the magistrates; Virginia tolerated none but according to the rubric in the Book of Common Prayer

Religious bigotry recovered all the advantages

¹ Virginia's Cure, 1662, p. 2 and 19.

² Richmond Records, No. 2. 1660 to 1664, p. 82.

CHAP. XIV
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 1662. which had begun to yield to the progress of opinion.<sup>1</sup>  
 Among the plebeian sects of Christianity, the single-minded simplicity with which the Baptists had, from their origin, asserted the enfranchisement of mind, and the equal rights of the humblest classes of society, naturally won converts in America at an early day.

Dec. The legislature of Virginia, assembling soon after the return of Berkeley from a voyage that had been fruitless to the colony, declared to the world that there were scattered among the rude settlements of the Ancient Dominion "many schismatical persons, so averse to the established religion, and so filled with the new-fangled conceits of their own heretical inventions, as to refuse to have their children baptized;"<sup>2</sup> and the novelty was punished by a heavy mulct. The freedom of the forests favored originality of thought; in spite of legislation, men listened to the voice within themselves as to the highest authority; and Quakers continued to multiply. Virginia, as if resolved to hasten the colonization of North Carolina, sharpened her laws against all separatists, punished their meetings by heavy fines, and ordered the more affluent to pay the forfeitures of the poor. The colony that should have opened its doors wide to all the persecuted, punished the ship-master that received non-conformists as passengers, and threatened such as resided in the colony with banishment.<sup>3</sup> John Porter, the burgess for Lower Norfolk, was expelled from the assembly, "because he was well affected to the Quakers."<sup>4</sup>

1663. Sept.  
 Sept. 12.

The legislature was equally friendly to the power

<sup>1</sup> Hening, ii. 44—50.

<sup>2</sup> Ibid. ii. 106. Semple, in his History of the Baptists in Virginia, p. 1, gives them an origin later by a half century. He

is plainly in error. Anabaptists are again named, Hening ii. 198.

<sup>3</sup> Hening, ii. 180—183.

<sup>4</sup> Ibid. ii. 198.

of the crown. In every colony where Puritanism prevailed, there was a uniform disposition to refuse a fixed salary to the royal governor. Virginia, at a time when the chief magistrate was elected by its own citizens, had voted a fixed salary for that magistrate; but the measure, even then, was so little agreeable to the people, that its next assembly repealed the law.<sup>1</sup> The royalist legislature, for the purpose of well paying his majesty's officers, established a perpetual revenue by a permanent imposition on all exported tobacco; and the royal officers of Virginia, requiring no further action of an assembly for granting taxes, were placed above the influence of colonial legislation.<sup>2</sup> They depended on the province neither for their appointment nor their salary, and the country was governed according to royal instructions,<sup>3</sup> which did, indeed, recognize the existence of colonial assemblies, but offered no guaranty for their continuance. The permanent salary of the governor of Virginia, increased by a special grant from the colonial legislature, exceeded the whole annual expenditure of Connecticut; but Berkeley was dissatisfied. A thousand pounds a year would not, he used to say, "maintain the port of his place; no government of ten years' standing but has thrice as much allowed him. But I am supported by my hopes, that his gracious majesty will one day consider me."<sup>4</sup> Such was a royal governor; how unlike the spirit that prevailed, where the magistrates were elected by the people! Winthrop of Massachusetts expended all his estate for the commonwealth; Berkeley was dissatis-

CHAP.  
XIV.1658  
Mar.1659  
Mar.  
16621662  
Sept.  
12.<sup>1</sup> Hening, i. 498—523.<sup>2</sup> *Ibid.* ii. 130—132.<sup>3</sup> Richmond Records, No. 2. 1660 to 1664, p. 130—135.<sup>4</sup> Chalmers, 528. Hening, ii

516. Berkeley's commission was not a commission for life.

CHAP. XIV.            fied even after a grant of tens of thousands of square miles.

1662. The organization of the judiciary placed that department of the government almost entirely beyond the control of the people. The governor and council were the highest ordinary tribunal; and these were all appointed, directly or indirectly, by the crown, besides this, there were in each county eight unpaid<sup>1</sup> justices of the peace, commissioned by the governor during his pleasure. These justices held monthly courts, in their respective counties.<sup>2</sup> Thus the administration of justice, in the counties, was in the hands of persons holding their offices at the good will of the governor; while the governor himself and his executive council constituted the General Court, and had cognizance of all sorts of causes. Was an appeal made to chancery? It was but for another hearing before the same men; and it was only for a few years longer that appeals were permitted from the general court to the assembly. The place of sheriff in each county was conferred on one of the justices for that county, and so devolved to every commissioner in course.<sup>3</sup> This organization of the county courts in Virginia continues to-day, except that the justices hold their places for life, and nominate their associates and successors.

But the county courts, thus independent of the people, possessed and exercised the arbitrary power of levying county taxes, which, in their amount, usually exceeded the public levy.<sup>4</sup> This system proceeded so far, that the commissioners, of themselves,

<sup>1</sup> Hening, ii. 244.

<sup>2</sup> *Ibid.* ii. 71, 72. Compare the very important tract of Hartwell, Blair, and Chilton,—The Present State of Virginia and the College,

p. 43. Printed in 1727, but written near the close of the seventeenth century. Beverley, 220, 221.

<sup>3</sup> Hening, ii. 21 and 78.

<sup>4</sup> Bland, in Burk, ii. 248.



levied taxes to meet their own expenses.<sup>1</sup> In like manner, the self-perpetuating vestries made out their lists of tithables, and assessed taxes without regard to the consent of the parish.<sup>2</sup> These private levies were unequal and oppressive; were seldom, it is said, never, brought to audit, and were, in some cases at least, managed by men who combined to defraud the public.<sup>3</sup>

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For the organization of the courts, ancient usage could be pleaded. It was a series of innovations, which gradually effected a revolution in the system of representation.

The members of the first assembly convened after 1662 the restoration, had been chosen for a term of service extending only through two years; the rule of biennial assemblies was adopted in Virginia.<sup>4</sup> The law, which limited the duration of legislative service, and secured the benefits of frequent elections and swift responsibility, was now silently, but "utterly abrogated and repealed."<sup>5</sup> Thus the legislators, on whom the people had conferred a political existence of two years, assumed to themselves, by their own act, an indefinite continuance of power. The parliament of England, chosen on the restoration, was not dissolved for eighteen years. The legislature of Virginia retained its authority for almost as long a period, and yielded it only to an insurrection. Meantime "the meeting of the people, at the usual places of election," had for their object, not to elect burgesses, but to present their grievances to the burgesses of the adjourned assembly.<sup>6</sup>

<sup>1</sup> Hening, ii. 315, 316.

<sup>2</sup> *Ibid.* ii. 310.

<sup>3</sup> Culpepper, in Chalmers, 355.

<sup>4</sup> Hening, i. 517.

<sup>5</sup> *Ibid.* ii. 43.

<sup>6</sup> *Ibid.* ii. 211, 212.

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The wages of the burgesses were paid by the respective counties; and their constituents possessed influence to determine both the number of burgesses to be elected and the rate of their emoluments. This method of influence was taken away by a law, which, wisely but for its coincidence with other measures, fixed both the number and the charge of the burgesses. But the rate of wages was for that age enormously burdensome, far greater than is tolerated in the wealthiest states in these days of opulence; and it was fixed by an assembly for its own members, who had usurped, as it were, a perpetuity of office. The taxes for this purpose were paid with great reluctance,<sup>1</sup> and, as they amounted to about two hundred and fifty pounds of tobacco for the daily emoluments of each member, became for a new country an intolerable grievance. Discontent was increased by the favoritism which exempted the councillors from the levies.<sup>2</sup>

The freedom of elections was further impaired by "frequent false returns" made by the sheriffs.<sup>3</sup> Against these the people had no sufficient redress; for the sheriffs were responsible neither to them nor to officers of their appointment. And how could a more pregnant cause of discontent exist in a country, where the elective franchise was cherished as the dearest civil privilege?

How dear that franchise was held by the people of Virginia, is distinctly told in their records. No direct taxes were levied in those days except on polls; lands

<sup>1</sup> Virginia's Cure, p. 2. Hening, ii. 20, 23, 106, 309, 325. Bland, in Burk, ii. 248. Lord Baltimore, for his quit-rents, received tobacco at two pence a pound. It was not worth so much on the average, yet

in those days of poverty the burgess received probably about nine dollars a day.

<sup>2</sup> Compare Hening, ii. 84, with 359, 392.

<sup>3</sup> Hening, ii. 356.

escaped taxation. The method, less arbitrary in Virginia, where property consisted chiefly in a claim to the labor of servants and slaves, than in a commercial country, or where labor is free, was yet oppressive to the less wealthy classes. The burgesses, themselves great landholders, resisted the reform which Berkeley had urged,<sup>1</sup> and connected the burden of the tax with the privileges of citizenship. If land should be taxed, none but landholders should elect the legislature; and then, it was added, "the other freemen, who are the more in number, may repine to be bound to those laws, they have no representations to assent to the making of. And we are so well acquainted with the temper of the people, that we have reason to believe they had rather pay their tax, than lose that privilege."<sup>2</sup>

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1663  
Sept.  
27.

Thus was the jealous love for liberty remembered, when it furnished an excuse for continuing an unjust method of taxation. But the system of universal suffrage could not permanently find favor with an assembly which had given to itself an indefinite existence, and which labored to reproduce in the New World the inequalities of English legislation. It was discovered that "the usual way of chusing burgesses by the votes of all freemen," produced "tumults and disturbance." The instinct of aristocratic bigotry denied that the electors would make "choyce of persons fitly qualified for so greate a trust." The restrictions, adopted by the monarchical government of England, were cited as a fit precedent for English colonies; and it was enacted that "none

1670  
Oct

<sup>1</sup> Hening, ii. 204. "A levy upon lands and not upon heads."

<sup>2</sup> Richmond Records, No. 2. 1660 to 1664, p. 175.

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1670  
Oct.

but freeholders and housekeepers shall hereafter have a voice in the election of any burgesses.”<sup>1</sup>

Thus was a majority of the people of Virginia disfranchised by the act of their own representatives. So true it is, that, in representative governments, unless power be limited, and responsibility steadily maintained, the choice of representatives becomes the establishment of a tyranny.

The great result of modern civilization is the diffusion of intelligence among the masses, and a consequent increase of their political consideration. The result is observable every where. In the field, the fate of battles depends on infantry, and no longer on the cavalry. Influence has passed away from walled towns and fortresses to the busy scenes of commercial industry, and to the abodes of rustic independence; an active press has increased, and is steadily increasing, the number of reflecting minds that demand a reason for conduct, and exercise themselves in efforts to solve the problem of existence and human destiny. Every where the power of the people has increased; it is the undisputed induction from the history of every nation of European origin. The restoration of Charles II. was, therefore, to Virginia a political revolution, opposed to the principles of popular liberty and the progress of humanity. An assembly continuing for an indefinite period at the pleasure of the governor, and decreeing to its members extravagant and burdensome emoluments; a royal governor, whose salary was established by a permanent system of taxation; a constituency restricted and diminished; religious liberty taken away

<sup>1</sup> Hening, ii. 280.

almost as soon as it had been won; arbitrary taxation in the counties by irresponsible magistrates; a hostility to popular education, and to the press;—these were the changes which, in about ten years, were effected in a province that had begun to enjoy the benefits of a virtual independence, and a gradually ameliorating legislation.

The English parliament had crippled the industry of the planters of Virginia; the colonial assembly had diminished the franchises and impaired the powers of its people; Charles II. was equally careless of the rights and property of its tens of thousands of inhabitants. Just after the execution of Charles I., during the extreme anxiety and despair of the royalists, a patent for the Northern Neck, that is, for the country between the Rappahannock and the Potomac, had been granted to a company of Cavaliers, as a refuge for their partisans. About nine years after the restoration, this patent was surrendered, that a new one might be issued to Lord Culpepper, who had succeeded in acquiring the shares of all the associates. The grant was extremely oppressive, for it included plantations which had long been cultivated.<sup>1</sup> But the prodigality of the king was not exhausted. To Lord Culpepper, one of the most cunning and most covetous men in England,<sup>2</sup> at the time a member of the commission for trade and plantations,<sup>3</sup> and to Henry, earl of Arlington, the best bred person at the royal court, allied to the monarch as father-in-law to the king's son by Lady Castlemaine, ever in debt exceedingly, and passionately fond of things rich, polite, and princely,<sup>4</sup> the lavish sovereign of England gave away "all

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1649

1669  
May.

1673  
Feb.  
25.

<sup>1</sup> Beverley, 65. Chalmers, 330.

<sup>2</sup> Hartwell, Blair, and Chilton, 31.

<sup>3</sup> Evelyn, ii. 342.

<sup>4</sup> Ibid. 372, 431.

CHAP. XIV. the dominion of land and water, called Virginia," for  
 the full term of thirty-one years.<sup>1</sup>

1674. Sept. 21. The assembly of Virginia, composed as it was, in part at least, of opulent landholders, was excited to alarm by dangers which were menaced by the thoughtless grants of a profligate prince; and Francis Morryson, Thomas Ludwell, and Robert Smith, were appointed agents to sail for England, and enter on the difficult duty of recovering for the king that supremacy which he had so foolishly dallied away. "We are unwilling," said the assembly, "and conceive we ought not to submit to those to whom his majesty, upon misinformation, hath granted the dominion over us, who do most contentedly pay to his majesty more than we have ourselves for our labor. Whilst we labor for the advantage of the crown, and do wish we could be yet more advantageous to the king and nation, we humbly request not to be subjected to our fellow-subjects, but, for the future, to be secured from our fears of being enslaved."<sup>2</sup> Berkeley's commission as governor had expired; the aristocratic legislature, which had already voted him a special increase of salary, and which had continued itself in power by his connivance, solicited his appointment as governor for life.<sup>3</sup>

The envoys of Virginia were instructed to ask for the colony the immunities of a corporation; for a corporation could resist further encroachments, and would be able, according to the forms of English law, to purchase of the grantees their rights to the country. The agents more than fulfilled their instructions. They asserted the natural liberties of the colonists;

<sup>1</sup> Hening, ii. 569—583, 427—521.

Burk, ii. App. xxxiv., &c.

<sup>2</sup> Burk, ii. App. xxxiii. xxxiv

<sup>3</sup> Ibid. xxxix.

claimed, with earnest zeal, an exemption from arbitrary taxation; insisted on the indefeasible right of the colonists to the enjoyment of legislative powers, as the birthright of the children of Englishmen; and fortified their demands by the favor of Coventry, whom they extolled as one of the worthiest of men;<sup>1</sup> by the legal erudition of Jones and Winington,<sup>2</sup> and by the voices of "many great friends," won by a sense of humanity, or submitting to be bribed by poor Virginia.<sup>3</sup> But fidelity, justice, and favor, were not enough to secure the object. The agents were detained a twelvemonth without making any progress; the final failure has been ascribed to tidings from Virginia; but there is reason to believe, that a secret influence had been irrevocably exerted against the grant of a charter,<sup>4</sup> before the news reached England of the events which involved the Ancient Dominion in gloomy disasters.

For at the time when the envoys were appointed, Virginia was rocking with the excitements that grew 1674 out of its domestic griefs. The rapid and effectual abridgment of its popular liberties, joined to the uncertain tenure of property that followed the announcement of the royal grants, would have roused any nation; how much more a people like the Virginians! The generation now in existence were chiefly the fruit of the soil; they were children of the woods, nurtured in the freedom of the wilderness, and dwelling in lonely cottages, scattered along the streams. No newspapers entered their houses; no printing-press furnished them a book. They had no recreations but

<sup>1</sup> Burk, ii. App. xxxix. and lvii.

<sup>2</sup> Ibid. xl. xli.

<sup>3</sup> Ibid. xxxix. "Some with, some without charge."

<sup>4</sup> Lloyd's Letter of April 19,

1676, in Burk, ii. App. xxxvi. Hening, ii. 534—537. Beverley, 66. For the documents generally, see Burk, ii. App., where they are huddled together. Hening, ii. 519, &c.

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such as nature provides in her wilds ; no education but such as parents in the desert could give their offspring.<sup>1</sup> The paths were bridleways rather than roads ; and the highway surveyors aimed at nothing more than to keep them clear of logs and fallen trees.<sup>2</sup> I doubt if there existed what we should call a bridge in the whole Dominion, though it was intended to build some.<sup>3</sup> Visits were made in boats, or on horseback through the forests ; and the Virginian, travelling with his pouch of tobacco for currency, swam the rivers, where there was neither ferry nor ford. Almost every planter was his own mechanic. The houses, for the most part of but one story, and made of wood, often of logs, the windows closed by convenient shutters for want of glass,<sup>4</sup> were sprinkled at great distances on both sides of the Chesapeake, from the Potomac to the line of Carolina. There was hardly such a sight as a cluster of three dwellings. Jamestown was but a place of a statehouse, one church, and eighteen houses,<sup>5</sup> occupied by about a dozen families. Till very recently, the legislature had assembled in the hall of an alehouse.<sup>6</sup> Virginia had neither towns nor lawyers.<sup>7</sup> A few of the wealthier planters lived in braver state at their large plantations, and, surrounded by indented servants and slaves, produced a new form of society, that has sometimes been likened to the manners of the patriarchs, and sometimes to the baronial pride of feudalism. The inventory of Sir William Berkeley gave him seventy horses, as well as large flocks of sheep.<sup>8</sup> “ Al-

<sup>1</sup> Berkeley, in Chalmers

<sup>2</sup> Hening, ii. 103.

<sup>3</sup> Ibid. Burk, ii. App. xxxiii.

<sup>4</sup> Hammond's Lear and Rachel.

<sup>5</sup> Mass. Hist. Coll. xi. 53.

<sup>6</sup> Hening, ii. 204.

<sup>7</sup> Burk, ii. 159.

<sup>8</sup> Document in Burk, ii. 263.



most every man lived within sight of a lovely river."<sup>1</sup> CHAP  
 The parish was of such extent, spreading over a tract XIV.  
 which a day's journey could not cross, that the people  
 met together but once on the Lord's day, and some-  
 times not at all; the church, rudely built in some  
 central solitude, was seldom visited by the more remote  
 families,<sup>2</sup> and was liable to become inaccessible by  
 the broken limbs from forest-trees, or the wanton  
 growth of underwood and thickets.

Here was a new form of human nature. A love of  
 freedom inclining to anarchy pervaded the country.  
 Among the people, loyalty was a feebler passion than  
 the love of liberty. Existence "without government"  
 seemed to promise to "the general mass"—it is a  
 genuine Virginia sentiment<sup>3</sup>—"a greater degree of  
 happiness" than the tyranny "of the European gov-  
 ernments." Men feared injustice more than they  
 feared disorder. In Europe, people gathered in  
 towns; here they lived by themselves. In the Old  
 World, even the peasantry crowded together into com-  
 pact villages. The farmers of Virginia lived asunder,  
 and in their mild climate were scattered very widely,  
 rarely meeting in numbers, except at the horse-race or  
 the county court.<sup>4</sup>

It was among such a people, which had never been dis-  
 ciplined to resistance by the heresies of sects or the new  
 opinions of "factious" parties, which, till the restora-  
 tion, had found the wilderness a safe protection against  
 tyranny, and had enjoyed "a fifty years' experience  
 of a government easy to the people," that the pressure  
 of increasing grievances began to excite open discon-

<sup>1</sup> Hammond's *Lear and Rachel*. Yet society without government is  
<sup>2</sup> *Virginia's Cure*, 2, 3. a contradiction.  
<sup>3</sup> Jefferson's *Writings*, ii. 85. <sup>4</sup> *Burk*, ii. App. xlix.

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tent. Men gathered together in the gloom of the forests to talk of their hardships. The common people, half conscious of their wrongs, half conscious of the rightful remedy, were ripe for insurrection. A collision between prerogative and popular opinion, between that part of the wealth of the country which was allied with royalism, and the great mass of the numbers and wealth of the country, resting on popular power, between the old monarchical system and the American popular system, was at hand. American freedom had then the principle of life, but was unconscious of its vitality, as the bird that just begins to peck at the shell. Opinions were coming into life; and the plastic effort of modern political being was blindly, but effectually at work.<sup>1</sup>

1674. On the first<sup>2</sup> spontaneous movement of the common people, the men of wealth and established consideration kept aloof. It is always so in revolutions. The revolt was easily suppressed by the calm advice "of some discreet persons," in whom the people had confidence. Yet the movement was not without effect, the county commissioners were ordered to levy no more taxes for their own emoluments.<sup>3</sup> But as the great abuses continued unreformed, the mutinous discontents<sup>4</sup> of the people were not quieted. The common people were rendered desperate by taxes, which  
 1675 deprived labor of nearly all its earnings; and the ex-  
 1676<sup>12</sup> citement was increased, when, after a year's patience under accumulated oppressions, they received from the envoys of the colony, themselves by their heavy expenses a new burden, no hope of a remedy from

<sup>1</sup> Bland, in Burk, ii. 247, 151.

<sup>2</sup> Chalmers says, 1675; an error.

<sup>3</sup> Hening, ii. 315, 316.

<sup>4</sup> Ibid. 539.

England.<sup>1</sup> To produce an insurrection, nothing was wanting but an excuse for appearing in arms. CHAP  
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The causes which had driven the Indians of New England to despair, acted with equal force on the natives of Virginia. The English had at first seemed to occupy no more than the skirts of the bay. By degrees they had explored the interior; the remote mountains had become an object of curiosity;<sup>2</sup> and a little band of adventurers had at length crossed the first range of mountains, and, descending into the valley of the Blue Ridge, had examined the heart of Virginia, and proclaimed the beauty of the lands which form a succession of the most picturesque valleys in the world.<sup>3</sup> How could jealousies fail to be excited? 1674

The Seneca Indians, a tribe of the Five Nations, had driven the Susquehannahs from their abode at the head of the Chesapeake to the vicinity of the Piscataways on the Potomac;<sup>4</sup> and Maryland had become involved in a war with the Susquehannahs and their confederates.<sup>5</sup> Murders had been committed on the soil of Virginia, and had been avenged by the militia on the borders.<sup>6</sup> As dangers increased, the River Potomac was guarded; and a body of Virginians, under the command of John Washington, the great grandfather of George Washington, himself perhaps a surveyor, who had emigrated from the north of England to America eighteen years before, and had planted himself as a farmer in the county of Westmoreland, crossed the river to assist the people of Maryland.<sup>7</sup> 1674

<sup>1</sup> Beverley, 66.

<sup>2</sup> Hening, i. 281.

<sup>3</sup> Beverley, 62, 63.

<sup>4</sup> T. M.'s Beginning, Progress, and Conclusion of Bacon's Rebellion, p. 9.

<sup>5</sup> Bacon's Laws of Maryland, 1674, c. xxvii. and xxviii.

<sup>6</sup> T. M.'s Account, 8.

<sup>7</sup> A. Cotton's Account of our Late Troubles in Virginia, p. 3.

CHAP. in besieging the common enemy. The warfare was  
 XIV. conducted with vengeful passions. When six of the  
 1675. hostile chieftains presented themselves as messengers  
 to treat of a reconciliation, in the blind fury of the  
 moment they were murdered.<sup>1</sup>

The outrage was rebuked by Berkeley with abrupt energy. The old Cavalier declared, "If they had killed my father and my mother, and all my friends, yet if they had come to treat of peace, they ought to have gone in peace."<sup>2</sup> The monopoly of the beaver trade in Virginia<sup>3</sup> is also said to have prevailed on the avarice of the governor to favor the Indians.<sup>4</sup>

1675 Meantime the natives, having escaped from their fort,  
 to  
 1676. roamed by stealth from plantation to plantation, from the vicinity of Mount Vernon to the Falls of James River, carrying terror to every grange in the province; murdering, in blind fury, till their passions were glutted; and for each one of their chiefs ten of the English had been slain. Now, according to their wild superstitions, would the souls of their great men repose pleasantly in the shades of death.

Proposals of peace were renewed by the Susquehannahs and their confederates. The proposals were rejected. The Indians, subject to Virginia, begin to assert independence. The horrors of insecurity visit every log-house on the frontier; the plantations are laid waste; death ranges the land under the hideous forms of savage cruelty. The spirit that favored popular liberty, awakes to demand the natural right

<sup>1</sup> Burwell Account of Bacon and Ingram's Rebellion, first printed in Mass. Hist. Coll. xi. 27, &c. Reprinted by P. Force in 1835. So, too, Cotton, p. 3.

<sup>2</sup> T. M.'s Account, p. 12.

<sup>3</sup> Hening, ii. 20, 124, 140.

<sup>4</sup> T. M.'s Account, p. 11. "Passion and avarice, to which the governor was more than a little addicted."

of self-defence. The people despise the system of defence by forts,<sup>1</sup> which can so easily be avoided, and which are maintained at a vast and useless charge. With Bacon for their leader, they demand of the governor leave to rise and protect themselves.

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Permission was withheld ; for should Berkeley confess errors of judgment so glaring, that they could be discerned by the common people, whom the royalists had ever "counted more than half blind?"<sup>2</sup> The influence of the people could not countervail the interests of colonial courtiers, who derived emoluments from solitary abuses ; and, as the elective franchise was virtually cancelled, it was in vain that the discontented party constituted much the greater number ; there was but fresh indignation at misspent entreaties.<sup>3</sup>

The governor distrusted Nathaniel Bacon, because he was "popularly inclined."<sup>4</sup> A native of England, born during the contests between the parliament and the king, nursed amidst the convulsive struggles occasioned by the democratic revolution, well educated in a period when every active mind had been awakened to a consciousness of popular rights and popular power, —he had not yielded the love of freedom to the enthusiasm of royalty. Possessing a pleasant address and a powerful elocution, he had rapidly risen to distinction in Virginia. Quick of apprehension, brave, choleric, yet discreet in action,<sup>5</sup> the young and wealthy planter carried to the banks of the James River the liberal

<sup>1</sup> Hening, ii. 326—336.

<sup>2</sup> Burwell Account, 32.

<sup>3</sup> Bland, in Burk, ii. 248. Burwell Account, 32, 33. The Review Breviary by Jeffries. Berry and Morrison, in Burk, ii. 250.

<sup>4</sup> Burwell Account, 33. Burk, ii. 163, 247.

<sup>5</sup> "Though but a young man, he was master of those endowments which constitute a complete man, wisdom to apprehend and discretion to chuse." Burwell Account, 34. Compare Jefferson's opinion, prefixed to T. M.'s Account

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XIV

1676

principles which he had gathered from English experience. The sect of the Puritans gained no power in Virginia; the ideas which the Puritans had generated, gradually penetrating the English mind, were readily received in the wilds of the Old Dominion; for they were but the ideas which the instinct of human freedom had already whispered to every planter, and which naturally sprung up amidst the equalities of the wilderness. Bacon was resolved on action. Were another white man murdered, he would take up arms against the Indians, even with no commission but his sword; and news was soon brought that his own men had been slain on his plantation, near the scenes where the James River leaps into the lowlands, and the city of Richmond towers above the unrivalled magnificence of flood and vale. Men flocked together tumultuously, running in troops from one plantation to another without a head.<sup>1</sup> The government had ceased to be revered. The council was divided. Five hundred men were soon under arms; the common voice proclaimed Bacon the leader of the enterprise, and his commanding abilities gave the ascendancy to the principles which he advocated, and the party which he espoused.

April.

April

20,  
1676.

Moderation on the part of the government would still have secured peace. Sober men in Virginia were of opinion that a few concessions—the secure possession of land, the liberties of free-born subjects of England, a diminution of the public expenses, a tax on real estate rather than on polls alone—would have quieted the colony.<sup>2</sup> The real causes of the insur-

<sup>1</sup> Beverley, 68.

<sup>2</sup> Bland's Letter to Berne, in Burk, ii. 248, 249. The writer of

the letter was one of the victims of the rebellion. Hening, ii. 350. T. M.'s Account, 24.

rection lay in the oppression of the navigation acts, indignation at colonial tyranny, and the rising passion for self-government.

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April.

Hardly had Bacon begun to march against the Indians, when Berkeley, yielding to the instigations of an aristocratic faction, proclaimed him and his followers rebels, and levied troops to pursue them. "Those of estates obeyed"<sup>1</sup> the summons to disperse. Bacon, with a small but faithful band, continued his expedition, while a new insurrection compelled Berkeley to return to Jamestown. The lower counties had risen in arms, and, directing their hatred against the old assembly, to which they ascribed their griefs, demanded its "immediate dissolution."<sup>2</sup>

With the whole mass of the people against him, the haughty Cavalier was constrained to yield. The assembly, which had become odious by its long duration, the selfishness of its members, and its diminution of popular freedom, was dissolved; writs for a new election were issued; and Bacon, returning in triumph from his Indian warfare, was unanimously elected a burgess from Henrico county.<sup>3</sup>

In the choice of this assembly, the late disfranchisement of freemen was little regarded.<sup>4</sup> A majority of the members returned were "much infected" with the principles of Bacon;<sup>5</sup> and their speaker, Thomas Godwin, was notoriously a friend to all "the rebellion and treason which distracted Virginia."<sup>6</sup> In the midst of contradictory testimony on the character of the insur-

<sup>1</sup> T. M.'s Account, 11. Compare Burwell Account, 34, 35. T. M. derived his statement from Bacon himself.

<sup>2</sup> Review, in Burk, ii. 250.

<sup>3</sup> T. M.'s Account, 11, 12.

<sup>4</sup> Review, in Burk, ii. 251 and 260.

<sup>5</sup> Justification of Berkeley, in Burk, ii. 260.

<sup>6</sup> Hening, ii. 365 and 557

CHAP. gents, the acts of the assembly furnish the highest  
 XIV. historical evidence, and must be taken as paramount  
 1676. authority on the purposes of "the Grand Rebellion in  
 Virginia."

June  
 5-24.

The late expenditures of public money had not been accounted for.<sup>1</sup> High debates arose on the wrongs of the indigent, who were oppressed by taxes alike unequal and exorbitant.<sup>2</sup> The monopoly of the Indian trade was suspended.<sup>3</sup> A compromise with the insurgents was effected; on the one hand, Bacon acknowledged his error in acting without a commission,<sup>4</sup> and the assemblies of disaffected persons were censured as acts of mutiny and rebellion;<sup>5</sup> on the other hand, Bacon was appointed commander-in-chief,<sup>6</sup> to the universal satisfaction of the people, who made the town ring with their joyous acclamations, and hailed "the darling of their hopes" as the appointed defender of Virginia.<sup>7</sup> The church aristocracy was broken up by limiting the term of office of the vestrymen to three years, and giving the election of them to the freemen of each parish.<sup>8</sup> The elective franchise was restored to the freemen whom the previous assembly had disfranchised; and, as "false returns of sheriffs had endangered the peace," the purity of elections was guarded by wholesome penalties.<sup>9</sup> The arbitrary annual assessments, hitherto made by county magistrates, irresponsible to the people, were prohibited; the Virginians insisted on the exclusive right of taxing themselves, and made provision for the county levy,—it was a radical measure, which inde-

<sup>1</sup> Compare Culpepper, in *Chalmers*, 356.

<sup>2</sup> *T. M.'s Account*, 13.

<sup>3</sup> *Hening*, ii. 350.

<sup>4</sup> *Ibid.* ii. 543, 544.

<sup>5</sup> *Hening*, ii. 352.

<sup>6</sup> *Ibid.* ii. 349.

<sup>7</sup> *Burwell Account*, 36.

<sup>8</sup> *Hening*, ii. 356.

<sup>9</sup> *Ibid.* ii. 357.



pendent Virginia has not yet imitated,—by the equal vote of their own representatives. The fees of the governor, in cases of probate and administration, were curtailed; the unequal immunities of councillors were abrogated;<sup>1</sup> the sale of wines and ardent spirits was absolutely prohibited, if not at Jamestown, yet otherwise through the whole country;<sup>2</sup> two of the magistrates, notorious for raising county taxes for their private gains, were disfranchised; and finally, that there might be no room for future reproach or discord, all past derelictions were covered under the mantle of a general amnesty.<sup>3</sup> The acts of this assembly manifest the principles of Bacon; and were they not principles of justice, freedom, and humanity?

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1676  
June.

The measures of the assembly were not willingly conceded by Berkeley, who refused to sign the commission that had been promised.<sup>4</sup> Fearing treachery, Bacon secretly withdrew, to recount his wrongs to the people; and in a few days he reappeared in the city at the head of nearly five hundred armed men.<sup>5</sup> Passion sustained for a season the courage of the old Cavalier—advancing to meet the troops, and baring his breast, he cried, “A fair mark, shoot.”—“I will not,” replied Bacon, “hurt a hair of your head, or of any man’s; we are come for the commission to save our lives from the Indians.”<sup>6</sup> When passion had subsided, Berkeley yielded. The commission was issued; the governor united with the burgesses and council in transmitting to England warm commendations of the zeal, loyalty,

<sup>1</sup> Hening, ii. 357, 358, 359.

<sup>2</sup> Ibid. ii. 361. “Ordinaries to sell and utter man’s meate, norse-meate, beer, and syder, but no other strong drink whatsoever.” James City formed an exception.

<sup>3</sup> Hening, ii. 363, 364.

<sup>4</sup> Correct Burk, ii. 167, 168, by p. 251, and Burwell Account, 35, 36, and by T. M.’s Account, 15. “Governor’s generosity, wheedles to amuse and circumvent,” &c.

<sup>5</sup> Hening, ii. 380, says 600.

<sup>6</sup> T. M.’s Account, 17.

CHAP. and patriotism of Bacon, and the ameliorating legisla-  
 XIV. tion of the assembly was ratified. That better legis-  
 1676. lation was completed, according to the new style of  
 June computation, on the fourth day of July,<sup>1</sup> 1676, just one  
 24, hundred years, to a day, before the congress of the  
 O. S. United States, adopting the declaration which had been  
 framed by a statesman of Virginia, who, like Bacon, was  
 "popularly inclined," began a new era in the history  
 of man. The eighteenth century in Virginia was the  
 child of the seventeenth; and Bacon's rebellion, with  
 the corresponding scenes in Maryland, and Carolina,  
 and New England, was the early harbinger of Amer-  
 ican independence and American nationality.

A momentary joy pervaded the colony. Encouraged  
 by the active energy of Bacon, men scoured the forests  
 and the swamps, wherever an Indian ambush could  
 lie concealed. Security dawned; industry began to  
 resume its wonted toils; when, just as the little army  
 was preparing to march against the enemy, the gov-  
 ernor violated the amnesty. Repairing to Gloucester  
 county, the most populous and most loyal in Virginia,  
 he summoned a convention of the inhabitants. "The  
 whole convention" disrelished his proposals; esteeming  
 Bacon the defender of their countrymen.<sup>2</sup> But the  
 petulant pride of the Cavalier could not be appeased;  
 against the advice of the most loyal county in Virginia,  
 Bacon was once more proclaimed a traitor.<sup>3</sup>

But when did Virginia ever desert her patriot citi-  
 zens? The news was conveyed to the camp by  
 Drummond, the former governor of North Carolina,  
 and by Richard Lawrence,<sup>4</sup> a pupil of Oxford, distin-

<sup>1</sup> Hening i. 363. "June twenty-fourth," old style; that is, July 4, 1676.

<sup>2</sup> Burwell Account, 38.

<sup>3</sup> Burwell Account, 39. Burk, ii. 61. Beverley, 71.

<sup>4</sup> T. M.'s Account, 15. Burwell Account, 79.

gushed from the university for learning and sobriety, a man of deep reflection and of energy of purpose. "It vexes me to the heart," said Bacon, "that while I am hunting the wolves and tigers that destroy our lambs, I should myself be pursued as a savage. Shall persons wholly devoted to their king and country—men hazarding their lives against the public enemy—deserve the appellation of rebels and traitors? The whole country is witness to our peaceable behavior. But those in authority, how have they obtained their estates? Have they not devoured the common treasury? What arts, what sciences, what schools of learning, have they promoted? I appeal to the king and parliament, where the cause of the people will be heard impartially."<sup>1</sup>

Meanwhile, addressing himself to the people of Virginia, he invited all, by their love of country, their love to their wives and children, to gather in a convention, and rescue the colony from the tyranny of Berkeley. The call was answered; none were willing to sit idle in the time of general calamity. The most eminent men in the colony came together at Middle Plantations, now Williamsburgh; Bacon excelled them all in arguments; the public mind seemed to be swayed by his judgment, and an oath was taken by the whole convention, to join him against the Indians, and, if possible, to prevent a civil war. Should the governor persevere in his obstinate self-will, they promise to protect Bacon against every armed force; and after long and earnest arguments, held before the people in the open air from noon till midnight, it was resolved that, even if troops should

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1676

Aug.  
3.<sup>1</sup> Burwell Account, 39—41.

CHAP. arrive from England, Virginia would resist till an  
 XIV. appeal could reach the king in person.<sup>1</sup>

1676. Fortified by the vote of the people, Bacon proceeded against the Indians, while Berkeley withdrew beyond the Chesapeake, and, by promises of booty, endeavored to collect an army on the eastern shore, and among the seamen in the harbor.

The condition of Bacon and his followers became critical. Drummond, who was versed in the early history of Virginia, advised that Berkeley should be deposed, and Sir Henry Chichely substituted as governor. The counsel was disliked. "Do not make so strange of it," said Drummond, "for I can show, from ancient records, that such things have been done in Virginia."<sup>2</sup> Besides, the period of ten years, for which Berkeley was appointed, had already expired.<sup>3</sup> After much discussion, it was agreed, that the retreat of the governor should be taken for an abdication; and Bacon, who had been a member of the council, with four of his colleagues, issued writs for a representative convention of the people, by which the affairs of the colony should be managed. Virginia was revolutionized by the act of its own inhabitants, and government was instituted on the basis of popular power. The wives of Virginia statesmen shared the enthusiasm. "The child that is unborn," said Sarah Drummond, "a notorious and wicked rebel," "shall have cause to rejoice for the good that will come by the rising of the country."<sup>4</sup> "Should we overcome the governor," said Ralph

<sup>1</sup> Burwell Account, 41—46. Burk, ii. 261. T. M.'s Account, p. 21, less distinct. Cotton, p. 7, very clearly told. Beverley, 73, 74.

<sup>2</sup> Bonds, &c. from 1677 to 1682, p. 106, in office of General Court at Richmond, where I copied this

and other incidents relating to Bacon's rebellion from unpublished records.

<sup>3</sup> Bonds, &c. p. 107. Berkeley in Chalmers, calls his government a settlement of ten years.

<sup>4</sup> Bonds, &c. p. 105.

Weldinge, "we must expect a greater power from England, that would certainly be our ruin." Sarah Drummond remembered that England was divided into hostile factions for the duke of York and the duke of Monmouth. Taking from the ground a small stick, she broke it in twain, adding, "I fear the power of England no more than a broken straw." The relief from the hated navigation acts seemed certain. Now "we can build ships," it was urged, "and like New England trade to any part of the world."<sup>1</sup> The stout-hearted woman would not suffer a throb of fear in her bosom. In the greatest perils to which her husband was exposed, she confidently exclaimed, "We shall do well enough;" continuing to encourage the people and inspire the soldiers with her own enthusiasm.<sup>2</sup>

After the lapse of a century, the same passions and the same legislation returned. The early legislators of America were near to nature, and set natural precedents. Connecticut had offered a model for a popular government; Virginia gave an example of a popular revolution. There is an analogy between early American politics and the earliest heroic poems. Both were spontaneous, and both had the vitality of truth. Long as natural affection endures, the poems of Homer will be read with delight; long as freedom lives on earth, the early models of popular legislation and action in America will be admired. The present effort wins new interest from its failure. The flag of freedom was unfurled only to be stained with blood; the accents of liberty were uttered only to be choked by executions.

<sup>1</sup> Compare Bonds, &c. pp. 110 and 89.

<sup>2</sup> Bonds, &c. p. 89.

CHAP. Meantime Sir William Berkeley collected in Accomack a large crowd of followers; men of a base  
 XIV. and cowardly disposition, allured by the passion for  
 1676. plunder.<sup>1</sup> Civil wars were one of the means of  
 enfranchising the serfs of England. Berkeley promised freedom to the servants of the insurgents, if they would rally under his banner. The English vessels in the harbors naturally joined his side. With a fleet of five ships and ten sloops, attended by royalists, a rabble of covetous hirelings, and a horde of Indians,<sup>2</sup> the Cavalier sailed for Jamestown, where he landed without opposition. Entering the town, he fell on his knees, returning thanks to God for his safe arrival; and again proclaimed Bacon and his party traitors and rebels.

Sept.  
8

The cry resounded through the forests for "the countrymen" to come down. "Speed," it was said, "or we shall all be made slaves—man, woman, and child." "Your sword," said Drummond to Lawrence, "is your commission and mine too; the sword must end it;"<sup>3</sup> and both prepared for resistance.

Returning from a successful expedition, and disbanding his troops, Bacon had retained but a small body of men for his personal defence, when the tidings of the fleet from Accomack surprised him in his retirement. His eloquence inspired his few followers with courage. "With marvellous celerity" they hasten towards their enemy. On the way they secure as hostages the wives of royalists who were with Berkeley, and they soon appear under arms before

<sup>1</sup> All accounts concur. Berkeley's Vindication, in Burk, ii. 262, "Taking any thing from the rebels, imputed a heinous crime." The complaint implies that there had

been pillage. Review, in Burk, ii. 252. Burwell Account, 47, 48

<sup>2</sup> Bonds, &c. 113, 114.

<sup>3</sup> Ibid. 110, 113.

Jamestown. The trumpet sounds defiance; and, under the mild light of a September moon, a rude intrenchment is thrown up. Civil war was begun. Night, the season, nature, freedom, all, demanded peace. If the New World could not create friendship among the outcasts from Europe, were not the woods wide enough to hide men from each other's anger?

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Victory did not hesitate. The followers of Berkeley were too cowardly to succeed in a sally;<sup>1</sup> and to secure plunder they made grounds to desert.<sup>2</sup> No considerable service was done, except by the seamen. What availed the passionate fury and desperate courage of a brave and irascible old man? The royalists deserted the town, and escaped in their fleet by night.

On the morning after the retreat, Bacon entered the little capital of Virginia. There lay the ashes of Gosnold; there the gallant Smith had told the tale of his adventures of romance; there English wives had been offered for sale to eager colonists; there Pocahontas had sported in the simplicity of innocence. For nearly seventy years, it had been the abode of Anglo-Saxons. But could Bacon retain possession of the town? And should he abandon it as a strong-hold for the enemies of his country? The rumor prevailed that a party of royalists from the northern counties was drawing near. In a council of war, it was resolved to burn Jamestown, the only town in Virginia, that no shelter<sup>3</sup> might remain for an enemy. Should troops arrive from England, every man was ordered to retire into the wilderness.<sup>4</sup> Tyrants would hardly chase the

<sup>1</sup> Burwell Account, 53, 54.

<sup>2</sup> Review, in Burk, ii. 252.

<sup>3</sup> For the motive, Cotton, p. 8, and T. M.'s Account, p. 21. "The

rogues should harbor no men there."

"To prevent a future siege."

<sup>4</sup> T. M.'s Account, p. 21.

CHAP. planters into their scattered homes, among the woods  
 XIV. And, as the shades of night descended, the village  
 1676 was set on fire. Two of the best houses belonged to  
 Lawrence and Drummond; each of them, with his  
 own hand, kindled the flames that were to lay his  
 dwelling in ashes.<sup>1</sup> The little church, the oldest in  
 the Dominion, the newly-erected statehouse, were  
 consumed. In the darkness of night, the conflagration  
 blazed high in the air, and was seen by the fleet that  
 lay at anchor twenty miles below the town.<sup>2</sup> Virginia  
 offered its only village as a victim for its freedom.  
 Patriots fired their own houses, lest they should harbor  
 enemies to their country. The ruins of the tower of  
 the church, and the memorials in the adjacent grave-  
 yard, are all that now mark for the stranger the pen-  
 insula of Jamestown.<sup>3</sup>

From the smoking ruins, Bacon hastened to meet  
 the royalists from the Rappahannock. No engage-  
 ment ensued; the troops in a body joined the patriot  
 party; and Brent, their royalist leader, was left at the  
 mercy of the insurgents. Even the inhabitants of  
 Gloucester gave pledges of adhesion. Nothing re-  
 mained but to cross the bay, and revolutionize the  
 eastern shore.

The little army of Bacon had been exposed, by night,  
 to the damp dews of the lowlands; and the evening air  
 of the balmy autumn was laden with death. Bacon  
 himself suddenly sickened; his vital energies vainly  
 struggled with the uncertain disease,<sup>4</sup> and on the first

<sup>1</sup> T. M.'s Account, 21.

<sup>2</sup> Review, in Burk, ii. 252, and  
 Burwell Account, 54.

<sup>3</sup> Hawks's Contributions, 20.

<sup>4</sup> Was Bacon poisoned? He-

ning rashly ventures the con-  
 jecture, ii. 374. Yet in 1680, Hening,  
 ii. 460, his death is called "infa-  
 mous and exemplary;" and, in  
 1677, Hening, ii. 374, it is called



day of October he died. Seldom has a political leader been more honored by his friends "Who is there now," said they, "to plead our cause? His eloquence could animate the coldest hearts; his pen and sword alike compelled the admiration of his foes, and it was but their own guilt that stiled him a criminal. His name must bleed for a season; but when time shall bring to Virginia truth crowned with freedom, and safe against danger, posterity shall sound his praises."<sup>1</sup>

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An uneducated people obeys promptly the first call to action for freedom; it is less capable of union and perseverance. The death of Bacon left his party without a head. A series of petty insurrections followed; but in Robert Beverley the royalists found an agent superior to any of the remaining insurgents. The ships in the river were at his disposal, and a continued warfare in detail restored the supremacy of the governor.

Thomas Hansford, a native Virginian, was the first partisan leader whom Beverley surprised. Young, gay, and gallant, nursed among the forests of the Old Dominion, fond of amusement, not indifferent to pleasure, impatient of restraint, keenly sensitive to honor, fearless of death, and passionately fond of the land that had given him birth, he was a true representative of the Virginia character. Summoned before

Nov  
13.

"just, and most exemplary." In Hening, ii. 426, in a subsequent order from England, "all waies of force and designe" are sanctioned. An old poet in the Burwell Account, p. 58, writes—

"Virginia's foes, dreading their just desert,  
Corrupted Death by Paracelsian art  
Him to destroy."

And a royalist, in reply, p. 59, does not hesitate to write—

"Then how can it be counted for a sin,  
Though Death, nay, though myself had  
bribed been,  
To guide the fatal shaft? We honor all,  
That lend a hand unto a traitor's fall."

<sup>1</sup> In the old chronicle, p. 59—

"While none shall dare his obsequies to  
sing  
In deserved measures, until time shall bring  
Truth crowned with freedom, and from  
danger free,  
To sound his praises to posterity."

CHAP. XIV.  
 1676 the vindictive Berkeley, he disdained to shrink from the malice of destiny, and Berkeley condemned him to be hanged. Neither at his trial nor afterwards did he show any diminution of fortitude. He demanded no favor, but that "he might be shot like a soldier, and not hanged like a dog." "You die," it was answered, "not as a soldier, but as a rebel." During the short respite after sentence, his soul was filled with the prospect of immortality. Reviewing his life, he expressed penitence for every sin. What was charged on him as rebellion, he denied to have been a sin. "Take notice," said he, as he came to the gibbet, "I die a loyal subject and a lover of my country." That country was Virginia. Hansford perished, the first native of America on the gallows, a martyr to the right of the people to govern themselves.<sup>1</sup>

Taking advantage of their naval superiority, a party of royalists entered York River, and surprised the troops that were led by Edmund Cheesman and Thomas Wilford. The latter, a younger son of a royalist knight, who had fallen in the wars for Charles I., a truly brave man, and now by his industry a successful emigrant, lost an eye in the skirmish. "Were I stark blind," said he, "the governor would afford me a guide to the gallows." When Cheesman was arraigned for trial, Berkeley demanded, "Why did you engage in Bacon's designs?" Before the prisoner could frame an answer, his wife, a young woman, stepped forward:—"My provocations"—such were her words—"made my husband join in the cause for which Bacon contended; but for me, he had never done what he has done. Since what is

<sup>1</sup> Burwell Account, 62. Cotton, 9. Hening, iii. 567

done," she added, falling on her knees, "was done by my means, I am most guilty; let me bear the punishment; let me be hanged, but let my husband be pardoned." She spoke truth; but the governor angrily cried, "Away!" adding reproach to the purity of her nuptial bed. Proud insolence! As if woman would die for one she had dishonored!<sup>1</sup>

As the power of Berkeley increased, his passions were whetted by the opportunity of indulgence. Nothing is so merciless as offended pride; a former affront is remembered as proof of weakness; and it seeks to restore self-esteem by a flagrant exercise of recovered power. Avarice also found delight in fines and confiscations; no sentiment of clemency was tolerated. From fear that a jury would bring in verdicts of acquittal, men were hurried to death from courts martial.<sup>2</sup> "You are very welcome," cried the exulting Berkeley, with a low bow, on meeting William Drummond, as his prisoner; "I am more glad to see you than any man in Virginia; you shall be hanged in half an hour." The patriot, avowing boldly the part he had acted, was condemned at one o'clock, and hanged at four. His children and wife were driven from their home, to depend on the charity of the planters.<sup>3</sup> At length it was deemed safe to resort to the civil tribunal, where the judges proceeded with the virulence of accusers. Of those who put themselves on trial, none escaped being convicted and hanged. A panic paralyzed the juries, there was in most men so much guilt or fear.<sup>4</sup> What

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1676

1677  
Jan.  
20.

<sup>1</sup> Burwell Account, 64. Henning, ii. 375. Cotton, 9. ii. 370, 546, 558. Burk, ii. 201, 263, 264, 266.

<sup>2</sup> True Account, in Burk, ii. 254. <sup>4</sup> True Account, in Burk, ii. 255.

<sup>3</sup> Bonds, &c. pp. 87 and 111. N. B. Let the reader not be led astray by the very ridiculous er-

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Jan.

29.

though commissioners arrived with a royal proclamation, promising pardon to all but Bacon?<sup>1</sup> In defiance of remonstrances, executions continued till twenty-two had been hanged. Three others had died of cruelty in prison; three more had fled before trial; two had escaped after conviction. More blood was shed than, on the action of our present system, would be shed for political offences in a thousand years. "The old fool," said the kind-hearted Charles II., with truth, "has taken away more lives in that naked country, than I, for the murder of my father." And in a public proclamation he censured the conduct of Berkeley, as contrary to his commands and derogatory to his clemency.<sup>2</sup> Nor is it certain when the carnage would have ended, had not the assembly, newly convened, voted an address "that the governor would spill no more blood." "Had we let him alone, he would have hanged half the country," said the member from Northampton to his colleague from Stafford.<sup>3</sup>

Feb.  
20.

Feb

The memory of those who have been wronged is always pursued by the ungenerous. England, ambitious of absolute colonial supremacy, could not render justice to the principles by which Bacon was swayed. No printing-press was allowed in Virginia. To speak ill of Berkeley or his friends, was punished by whipping or a fine; to speak or write, or publish any thing, in favor of the rebels or the rebellion, was made a high misdemeanor; if thrice repeated, was

of Burk, ii. 200, where he narrates "the acquittal of ten in one day." Pure fiction, though repeated by a late writer. Compare Burk, ii. 255 and 263.

<sup>1</sup> Hening, ii. 428, 429.

<sup>2</sup> Ibid. 429. Oldmixon, i. 257

asserts that the king highly approved of Berkeley's conduct. The proclamation must be allowed the highest possible authority to the contrary.

<sup>3</sup> T. M.'s Account, 24. Hening ii. 545—558.

evidence of treason.<sup>1</sup> Is it strange that posterity was for more than a hundred years defrauded of the truth? Every accurate account of the insurrection remained in manuscript till the present century.<sup>2</sup>

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It was on occasion of this rebellion, that English troops were first introduced into the English colonies in America. Their support was burdensome. After three years they were disbanded, and probably mingled with the people.<sup>3</sup>

With the returning squadron Sir William Berkeley sailed for England. Guns were fired, and bonfires kindled at his departure.<sup>4</sup> Public opinion in England censured his conduct with equal severity; and Lord Berkeley used to say, that the unfavorable report of the commissioners in Virginia caused the death of his brother. It took place soon after Sir William's arrival in England, before he had had an opportunity of waiting on the king.

The results of Bacon's rebellion were disastrous for Virginia. The suppression of an insurrection furnished an excuse for refusing a liberal charter, and conceding nothing more than a patent, containing not one political franchise.<sup>5</sup> Freedom in Virginia rested on royal favor, and was measured by the royal will, except so far as the common law protected the inhabitants in the rights of Englishmen. The form of government was further defined by royal instructions<sup>6</sup> that had been addressed to Berkeley. Assemblies were required to be called but once in two years, and to sit but fourteen days, unless for special reasons.

1676  
Oct.  
10.

Nov  
13.

<sup>1</sup> Hening, ii. 385, 386.

<sup>2</sup> Compare Walsh's Appeal, 78.

<sup>3</sup> Chalmers, 351, 352.

<sup>4</sup> F. Morryson, in Burk, ii. 267.

<sup>5</sup> Burk, ii. App. lxi. Hening, ii. 532. Beverley, 76.

<sup>6</sup> Hening, ii. 424—426, where they are printed at large.

CHAP. XIV. "You shall take care," said the king, "that the members of assembly be elected only by freeholders."

1677. In conformity with these instructions, all the acts of Bacon's Assembly, except perhaps one which permitted the enslaving of Indians, and which was confirmed and renewed, were absolutely repealed,<sup>1</sup> and the former grievances immediately returned. The private levies, unequal and burdensome, were managed by men who combined to defraud; the public revenues were often misapplied; each church was again subjected to its self-perpetuating vestry; an enormous loss had been sustained by the insurrection; and the burden was more severely felt by the poorer classes, because the elective franchise was circumscribed, while taxes continued to be levied by the poll.<sup>2</sup> The commissioners sent by the king to inquire into the condition of Virginia, allowed every district to present its afflictions. The happy county of Westmoreland, the county of which John Washington was a burgess and a magistrate,<sup>3</sup> declared that it felt no grievances.<sup>4</sup> In other counties there were long reports of tyranny and rapine. But if complaints were heard with impartiality—if the rash imprudence of Berkeley did not escape rebuke—every measure of effectual reform was considered void, and every aristocratic feature that had been introduced into legislation, was perpetuated.

While the restoration had thus been attended by scenes of carnage and civil war, the progress of Maryland, under the more generous proprietary government was tranquil and rapid. Like Virginia, Maryland was a

<sup>1</sup> Hening, ii. 380; ii. 346, 404.

<sup>2</sup> Culpepper, in Chalmers, 355, 356.

<sup>3</sup> Hening, ii. 250, 309, 330.

<sup>4</sup> Chalmers, 338.

colony of planters; its staple was tobacco, and its prosperity was equally checked by the pressure of the navigation acts. Like Virginia, it possessed no considerable village; its inhabitants were scattered among the woods and along the rivers; each plantation was a little world within itself, and legislation vainly attempted the creation of towns by statute. Like Virginia, its laborers were in part indented servants, whose term of service was limited by persevering legislation;<sup>1</sup> in part negro slaves, who were employed in the colony from an early period, and whose importation was favored both by English cupidity and by provincial statutes.<sup>2</sup> As in Virginia, the appointing power to nearly every office in the counties as well as in the province, was not with the people; and the judiciary was placed beyond their control.<sup>3</sup> As in Virginia, the party of the proprietary, which possessed the government, was animated by a jealous regard for prerogative, and by the royalist principles, which derive the sanction of authority from the will of Heaven. As in Virginia, the taxes levied by the county officers were not conceded by the direct vote of the people, and were, therefore, burdensome alike from their excessive amount and the manner of their levy.<sup>4</sup> But though the administration of Maryland did not favor the increasing spirit of popular liberty, it was marked by conciliation and humanity. To foster industry, to promote union, to cherish religious peace,—these were the honest purposes of Lord Baltimore during his long supremacy.

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<sup>1</sup> Bacon, 1661, c. x.; 1662, c. vi.

<sup>2</sup> Ibid. 1671, c. ii.; confirmed 1672, c. ii.; renewed Oct. 1692, c. lii.

<sup>3</sup> Macculloch's Maryland, 155, &c.

<sup>4</sup> This is in part inference from the laws at large. Compare T. M.'s Account of Bacon's Rebellion, p. 21. An important passage.

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At the restoration, the authority of Philip Calvert, whom the proprietary had commissioned as his deputy, was promptly and quietly recognized. Fendall, the former governor, who had obeyed the impulse of the popular will as paramount to the authority of Baltimore, was convicted of treason. His punishment was mild; a wise clemency veiled the incipient strife  
1661 between the people and their sovereign, under a general amnesty. Peace was restored, but Maryland was not placed beyond the influence of the ideas which that age of revolution had set in motion; and the earliest opportunity would renew the strife.

Yet the happiness of the colony was enviable. The persecuted and the unhappy thronged to the domains of the benevolent prince. If Baltimore was, in one sense, a monarch—like Miltiades at Chersonesus, and other founders of colonies of old—his monarchy was tolerable to the exile who sought for freedom and repose. Numerous ships found employment in his harbors. The white laborer rose rapidly to the condition of a free proprietor; the female emigrant was sure to improve her condition, and the cheerful charities of home gathered round her in the New World. Affections expanded in the wilderness, where artificial amusements were unknown. The planter's whole heart was in his family; his pride in the children that bloomed around him, making the solitudes laugh with innocence and gayety.

Emigrants arrived from every clime; and the  
1666. colonial legislature extended its sympathies to many nations, as well as to many sects. From France came Huguenots; from Germany, from Holland, from Sweden, from Finland, I believe from Piedmont, the children of misfortune sought protection under the



tolerant sceptre of the Roman Catholic. Bohemia itself,<sup>1</sup> the country of Jerome and of Huss, sent forth its sons, who at once were made citizens of Maryland with equal franchises. The empire of justice and humanity, according to the light of those days, had been complete but for the sufferings<sup>2</sup> of the people called Quakers. Yet they were not persecuted for their religious worship, which was held publicly and without interruption.<sup>3</sup> "The truth was received with reverence and gladness;" and with secret satisfaction George Fox relates that members of the legislature and the council, persons of quality, and justices of the peace, were present at a large and very heavenly meeting. The Indian emperor, after a great debate with his council, came also, followed by his kings, with their subordinate chieftains, and, reclining on the eastern shore of the Chesapeake, they listened to the evening discourse of the benevolent wanderer. At a later day, the heir of the province attended a Quaker assembly. But the refusal of the Quakers to perform military duty subjected them to fines and harsh imprisonment; the refusal to take an oath sometimes involved them in a forfeiture of property; nor was it before 1688, six years after the arrival of William Penn in America, that indulgence was fully conceded.

Meantime the virtues of benevolence and gratitude ripened together. Charles, the eldest son of the 1662 proprietary, came to reside in the province which was to be his patrimony. He visited the banks of the Delaware,<sup>4</sup> and struggled to extend the limits of his

<sup>1</sup> Bacon, 1666, c. vii.

<sup>2</sup> Besse, ii. 381—388. Very exact. McMahon, 227, less full than the Quaker historian.

<sup>3</sup> George Fox's Journal, 448, &c.

<sup>4</sup> Albany Records, xvii. 286.

"Young Baltimore has in contemplation to make a visit on the river." xvii. 297.

CHAP. jurisdiction.<sup>1</sup> As in Massachusetts, money was coined  
 XIV. at a provincial mint,<sup>2</sup> and, at a later day, the value of  
 1686. foreign coins was arbitrarily advanced. A duty was  
 levied on the tonnage of every vessel that entered  
 1662. the waters.<sup>3</sup> It was resolved to purchase a state-  
 1674. house, which was subsequently built at a cost of forty  
 thousand pounds of tobacco—about a thousand dollars.  
 1666. The Indian nations were pacified; and their rights,  
 subordination, and commerce, defined and established.  
 But the mildest and most amiable feature of legislation  
 1662. is found in the acts of compromise<sup>4</sup> between Lord  
 1671. Baltimore and the representatives of the people, in  
 1674. which the power of the former to raise taxes was  
 accurately limited, and the mode of paying quit-rents  
 established on terms favorable to the colony; while,  
 on the other hand, a custom of two shillings a  
 hogshead was levied on all exported tobacco, of  
 which a moiety was appropriated to the defence of  
 the government; the residue became conditionally the  
 revenue of the proprietary. The compromise, though  
 called “an act of gratitude,” was favorable to the  
 colonists. The people held it a duty themselves to  
 bear the charges of government, and they readily  
 acknowledged the unwearied care of the proprietary  
 for the welfare of his dominions.

Thus was the declining life of Cecilius Lord Balti-  
 more, the father of Maryland, the tolerant legislator,  
 the benevolent prince, blessed with the success which  
 philanthropy deserves. The colony which he had  
 planted in youth, crowned his old age with its grati-

<sup>1</sup> Compare Albany Records, xvii. 315, 245; xviii. 337—365. More on this subject hereafter. Heerman's Journal sheds a clear light on the controversy with Penn.

<sup>2</sup> Bacon, 1661, c. iv.; 1662, c. viii.; 1686, c. iv.

<sup>3</sup> Ibid. 1661, c. vii.

<sup>4</sup> Ibid. 1662, c. xix.; 1671, c. xl. 1674, c. i.

tude. Who among his peers could vie with him in honors? A firm supporter of prerogative, a friend to the Stuarts, he was touched with the sentiment of humanity; an earnest disciple of the Roman church, of which he venerated the expositions of truth as infallible, he, first among legislators, established an equality among sects. Free from religious bigotry, a lover of concord and of tranquillity, he could not rise above the political prejudices of his party. He knew not the worth or the fruits of popular power; he had not perceived the character of the institutions which were forming in the New World, and his benevolent designs were the results of his own moderation, the fruit of his personal character, without regard to the spirit of his age. In Rhode Island, intellectual freedom was a principle which Roger Williams had elicited from the sympathies of the people; in Maryland, it was the happy thought of the sovereign, who did not know that ideas find no secure shelter but in the breast of the multitude. The people are less easily shaken than the prince. Rhode Island never lost the treasure of which it had become conscious. The principle of freedom of mind did not exist in the people of Maryland, and, therefore, like the benevolence of individuals, was an uncertain possession, till the same process of thought, which had redeemed the little colony of the north, slowly, but surely, infused itself into the public mind on the Chesapeake. Lord Baltimore failed to obtain that highest fame, which springs from successful influence on the masses; his personal merits are free from stain. The commercial metropolis of Maryland commemorates his name; the memory of his wise philanthropy survives in American history. He died after a supremacy of more than

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forty-three years, leaving a reputation for temperate wisdom, which the dissensions in his colony and the various revolutions of England could not tarnish. He did not leave the impress of his mind on the political character of Maryland, and, therefore, failed of obtaining the brightest glory of a legislator. Of the elements of which he was primarily the author, nothing endured but the rights of property reserved for his family.

1676. The death of Cecilius recalled to England the heir of the province, who had now administered its government for fourteen years with a moderation which had been rewarded by the increasing prosperity of his patrimony. Previous to his departure, the whole code of laws received a thorough revision; the memorable act of toleration was confirmed. Virginia had, six
1670. years before, prohibited the importation of felons until  
April the king or privy council should reverse the order. In  
20. Maryland, "the importation of convicted persons" was absolutely prohibited without regard to the will of the king or the English parliament, and in 1692 the prohibition was renewed.<sup>1</sup> The established revenues of the proprietary were continued.

As Lord Baltimore sailed for England, the seeds of discontent were already germinating. The office of proprietary, a feudal principality, with extensive manors in every county, was an anomaly; the sole hereditary legislator in the province, his power was not in harmony with the political predilections of the colonists, or the habits of the New World. The doctrine of the paramount authority of an hereditary sovereign was at war with the spirit which emigration fostered, and the principles of civil equality naturally

<sup>1</sup> Hening, ii. 509, 510. Bacon, 1676, c. xvi.

grew up in all the British settlements. The insurrection of Bacon found friends north of the Potomac, and a rising was checked only by the prompt energy of the government.<sup>1</sup> But the vague and undefined cravings after change, the tendency toward more popular forms of administration, could not be repressed. The assembly which was convened during the absence of the proprietary shared in this spirit; and the right of suffrage was established on a corresponding basis.<sup>2</sup> The party of "Baconists" had obtained great influence on the public mind. Differences between the proprietary and the people became apparent. On his return to the province, he himself, by proclamation, annulled the rule which the representatives of Maryland had established respecting the elective franchise, and, by an arbitrary ordinance, limited the right of suffrage to freemen possessing a freehold of fifty acres, or having a visible personal estate of forty pounds. No difference was made with respect to color. In Virginia, the negro, the mulatto, and the Indian, were first disfranchised in 1723; in Maryland, they retained by law the right of suffrage till the time when the poorest white man recovered his equal franchise. These restrictions, which, for one hundred and twenty-one years, successfully resisted the principle of universal suffrage among freemen of the Caucasian race, were introduced in the midst of scenes of civil commotion. Fendall, the old republican,<sup>3</sup> was again planning schemes of insurrection, and even of independence. The state was not only troubled with poverty, but

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1678

1681  
June  
27Sept.  
6.

1802

<sup>1</sup> T. M.'s Account, p. 21. Lord Baltimore to the earl of Anglesey, in Chalmers, p. 376. "In the time of Bacon's rebellion, he [Fendall] tried to raise a rebellion here."

<sup>2</sup> Bacon, 1678, c. iii. McMahon, 445.

<sup>3</sup> Documents, in Chalmers, 376. The letter is from Lord Baltimore, —of course, an ex parte statement.

CHAP. was in danger of falling to pieces ; for it was said,  
 XIV. “The maxims of the old Lord Baltimore will not do  
 ~ ~ in the present age.”<sup>1</sup>

The insurrection was for the time repressed ; but its symptoms were the more alarming from the religious fanaticism with which the principle of popular power was combined. The discontents were increased by hostility toward the creed of Papists ; and, as Protestantism became a political sect, the proprietary government was in the issue easily subverted ; for it had struck no deep roots either in the religious tenets, the political faith, or the social condition of the colony. It had rested only on a grateful deference, which was rapidly wearing away.

1676. Immediately on the death of the first feudal sovereign of Maryland, the powerful influence of the archbishop of Canterbury had been solicited to secure an establishment of the Anglican church, which clamored for favor in the province where it enjoyed equality. Misrepresentations were not spared. “Maryland,” said a clergyman of the church, “is a pest-house of iniquity.” The cure for all evil was to be “an established support of a Protestant ministry.”<sup>2</sup> The prelates demanded, not freedom, but privilege ; an establishment to be maintained at the common expense of the province. Lord Baltimore resisted ; the Roman Catholic was inflexible in his regard for freedom of worship.

The opposition to Lord Baltimore as a feudal sovereign easily united with Protestant bigotry ; and  
 1681. when the insurrection was suppressed by methods of clemency and forbearance, the government was

<sup>1</sup> Culpepper, in Chalmers, 357.

<sup>2</sup> Rev. J. Yeo, in Chalmers, 373.

vehemently accused of favor towards Papists. The opportunity was too favorable to be neglected; the English ministry soon issued an order, that offices of government in Maryland should be intrusted exclusively to Protestants. Roman Catholics were disfranchised in the province which they had planted.

With the colonists Lord Baltimore was at issue for his hereditary authority, with the English church for his religious faith; attempts to modify the unhappy effects of the navigation acts on colonial industry, involved him in opposition to the commercial policy of England. His rights of jurisdiction had been disregarded; the custom-house officer of Maryland had been placed under the superintendence of the governor of Virginia; and the unwelcome relations, resisted by the officers of Lord Baltimore, had led to quarrels and bloodshed, which were followed by a controversy with Virginia.<sup>1</sup> The accession of James II. seemed an auspicious event for a Roman Catholic proprietary; but the first result from parliament was an increased burden on the industry of the colony, by means of a new tax on the consumption of its produce in England; while the king, who meditated the subversion of British freedom, resolved, with impartial injustice, to reduce all the colonies to a direct dependence on the crown. The proprietary, hastening to England, vainly pleaded his irreproachable administration. Remonstrance was disregarded, and chartered rights despised; and a writ of *quo warranto* was ordered against the patent of Lord Baltimore. But before the legal forms could be brought to an issue, the people of England had sat in judgment on their king.

<sup>1</sup> Communicated from Maryland Records.

CHAP. XIV. The approach of the revolution effected no im-  
 1688. mediate benefit to Lord Baltimore. What though  
 mutinous speeches and practices against the proprie-  
 tary government were punishable by whipping, boring  
 the tongue, imprisonment, exile, death itself? The  
 spirit of popular liberty, allied to Protestant bigotry and  
 the clamor of a pretended popish plot, was too powerful  
 an adversary for his colonial government. William  
 Joseph, the president to whom he had intrusted the  
 administration, convened an assembly. The address  
 on opening it, explains the character of the proprie-  
 tary, and of the insurrection which followed. "Divine  
 Providence," said the representative of Lord Balti-  
 more, "hath ordered us to meet. The power by which  
 we are assembled here, is undoubtedly derived from  
 God to the king, and from the king to his excellency,  
 the lord proprietary, and from his said lordship to us.  
 The power, therefore, whereof I speak, being, as said,  
 firstly, in God and from God; secondly, in the king  
 and from the king; thirdly, in his lordship; fourthly,  
 in us;—the end and duty of, and for which this  
 assembly is now called and met, is that from these  
 four heads, to wit: from God, the king, our lord, and  
 Nov. selves." Having thus established the divine right  
 of the proprietary, he endeavored to confirm it by  
 invading the privileges of the assembly, and exacting  
 a special oath of fidelity to his dominion. The assem-  
 bly resisted the attempt, and was prorogued.<sup>1</sup> Is it  
 strange that excitements increased; that they were  
 heightened by tidings of the invasion of England;  
 that they were kindled into a flame by a delay in  
 proclaiming the new sovereign? An organized insur-

<sup>1</sup> McMahan, 235. The chapters most accurate of them all. Chal-  
 of Chalmers on Maryland are the mers had resided in Maryland.



rection was conducted by John Coode, of old an associate of Fendall; and "The Association in arms for the defence of the Protestant religion," usurped the government. Can the cause of liberty never be asserted in perfect purity? The revolution was a sign of the advancing spirit of the age; yet Coode was a worthless man. His party was strengthened by the most false and virulent calumnies against the absent proprietary, and the overthrow of liberty of conscience was menaced by the insurrection. But would the reformed English government suffer Papists to be oppressed in the colony where Papists had proclaimed freedom of mind, and set the example of toleration? Would the new dynasty seek to appropriate to itself the power and the rights that had been wrested from Lord Baltimore by turbulent violence? The method pursued by the ministry of William and Mary towards Maryland would test their sincerity, and show whether they were governed by universal principles of justice, or had derived their inspiration for liberty from circumstances and times—whether they had made a revolution in favor of humanity or in behalf of established privileges.

About two years after Virginia had been granted to Arlington and Culpepper, the latter obtained an appointment as governor of Virginia for life, and was proclaimed soon after Berkeley's departure.<sup>1</sup> The Ancient Dominion was changed into a proprietary government, and the administration surrendered, as it were, to one of the proprietaries, who, at the same time, was sole possessor of the immense domain between the Rappahannock and the Potomac. Cul-

CHAF  
XIV.

1689  
Aug.  
23.

1675  
July  
8.

1677  
Aug.  
25.

<sup>1</sup> Henng, ii. 564.

CHAP. pepper was disposed to regard his office as a sine-  
 XIV. cure, but the king chid him for remaining in England ;  
 1680. and embarking for Virginia, the governor, early in  
 1680, arrived in his province.<sup>1</sup> He had no high-  
 minded regard for Virginia ; he valued his office and  
 his patents only as property. Clothed by the royal  
 clemency with power to bury past contests, he per-  
 verted the duty of humanity into a means of enriching  
 himself, and increasing his authority. Yet Culpepper  
 was not singularly avaricious. His conduct was in  
 harmony with the principles which prevailed in Eng-  
 land. As the British merchant claimed the monopoly  
 of colonial commerce, as the British manufacturer  
 valued Virginia only as a market for his goods, so the  
 British courtiers looked to appointments in America  
 as a means of enlarging their own revenues, or provid-  
 ing for their dependants. Nothing but Lord Culpep-  
 per's avarice gives him a place in American history.  
 Ignoble as is the claim, it contains a profound  
 moral. Who can doubt that the people collectively  
 exercise the appointing power more wisely than any  
 individual ?

May 10. Having taken the oath of office at Jamestown, and  
 organized his council of members friendly to preroga-  
 tive, the wilful followers of Bacon were disfranchised.

June 8. An assembly was convened in June, and three acts,  
 framed in England and confirmed in advance by the  
 great seal, were proposed for enactment. The first  
 was of indemnity and oblivion—less clement than had  
 been hoped, yet definitive, and therefore welcome.

<sup>1</sup> Burk, ii. 226. I think by 1679 of a year." His residence was  
 must be meant 1679-80, or it is from early in the year to August,  
 an error. Beverley was right in 1680.  
 "making Culpepper's stay fall short

The second withdrew from the assembly the powers it had claimed of welcoming the alien with privileges of citizenship, and declared it a prerogative of the governor. And the third, still more grievous to colonial liberty, constructed after an English precedent, yet so hateful to Virginians, that it encountered severe opposition, and was carried only from hope of pardon for the rebellion, authorized a perpetual export duty of two shillings a hogshead on tobacco, and granted the proceeds as a royal revenue for the support of government, to be accounted for, not to the assembly, but to the king.<sup>1</sup> Thus the power of Virginia over colonial taxation, the only check on the administration, was voted away without condition. The royal revenue was ample and was perpetual. Is it strange that political parties in Virginia showed signs of change?—that many who had been zealous among the Cavaliers, became blended with the mass of the population, and learned to distrust the royal influence?

For his own interests Lord Culpepper was equally careful. The salary of governor of Virginia had been a thousand pounds: for him it was doubled, because he was a peer. A further grant was made for house-rent. Perquisites of every kind were sought for and increased. Nay, the peer was hardly an honest man. He defrauded the soldiers of a part of their wages by an arbitrary change in the value of current coin.<sup>2</sup> Having made himself familiar with Virginia, and employed the summer profitably, in the month of August he sailed for England from Boston.<sup>3</sup> How unlike Winthrop and Haynes, Clarke and Williams!

CHAP  
XIV.

<sup>1</sup> Hening, ii. 568, 569, 458, &c. 466, &c. Beverley, p. 79.

<sup>3</sup> Hening, ii. 561. Hutchinson's Mass. i. 299.

<sup>2</sup> Beverley, 79, 80.

CHAP. XIV. Virginia was impoverished; the low price of tobacco left the planter without hope. The assembly  
 1680. had attempted by legislation to call towns into being, and cherish manufactures. With little regard to colonial liberties, it also petitioned the king to prohibit by proclamation the planting of tobacco in the colonies for one year. The first measure could not countervail the navigation acts; with regard to the second, riots were substituted for the royal proclamation, and mobs collected to cut up the fields of tobacco-plants. The country was wretched, and therefore restless.

1682. Culpepper returned to reduce Virginia to quiet, and to promote his own interests as proprietor of the Northern Neck. A few victims on the gallows silenced discontent. The assembly was convened, and its little remaining control over the executive was wrested from it. The council constituted the General Court of Virginia; according to usage, appeals lay from it to the General Assembly. The custom was eminently favorable to the power of the people; it menaced Culpepper with defeat in his attempts to appropriate to himself the cultivated plantations of the Northern Neck. The artful magistrate fomented a dispute between the council and the assembly. The burgesses, in their high court of appeal, claimed to sit alone, excluding the council from whose decision the appeal was made; and Culpepper, having referred the question to the king for decision, soon announced that no appeals whatever should be permitted to the assembly, nor to the king in council, under the value of one hundred pounds sterling. It shows the spirit of the council of Virginia, that it welcomed the new rule, desiring only

1683  
 May  
 23.

that there might be no appeal to the king under the value of two hundred pounds.<sup>1</sup>

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XIV.

The holders of land within the grant of Culpepper now lay at his mercy, and were compelled eventually to negotiate a compromise.

All accounts agree in describing the condition of Virginia, at this time, as one of extreme distress. Culpepper had no compassion for poverty—no sympathy for a province impoverished by perverse legislation—and the residence in Virginia was so irksome, that in a few months he returned to England. The council reported the griefs and restlessness of the country; and they renew the request, that the grant to Culpepper and Arlington may be recalled. The poverty of the province rendered negotiation more easy; the design agreed well with the new colonial policy of Charles II. Arlington surrendered his rights to Culpepper, and, in the following year, the crown was able to announce that Virginia was again a royal province.<sup>2</sup>

1683  
May  
4

1684  
July  
25.

Nor did Culpepper retain his office as governor. His patent was for life; but, like so many other charters, it was rendered void by a process of law,<sup>3</sup> not so much from regard for Virginia liberties, as to recover a prerogative for the crown.

1683

Lord Howard of Effingham was Culpepper's successor. Like so many before and after him, he solicited office in America to get money,<sup>4</sup> and resorted to the usual expedient of exorbitant fees. It is said, he did not scruple to share perquisites with his clerks. The ideas of right and wrong—the same in every breast.

Aug

<sup>1</sup> Hening, iii. 550. Beverley, 82, 83.

<sup>3</sup> Chalmers, 345.

<sup>2</sup> Ibid. ii. 561, 563, 578, 521, 522. Beverley, 85.

<sup>4</sup> Chalmers, 347. Beverley, 85.

CHAP. if the voice within does but find a willing listener—  
 XIV. are yet obscured and perverted by men's interests and habits. In Virginia, the avarice of Effingham was the public scorn; in England, it met with no severe reprobation.

1685. The accession of James II. made but few changes in the political condition of Virginia. The suppression of Monmouth's rebellion gave to the colony useful citizens. Men connect themselves, in the eyes of posterity, with the objects in which they take delight. James II. was inexorable towards his brother's favorite. Monmouth was beheaded, and the triumph of legitimacy was commemorated by a medal, representing the heads of Monmouth and Argyle on an altar, their bleeding bodies beneath, with this inscription, "*Sic aras et sceptrā tuemur*;"—thus we defend our altars and our throne. "Lord chief justice is making his campaign in the west;"—I quote from a letter which James II., with his own hand, wrote to one in Europe, in allusion to Jeffries' circuit for punishing the insurgents—"he has almost done his campaign. He has already condemned several hundreds—some of whom are already executed, more are to be, and the others sent to the plantations." This is the language of the sovereign of our ancestors. The prisoners condemned to transportation were a salable commodity. Such was the demand for labor in America, that convicts and laborers were regularly purchased and shipped to the colonies, where they were sold as indented servants. The courtiers round James II. exulted in the rich harvest which the rebellion promised, and begged of the monarch frequent gifts of their condemned countrymen. Jeffries heard of the scramble, and indignantly addressed the king, "I beseech your

1685.  
 Sept.  
 19.

majesty, that I may inform you that each prisoner will be worth ten pound, if not fifteen pound, apiece; and, sir, if your majesty orders these as you have already designed, persons that have not suffered in the service, will run away with the booty." At length the spoils were distributed. The convicts were in part persons of family and education, accustomed to elegance and ease. "Take all care," wrote the monarch, under the countersign of Sunderland, to the government in Virginia—"take all care that they continue to serve for ten years at least, and that they be not permitted in any manner to redeem themselves by money or otherwise, until that term be fully expired. Prepare a bill for the assembly of our colony, with such clauses as shall be requisite for this purpose." No Virginia legislature seconded such malice; and in December, 1689, the exiles were pardoned.<sup>1</sup> Tyranny and injustice peopled America with men nurtured in suffering and adversity. The history of our colonization is the history of the crimes of Europe.

Thus did Jeffries contribute to people the New World; on another occasion, he exerted an opposite influence. Kidnapping had become common in Bristol; and not felons only, but young persons and others, were hurried across the Atlantic and sold for money. At Bristol, the mayor and justices would intimidate small rogues and pilferers, who, under the terror of being hanged, prayed for transportation as the only avenue to safety, and were then divided among the members of the court. The trade was exceedingly profitable—far more so than the slave-trade—and had been conducted for years. By ac-

CHAP.  
XIV.1685.  
Oct.  
4.

1685.

<sup>1</sup> Laing's Scotland, iv. 166. Dal- of Rev. 1688. Appendix, No. 11.  
rymple, ii. 53. Mackintosh, Hist. p. 705. Am. Ed. Chalmers, 358.

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cident it came to the knowledge of Jeffries, who delighted in a fair opportunity to rant. Finding that the aldermen, justices, and the mayor himself, were concerned in this kidnapping, he turned to the mayor, who was sitting on the bench, bravely arrayed in scarlet and furs, and gave him every ill name which scolding eloquence could devise. Nor would he desist till he made the scarlet chief magistrate of the city go down to the criminal's post at the bar, and plead for himself as a common rogue would have done. The prosecutions depended till the revolution, which made an amnesty; and the judicial kidnappers, retaining their gains, suffered nothing beyond disgrace and terror.<sup>1</sup>

Meantime Virginia ceased for a season to be the favorite resort of voluntary emigrants. Men were attracted to the New World by the spirit of enterprise and the love of freedom. In Virginia, industry was depressed and the royal authority severe. The presence of a frigate had sharpened the zeal of the royal officers in enforcing the acts of navigation. The  
 1685. new tax in England, on the consumption of tobacco, was injurious to the producer. Culpepper and his council had arraigned a printer for publishing the laws, and  
 1683. ordered him to print nothing till the king's pleasure was known. And Effingham was the bearer of the royal pleasure. The best proof which Charles II. had given of his interest in Virginia, was the express instruction to allow no printing-press on any pretence whatever.<sup>2</sup> The rule was continued under James II. The methods of despotism are monotonous

To perfect the system, Effingham established a

<sup>1</sup> Life of Lord Keeper Guilford, ii. 25—27.

<sup>2</sup> Hening, ii. 518 Chalmers, 545.



chancery court, in which he himself was chancellor. CHAP  
 XIV. The councillors might advise, but were without a vote. An arbitrary table of fees followed of course. This is the period when royal authority was at its height in Virginia. The executive, the council, the judges, the sheriffs, the county commissioners, and local magistrates, were all appointed directly or indirectly by the crown. Virginia had no town-meetings—no village democracies—no free municipal institutions. The custom of colonial assemblies remained, but the assembly was chosen under a restricted franchise; its most confidential officer was ordered to be appointed by the governor,<sup>1</sup> and its power over the revenue was lost by the perpetual levy which it could not recall. 1686  
 Aug. 1 The indulgence of liberty of conscience, and the enfranchisement of Papists, were in themselves unexceptionable measures; they could bring no detriment to colonial liberties. Yet Protestantism and popular liberty in that day were identified, and toleration itself was suspected in King James. Is it strange that the colony was agitated by a party favorable to freedom? The year after Bacon's rebellion, when the royal commissioners forcibly seized the records of the assembly, the act had been voted "a violation of privilege," "an outrage never practised by the kings of England," and "never to be offered in future." When the records were again demanded, 1681 that this resolution might be expunged, Beverley, the clerk of the house, refused obedience to the lieutenant-governor and council, saying he might not do it without leave of the burgesses, his masters.<sup>2</sup> The same spirit of resistance was manifested by succeeding assemblies. In 1685, the first assembly convened

<sup>1</sup> Hening, iii. 40, 41, 550.

<sup>2</sup> Ibid. iii. 548. Burk, ii. 215, 236, 242, 243.

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after the accession of James II., questioned a part of his negative power. Former laws had been repealed by the assembly; the king negatived the repeal, which necessarily revived the earlier law. It marks the determined spirit of the colonists, and their rapid tendency towards demanding self-government as a natural right, that the assembly obstinately refused to acknowledge this exercise of prerogative, and brought upon themselves, from King James, a censure of their "unnecessary debates and contests, touching the negative voice," "the disaffected and unquiet disposition of the members, and their irregular and tumultuous proceedings." The assembly was dissolved by royal proclamation.<sup>1</sup> James Collins was imprisoned and loaded with irons for treasonable expressions. The servile counsel imitated Effingham and King James; they pledged to the king their lives and fortunes, but the people of Virginia was more intractable than ever. The indomitable spirit of personal independence, nourished by the manners of Virginia, could never be repressed. Unlike ancient Rome, Virginia placed the defence of liberty, not in municipal corporations, but in persons. The liberty of the individual was ever highly prized; and freedom sheltered itself in the collected energy of the public mind. Such was the character of the new assembly which was convened some months before the British revolution. The turbulent spirit of the burgesses was greater than ever, and an immediate dissolution of the body seemed to the council the only mode of counteracting their influence. But the awakened spirit of free discussion, banished from the hall of legislation, fled for refuge among the log-houses and plantations that were sprinkled along the streams.

1686  
Nov.  
15

1687.  
April  
4.

1688.  
April.

<sup>1</sup> Hening, iii. 40, 41.

The people ran to arms: general discontent threatened an insurrection. The governor, in a new country, without soldiers and without a citadel, was compelled to practise moderation. Tyranny was impossible; it had no powerful instruments.<sup>1</sup> Despotism sought in vain to establish itself in Virginia; when the prerogative of the governor was at its height, he was still too feeble to oppress the colony. Virginia was always "A LAND OF LIBERTY." CHAP  
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Nor let the first tendencies to union pass unnoticed. In the Bay of the Chesapeake, Smith had encountered warriors of the Five Nations; and others had fearlessly roamed to the shores of Massachusetts Bay, and even invaded the soil of Maine. Some years before Philip's war, the Mohawks committed ravages near Northampton, on Connecticut River; and the General 1667 Court of Massachusetts addressed them a letter:—"We never yet did any wrong to you, or any of yours,"—such was the language of the Puritan diplomatists—"neither will we take any from you, but will right our people according to justice." Maryland and Virginia had repeatedly negotiated with the Senecas. In July, 1684, the governor of Virginia and of New York, and the agent of Massachusetts, met the sachems of the Five Nations at Albany, to strengthen and burnish the covenant-chain, and plant the tree of peace, of which the top should reach the sun, and the branches shelter the wide land. The treaty extended from the St. Croix to Albemarle. New York was the bond of New England and Virginia.<sup>2</sup> The north and the south were united by the conquest of NEW NETHERLAND.

<sup>1</sup> Burk, ii. 302—306.

<sup>2</sup> Colden's Five Nations, 44, &c. Massachusetts Records, 1667

## CHAPTER XV.

### NEW NETHERLAND.

CHAP.  
XV.

THE spirit of the age was present when the foundations of New York were laid. Every great European event affected the fortunes of America. Did a state prosper, it sought an increase of wealth by plantations in the west. Was a sect persecuted, it escaped to the New World. The reformation, followed by collisions between English dissenters and the Anglican hierarchy, colonized New England; the reformation, emancipating the Low Countries, led to settlements on the Hudson. The Netherlands divide with England the glory of having planted the first colonies in the United States; they also divide the glory of having set the examples of public freedom. If England gave our fathers the idea of a popular representation, the United Provinces were their model of a federal union.

At the discovery of America the Netherlands possessed the municipal institutions which had survived the wreck of the Roman world, and the feudal liberties of the middle ages. The landed aristocracy, the hierarchy, and the municipalities, exercised political franchises. The municipal officers, in part appointed by the sovereign, in part perpetuating themselves, had common interests with the industrious citizens, from whom they were selected; and the nobles, cher-

ishing the feudal right of resisting arbitrary taxation, joined the citizens in defending national liberty against encroachments. CHAP.  
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The urgencies of war, the reformation, perhaps also the arrogance of power, often tempted Charles V. to violate the constitutions of the Netherlands; Philip II. on his accession in 1559, formed the deliberate purpose of subverting them, and found a willing coadjutor in the prelates. During the middle age the church was the sole guardian of the people; and its political influence rested on gratitude towards the order which limited arbitrary power by invoking the truths of religion, and opened to plebeian ambition the highest distinctions. In the progress of society, the ward was become of age, and could protect its rights; the guardian had fulfilled its office, and might now resign its supremacy. But the Roman hierarchy, rigidly asserting authority, refused to submit faith to the test of inquiry, and struggled to establish a spiritual despotism: the sovereigns of Europe, equally refusing to subject their administrations to discussion, aimed at absolute dominion in the state. A new political alliance was the consequence. The catholic priesthood and the temporal sovereigns, during the middle age so often and so bitterly opposed, entered into a natural and necessary friendship. By increasing the number of bishops, who, in right of their office, had a voice in the states, Philip II., in 1559, destroyed the balance of the constitution.

Thus the power of the sovereign sought to crush inherited privileges. Patriotism and hope animated the provinces; despotism and bigotry were on the side of Philip. We have witnessed the sanguinary character of the Spanish system at St. Augustine; we are

CHAP. now to trace the feudal liberties of the Netherlands to  
 XV. the Isle of Manhattan.

The contest in the Low Countries was one of the most memorable in the history of the human race. All classes were roused to opposition. The nobles framed a solemn petition; the common people broke in pieces the images that filled the churches. Despotism then seized possession of the courts, and invested a commission with arbitrary power over life and property; to overawe the burghers, the citadels were filled with mercenary soldiers; to strike terror into the nobility, Egmont and Horn were executed. Men fled; but whither? The village, the city, the court, the camp, were held by the tyrant; the fugitive had no asylum but the ocean.

The establishment of subservient courts was followed by arbitrary taxation. But feudal liberty forbade taxation except by consent; and the levying of the tenth penny excited more commotion than the tribunal of blood. Merchant and landholder, citizen and peasant, catholic and protestant, were ripe for insurrection; and even with foreign troops Alba vainly attempted to enforce taxation without representation. Just then, in April, 1572, a party of the fugitive "beggars" succeeded in gaining the harbor of Briel; and in July of the same year, the states of Holland, creating the prince of Orange their stadtholder, prepared to levy money and troops. In 1575 Zealand joined with Holland in demanding for freedom some better safeguard than the word of Philip II., and in November of the following year nearly all the provinces united to drive foreign troops from their soil. "The spirit that animates them," said Sydney to Queen Elizabeth, "is the spirit of God, and is invincible."

The particular union of five northern provinces at Utrecht, in January, 1579, perfected the insurrection by forming the basis of a sovereignty; and when their ablest chiefs were put under the ban and a price offered for the assassination of the Prince of Orange, the deputies in the assembly at the Hague, on the twenty-sixth of July, 1581, making few changes in their ancient laws, declared their independence by abjuring their king. "The prince," said they, in their manifesto, "is made for the subjects, without whom there would be no prince; and if instead of protecting them, he seeks to take from them their old freedom and use them as slaves, he must be holden not a prince but a tyrant, and may justly be deposed by the authority of the State." A rude structure of a commonwealth was the unpremeditated result of the revolution.

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1579.

1581  
July  
26.

The republic of the United Netherlands was by its origin and its nature commercial. The device on an early Dutch coin was a ship laboring on the billows without oar or sails. The rendezvous of its martyrs had been the sea; the muster of its patriot emigrants had been on shipboard; and they had hunted their enemy, as the whale-ships pursue their game, in every corner of the ocean. The two leading members of the confederacy, from their situation, could seek subsistence only on the water. Holland is but a peninsula, intersected by navigable rivers; protruding itself into the sea; crowded with a dense population on a soil saved from the deep by embankments, and kept dry only with pumps driven by windmills. Its houses were rather in the water than on land.

And Zealand is composed of islands. Its inhabitants were nearly all fishermen; its villages were as

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 1581.

nests of sea-fowl, on the margin of the ocean. In both provinces every house was by nature a nursery of sailors; the sport of children was among the breakers; their boyish pastimes in boats; and if their first excursions were but voyages to some neighboring port, they soon braved the dangers of every sea. The states advanced to sudden opulence; before the insurrection, they could with difficulty keep their embankments in repair; and now they were also able to support large fleets and armies. Their commerce gathered into their harbors the fruits of the wide world. Producing almost no grain of any kind, Holland had the best-supplied granary of Europe; without fields of flax it swarmed with weavers of linen; destitute of flocks, it became the centre of all woollen manufactures; and provinces which had not a forest, built more ships than all Europe besides. They connected hemispheres. Their enterprising mariners displayed the flag of the republic from Southern Africa to the Arctic circle. The ships of the Dutch, said Raleigh, outnumber those of England and ten other kingdoms. To the Italian cardinal the number seemed infinite. Amsterdam was the centre of the commerce of Europe. The sea not only bathed its walls, but flowed through its streets; and its merchantmen lay so crowded together, that the looker-on from the ramparts could not see through the thick forests of masts and yards. War for liberty became unexpectedly a well-spring of opulence; Holland plundered the commerce of Spain by its maritime force, and supplanted its rivals in the gainful traffic with the Indies. Lisbon and Antwerp were despoiled; Amsterdam, the depot of the merchandise of Europe and of the East, was become beyond dispute the first commercial city of

J. R.  
 Brod-  
 head's  
 History  
 of N. Y.  
 20.



the world; the Tyre of modern times; the Venice of the North; the queen of all the seas. CHAP.  
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In 1581, the year after Portugal had been forcibly annexed to Spain and the Portuguese settlements in Asia were become for a season Spanish provinces, the epoch of the independence of the Netherlands, Thomas Butts, an Englishman who had five times crossed the Atlantic, offered to the States to conduct four ships of war to America. The adventure was declined by the government; but no obstacles were offered to private enterprise. Ten years afterwards, William Wsselinx, who had lived some years in Castile, Portugal, and the Azores, proposed a West India Company; but the dangers of the undertaking were still too appalling. 1581.

In 1594 the port of Lisbon was closed by the King of Spain against the Low Countries. Their carrying trade in Indian goods was lost, unless their ships could penetrate to the seas of Asia. A company of merchants, believing that the coast of Siberia fell away to the south-east, hoped to shorten the voyage at least eight thousand miles by using a north-eastern route. A double expedition was therefore sent forth on discovery; two flyboats vainly tried to pass through the straits of Veigatz, while, in a large ship, William Barentsen, whom Grotius honored as the peer of Columbus, coasted Nova Zembla to the seventy-seventh degree, without finding a passage. 1594.

Netherlanders in the service of Portugal had visited India, Malacca, China, and even Japan. Of these Cornelius Houtman, in April, 1595, sailed for India by way of the Cape of Good Hope, and before his return, circumnavigated Java. In the same year Jacob van Heemskerck, the great mariner and naval hero, aided by Barentsen, renewed the search on the 1595.

- CHAP. north-east, but attempted in vain to pass to the south  
 XV. of Nova Zembla. The republic, disheartened by the  
 repeated failure, refused to fit out another expedition ;  
 1596. but the city of Amsterdam, in 1596, despatched two  
 ships under Heemskerck and Barentsen to look for the  
 open sea, which it had been said was to be found to  
 the north of all known land. Braver men never bat-  
 tled with arctic dangers ; they discovered the jagged  
 cliffs of Spitzbergen, and came within ten degrees of  
 the pole. Then Barentsen sought to go round Nova  
 Zembla, and when his ship was hopelessly enveloped  
 by ice, had the courage to encamp his crew on the  
 desolate northern shore of the island, and cheer them  
 during a winter, rendered horrible by famine, cold, and  
 the fierce attacks of huge white bears, whom hunger  
 had maddened. When spring came, the gallant com-  
 pany, traversing more than sixteen hundred miles  
 in two open boats, were tossed for three months by  
 storms and among icebergs, before they could reach  
 the shelter of the White Sea. Barentsen sunk under  
 his trials, but was engaged in poring over a sea-chart  
 as he died. The expeditions of the Dutch were with-  
 out a parallel for daring.
1597. It was not not till 1597 that voyages were under-  
 taken from Holland to America. In that year Bikker  
 of Amsterdam, and Leyen of Enkhuisen, each formed  
 a company to traffic with the West Indies. The com-  
 merce was continued with success ; but Asia had  
 1598. greater attractions. In 1598 two and twenty ships  
 sailed from Dutch harbors for the Indian seas, in part  
 by the Cape of Good Hope, in part through the  
 1600. Straits of Magellan. When, in 1600, after years of  
 discussion, a plan for a West India Company was re-  
 duced to writing, and communicated to the States

General, it was not adopted, though its principle was approved. CHAP.  
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But the zeal of merchants and of statesmen was concentrated on the East, where jealousy of the Portuguese inclined the native princes and peoples to welcome the Dutch as allies and protectors. In March, 1602, by the prevailing influence of Olden Barneveldt, the advocate of Holland, the Dutch East India Company was chartered with the exclusive right to commerce beyond the Cape of Good Hope on the one side, and beyond the Straits of Magellan on the other. The States, unwilling to pledge themselves to the chances of war, purposely granted all powers requisite for conquests, colonization, and government. In the age of feudalism, privileged bodies formed the balance of the commercial and manufacturing interests against the aristocracy of the sword, and suited the genius of the republic. The Dutch East India Company is the first in the series of great European trading corporations, and became the model for those of France and England. 1602.

As years rolled away, the progress of English commerce in the west awakened the attention of the Netherlands. England and Holland had been allies in the contest against Spain; had both spread their sails on the Indian seas; had both become competitors for possessions in America. In the same year in which Smith embarked for Virginia, vast designs were ripening among the Dutch; and Grotius, himself of the commission to which the affair was referred, acquaints us with the opinions of his countrymen. The United Provinces, it was said, abounded in mariners and in unemployed capital: not the plunder of Spanish commerce, not India itself, America alone, so rich in 1607.

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1607.

herbs of healing virtues, in forests, and in precious ores, could exhaust their enterprise. Their merchants had perused every work on the Western World, had gleaned intelligence from the narratives of sailors; and now they planned a privileged company, which should count the States General among its stockholders, and possess, exclusively, the liberty of approaching America from Newfoundland to the Straits of Magellan, and Africa from the tropics to the Cape of Good Hope. The Spaniards are feeblest, it was confidently urged, where they are believed to be strongest; there would be no war but on the water, the home of the Batavians. It would, moreover, be glorious to bear Christianity to the heathen, and rescue them from their oppressors. Principalities might easily be won from the Spaniards, whose scattered citadels protected but a narrow zone.

To the eagerness of enterprise, it was replied, that war had its uncertain events, the sea its treacheries; the Spaniards would learn naval warfare by exercise; and the little fleets of the provinces could hardly blockade an ocean, or battle for a continent; the costs of defence would exceed the public resources; home would be lost in the search for a foreign world, of which the air breathed pestilence, the natives were cannibals, the unoccupied regions were hopelessly wild. The party that desired peace with Spain, and counted Grotius and Olden Barneveldt among its leaders, for a long time succeeded in defeating every effort at Batavian settlements in the West.

While the negotiations with Spain postponed the formation of a West India Company, the Dutch found their way to the United States through another channel.

In 1607, a company of London merchants, excited CHAP.  
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by the immense profits of voyages to the East, contributed the means for a new attempt to discover the 1607.  
near passage to Asia; and HENRY HUDSON was the chosen leader of the expedition. With his only son for his companion, he coasted the shores of Greenland, and hesitated whether to attempt the circumnavigation of that country, or the passage across the North. He came nearer the pole than any earlier navigator; but after he had renewed the discovery of Spitzbergen, vast masses of ice compelled his return.

The next year beheld Hudson once more on a 1608.  
voyage, to ascertain if the seas which divide Spitzbergen from Nova Zembla, open a path to China.

The failure of two expeditions daunted Hudson's 1609.  
employers; they could not daunt the great navigator. The discovery of the passage was the desire of his life; and repairing to Holland, he offered his services to the Dutch East India Company. The Zealanders, disheartened by former ill-success, made objections; but they were overruled by the directors for Amsterdam; and on the fourth day of April, 1609, five days before the truce with Spain, the HALF MOON, a yacht of about eighty tons burden, commanded by Hudson and manned by a mixed crew of Netherlanders and Englishmen, his son being of the number, set sail for China by way of the north-east. On the fifth day of May he had attained the height of the north cape of Norway; but fogs and fields of ice near Nova Zembla closed against him the straits of Vaigatz. Remembering the late accounts from Virginia, Hudson, with prompt decision, turned to the west, to look for some opening north of the Chesapeake. On the thirtieth

CHAP. of May he took in water at the Faro isles, and in  
XV. June was on the track of Frobisher. Early in July,  
1609. with foremast carried away and canvas rent in a gale,  
he found himself among fishermen from France on the  
Banks of Newfoundland. On the eighteenth he entered  
a very good harbor on the coast of Maine, mended his  
sails, and refitted his ship with a foremast from the  
woods. On the fourth of August, a boat was sent on  
shore at the headland which Gosnold seven years before  
had called Cape Cod, and which was now named New  
Holland; and on the eighteenth of August, the Half  
Moon rode at sea off the Chesapeake Bay, which was  
known to be the entrance to the river of King James  
in Virginia. Here Hudson changed his course. On the  
twenty-eighth he entered the great bay, now known as  
Delaware; and gave one day to its rivers, its currents  
and soundings, and the aspect of the country. Then  
sailing to the north along the low sandy coast that  
appeared like broken islands in the surf, on the second  
of September he was attracted by the "pleasant sight  
of the high hills" of Navesink. On the following day,  
as he approached the "bold" land, three separate  
rivers seemed to be in sight. He stood towards the  
northernmost, which was probably Rockaway inlet,  
but finding only ten feet of water on its bar, he cast  
about to the southward, and almost at the time when  
Champlain was invading New York from the North,  
he sounded his way to an anchorage within Sandy Hook.

On the fourth the ship went further up the Horse  
Shoe to a very good harbor near the New Jersey  
shore; and that same day the people of the country  
came on board to traffic for knives and beads. On  
the fifth a landing was made from the Half Moon.

When Hudson stepped on shore, the natives stood round and sang in their fashion. Men, women, and children were feather-mantled, or clad in loose furs. Their food was Indian corn, which, when roasted, was pronounced to be excellent. They always carried with them maize and tobacco. Some had pipes of red copper, with earthen bowls and copper ornaments round their necks. Their boats were made each of a single hollowed tree. Their weapons were bows and arrows, pointed with sharp stones. They slept abroad on mats of bulrushes, or on the leaves of trees. They were friendly, but thievish, and crafty in carrying away what they fancied. The woods, it was specially noticed, abounded in "goodly oakes," and from that day the new comers never ceased to admire the greatness of the trees.

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On the sixth, John Colman and four others, in a boat, sounded the Narrows, and passed through Kill van Kull to Newark bay. The air was very sweet, and the land as pleasant with grass and flowers and trees, as they had ever seen; but on the return, the boat was attacked by two canoes and Colman killed by an arrow.

On Wednesday, the ninth, Hudson moved cautiously from the lower bay into the Narrows, and on the eleventh, by aid of a very light wind, he went into the great river of the north, and rode all night in a harbor, which was safe against every wind.

On the morning of the twelfth, the natives, in eight and twenty canoes, crowded about him, bringing beans and very good oysters. The day was fair and warm, though the light wind was from the north; and as Hudson, under the brightest autumnal sun, gazed around, having behind him the Narrows

CHAP. opening to the ocean, before him the noble stream  
 XV. flowing from above Weehawken with a broad, deep  
 1609. channel between forest-crowned palisades and the  
 gently swelling banks of Manhattan, he made a record  
 that "it was as fair a land as can be trodden by the  
 foot of man." That night he anchored just above  
 Manhattanville. The flood-tide of the next morning  
 and of evening brought him near Yonkers. On the  
 fourteenth a strong south-east wind wafted him  
 rapidly into the Highlands.

At daybreak, on the fifteenth, mists hung over  
 the landscape, but as they rose, the sun revealed the  
 neighborhood of West Point. With a south wind  
 the Half Moon soon emerged from the mountains  
 that rise near the water's edge; sweeping upwards,  
 it passed the elbow at Hyde Park, and at night  
 anchored a little below Red Hook, within the shadow  
 of the majestic Catskill range, which it was noticed  
 stands at a distance from the river.

Trafficking with the natives, who were "very  
 loving," taking in fresh water, grounding at low tide  
 on a shoal, the Netherlanders, on the evening of the  
 seventeenth, reached no higher than the latitude of  
 about  $42^{\circ}, 18'$ , just above the present city of Hudson.  
 The next day Hudson went on shore in one of the  
 boats of the natives with an aged chief of a small  
 tribe of the River Indians. He was taken to a house  
 well constructed of oak bark, circular in shape, and  
 arched in the roof, the granary of the beans and  
 maize of the last year's harvest; while outside enough  
 of them lay drying to load three ships. Two mats  
 were spread out as seats for the strangers; food  
 was immediately served in neat red wooden bowls;  
 men, who were sent at once with bows and arrows



for game, soon returned with pigeons; a fat dog, too, was killed; and haste made to prepare a feast. When Hudson refused to wait, they supposed him to be afraid of their weapons; and taking their arrows, they broke them in pieces and threw them into the fire. The country was pleasant and fruitful, bearing wild grapes. "Of all lands on which I ever set my foot," says Hudson, "this is the best for tillage." The River Indians, for more than a century, preserved the memory of his visit.

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The Half Moon, on the nineteenth, drew near the landing of Kinderhook, where the Indians brought on board skins of beaver and otter. Hudson ventured no higher with the yacht; an exploring boat ascended a little above Albany to where the river was but seven feet deep, and the soundings grew uncertain.

So, on the twenty-third, Hudson turned his prow towards Holland, leaving the friendly tribes persuaded that the Dutch would revisit them the next year. As he went down the river, imagination peopled the region with towns. A party which, somewhere in Ulster county, went to walk on the west bank, found an excellent soil, with large trees of oak and walnut and chesnut. The land near Newburgh seemed a very pleasant site for a city. On the first of October Hudson passed below the mountains. On the fourth, not without more than one conflict with the savages, he sailed out of "the great mouth of THE GREAT RIVER" which bears his name; and about the season of the return of John Smith from Virginia to England, he steered for Europe, leaving to its solitude the beautiful land which he admired beyond any country in the world.

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Sombre forests shed a melancholy grandeur over the useless magnificence of nature, and hid in their deep shades the rich soil which no sun had ever warmed. No axe had levelled the giant progeny of the crowded groves, in which the fantastic forms of limbs, withered or riven by lightning, contrasted strangely with the verdure of a younger growth or branches. The wanton grape-vine, fastening its leafy coils to the top of the tallest forest-tree, swung with every breeze, like the loosened shrouds of a ship. Trees might everywhere be seen breaking from their root in the marshy soil, and threatening to fall with the first rude gust; while the ground was strown with the ruins of former woods, over which a profusion of wild flowers wasted their freshness in mockery of the gloom. Reptiles sported in the stagnant pools, or crawled unharmed over piles of mouldering logs. The spotted deer couched among the thickets; but not to hide, for there was no pursuer; and there were none but wild animals to crop the uncut herbage of the prairies. Silence reigned, broken, it may have been, by the flight of land-birds or the flapping of water-fowl, and rendered more dismal by the howl of beasts of prey. The streams, not yet limited to a channel, spread over sand-bars, tufted with copses of willow, or waded through wastes of reeds; or slowly but surely undermined the groups of sycamores that grew by their side. The smaller brooks spread out into sedgy swamps, that were overhung by clouds of mosquitoes; masses of decaying vegetation fed the exhalations with the seeds of pestilence, and made the balmy air of the summer's evening as deadly as it seemed grateful. Life and death were hideously mingled. The

horrors of corruption frowned on the fruitless fertility of uncultivated nature. CHAP  
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And man, the occupant of the soil, was untamed as the savage scene, in harmony with the rude nature by which he was surrounded; a vagrant over the continent, in constant warfare with his fellow-man; the bark of the birch his canoe; strings of shells his ornaments, his record, and his coin; the roots of uncultivated plants among his resources for food; his knowledge in architecture surpassed both in strength and durability by the skill of the beaver; bended saplings the beams of his house; the branches and rind of trees its roof; drifts of leaves his couch; mats of bulrushes his protection against the winter's cold; his religion the adoration of nature; his morals the promptings of undisciplined instinct; disputing with the wolves and bears the lordship of the soil, and dividing with the squirrel the wild fruits with which the universal woodlands abounded. 1609.

The history of a country is modified by its climate, and, in many of its features, determined by its geographical situation. The region which Hudson had discovered, possessed near the sea an unrivalled harbor; a river that admits the tide far into the interior; on the north, the chain of great lakes, which have their springs in the heart of the continent; within its own limits the sources of rivers that flow to the Gulfs of Mexico and St. Lawrence, and to the Bays of Chesapeake and Delaware; of which, long before Europeans anchored off Sandy Hook, the warriors of the Five Nations availed themselves in their excursions to Quebec, to the Ohio, or the Susquehanna. With just sufficient difficulties to irritate, and not enough to dishearten, New York united richest lands

CHAP. with the highest adaptation to foreign and domestic  
XV. commerce.

How changed is the scene from the wild country on which Hudson gazed! The earth glows with the colors of civilization; the meadows are enamelled with choicest grasses; woodlands and cultivated fields are harmoniously blended; the birds of spring find their delight in orchards and trim gardens, variegated with selected plants from every temperate zone; while the brilliant flowers of the tropics bloom from the windows of the green-house or mock at winter in the saloon. The yeoman, living like a good neighbor near the fields he cultivates, glories in the fruitfulness of the valleys, and counts with honest exultation the flocks and herds that browse in safety on the hills. The thorn has given way to the rosebush; the cultivated vine clambers over rocks where the brood of serpents used to nestle; while industry smiles at the changes she has wrought, and inhales the bland air which now has health on its wings.

And man is still in harmony with nature, which he has subdued, developed, and adorned. For him the rivers that flow to remotest climes, mingle their waters; for him the lakes gain new outlets to the ocean; for him the arch spans the flood, and science spreads iron pathways to the recent wilderness; for him the hills yield up the shining marble and the enduring granite; for him immense rafts bring down the forests of the interior; for him the marts of the city gather the produce of all climes, and libraries collect the works of every language and age. The passions of society are chastened into purity; manners are made benevolent by refinement; and the virtue of the country is the guardian of its peace.

Science investigates the powers of every plant and mineral, to find medicines for disease; schools of surgery rival the establishments of the old world; the genius of letters begins to unfold his powers in the warm sunshine of public favor. An active daily press, vigilant from party interests, free even to dissoluteness, watches the progress of society, and communicates every fact that can interest humanity; and commerce pushes its wharfs into the sea, blocks up the wide rivers with its fleets, and sends its ships, the pride of naval architecture, to every zone.

A happy return voyage brought the Half Moon 1609. into Dartmouth on the seventh of November. There the vessel was arbitrarily delayed, and the services of its commander and English seamen were claimed by their liege. Hudson could only forward to his employers an account of his discoveries; he never again saw Holland, or the land which he eulogized.

The Dutch East India Company refused to search 1610. further for the north-western passage; but English merchants, renewing courage, formed a company, and Hudson, in "The Discovery," engaged again in his great pursuit. He had already explored the north-east and the north, and the region between the Chesapeake and Maine. There was no room for hope but to the north of Newfoundland. Proceeding by way of Iceland, where "the famous Hecla" was casting out fire, passing Greenland and Frobisher's Straits, he sailed on the second of August, 1610, into the Straits which bear his name, and into which no one had gone before him. As he came out from the passage upon the wide gulf, he believed that he beheld "a sea to the westward," so that the short way to the Pacific was found. How great was his disappointment, when

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XV.

1610. he found himself embayed in a labyrinth without end. Still confident of ultimate success, the determined mariner resolved on wintering in the bay, that he might perfect his discovery in the spring. His crew murmured at the sufferings of a winter for which no preparation had been made. At length the late and anxiously expected spring burst forth; but it opened in vain for Hudson. Provisions were exhausted; he divided the last bread among his men, and prepared for them a bill of return; and "he wept as he gave it them." Believing himself almost on the point of succeeding, where Spaniards, and English, and Danes, and Dutch, had failed, he left his anchoring-place to steer for Europe. For two days the ship was encompassed by fields of ice, and the discontent of the crew broke forth into mutiny. Hudson was seized, and, with his only son and seven others, four of whom were sick, was thrown into the shallow. Seeing his commander thus exposed, Philip Staffe, the carpenter, demanded and gained leave to share his fate; and just as the ship made its way out of the ice, on a midsummer day, in a latitude where the sun, at that season, hardly goes down and evening twilight mingles with the dawn, the shallow was cut loose. What became of Hudson? Did he die miserably of starvation? Did he reach land to perish from the fury of the natives? Was he crushed between ribs of ice? The returning ship encountered storms, by which he was probably overwhelmed. The gloomy waste of waters which bears his name, is his tomb and his monument.

The "Half Moon," having been detained for many

months in Dartmouth by the jealousy of the English, did not reach Amsterdam till the middle of July, 1610, too late, perhaps, in the season for the immediate equipment of a new voyage. At least no definite trace of a voyage to Manhattan in that year has been discovered. Besides : to avoid a competition with England, the Dutch ambassador at London, that same year, proposed a joint colonization of Virginia, as well as a partnership in the East India trade ; but the offer was put aside from fear of the superior "art and industry of the Dutch."

CHAP.  
XV.

1610,

Brod-  
head's  
Hist.  
44, 45.

The development of a lucrative fur-trade in Hudson's river was therefore left to unprotected private adventure. In 1613, or in one of the two previous years, the experienced Hendrik Christiaensen of Cleve "and the worthy Adriaen Block chartered a ship with the skipper Ryser," and made a voyage into the waters of New York, bringing back rich furs, and also two sons of native sachems.

1611.

The States General still hesitated to charter a West India Company ; but on the twenty-seventh of March, 1614, they ordained that private adventurers might enjoy an exclusive privilege for four successive voyages to any passage, haven, or country they should thereafter find. With such encouragement, a company of merchants, in the same year, sent five small vessels, of which the "Fortune," of Amsterdam, had Christiaensen for its commander ; the "Tiger," of the same port, Adriaen Block ; the "Fortune," of Hoorn, Cornelis Jacobsen May, to extend the discoveries of Hudson as well as to trade with the natives.

1614.

The "Tiger" was accidentally burned near the

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XV.

1614.

island of Manhattan; but Adriaen Block, building a yacht of sixteen tons burden, which he named the "Unrest," plied forth to explore the vicinity. First of European navigators he steered through Hell Gate, passed the archipelago near Norwalk, and discovered the river of Red Hills, which we call the Housatonic. From the bay of Newhaven he turned to the east, and ascended the beautiful river which he named the Freshwater, but which, to this hour, keeps its Indian name of Connecticut. Near the site of Wethersfield he came upon one Indian tribe; just above Hartford, upon another; and he heard tales of the Horicans, who dwelt in the west, and moved over lakes in bark canoes. The Pequods he found on the banks of their river. At Montauk Point, then occupied by a savage nation; he reached the ocean, proving the land east of the Sound to be an island. Thus far he was a discoverer. The island which bears his name, Verazzano, nearly a century before, had named Claudia. After exploring both channels of the island, which owes to him the name of Roode Eiland, now Rhode Island, the mariner from Holland imposed the names of places in his native land on groups in the Atlantic, which, years before, Gosnold and other English navigators had visited. The Unrest sailed beyond Cape Cod, and while John Smith was making maps of the bays and coasts of Maine and Massachusetts, Adriaen Block traced the shore as far at least as Nahant. Then leaving the American-built yacht at Cape Cod, to be used by Cornelis Hendricksen in the fur-trade, Block sailed in Christiaensen's ship for Holland.

The States General, in an Assembly where Olden



Barneveldt was present, readily granted to the united company of merchants interested in these discoveries, a three years' monopoly of trade with the territory between Virginia and New France, from forty to forty-five degrees of latitude. Their charter, given on the eleventh of October, 1614, names the extensive region **NEW NETHERLAND**. Its northern part John Smith had that same year called **NEW ENGLAND**.

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1614.

Brod-  
head's  
Colon'l  
Docu-  
ments,  
110.

To prosecute their commerce with the natives, Christiaensen built for the company, on Castle Island, south of the present city of Albany, a truck-house and military post. The building was thirty-six feet by twenty-six, the stockade fifty-eight feet square; the moat eighteen feet wide. The garrison was composed of ten or twelve men. The fort, which may have been begun in 1614, which was certainly finished in 1615, was called **Nassau**; the river for a time was known as the **Maurice**. With the **Five Nations** a friendship grew up, which was soon ratified according to the usages of the **Iroquois**, and during the power of the Dutch was never broken. Such is the beginning of **Albany**: it was the outpost of the **Netherland fur-trade**.

1615.

The **United Provinces**, now recognised even by **Spain** as free countries, provinces, and states, set no bounds to their enterprise. The world seemed not too large for their commerce under the genial influence of liberty, achieved after a struggle, longer and more desperate than that of **Greece** with **Persia**. This is the golden age of their trade with **Japan**, and the epoch of their alliance with the **Emperor of Ceylon**. In 1611 their ships once again braved the frosts of the **Arctic circle** in search of a new way to **China**;

- CHAP. and it was a Dutch discoverer, Schouten, from Hoorn, who, in 1616, left the name of his own beloved sea-  
 XV. port on the southernmost point of South America.
1616. In the same year a report was made of further discoveries in North America. Three Netherlanders—who went up the Mohawk valley,\* struck a branch of the Delaware, and made their way to Indians near the site of Philadelphia—were found by Cornelis Hendricksen, as he came in the “Unrest” to explore the bay and rivers of Delaware. On his return to Holland in 1616, the merchants by whom he had been employed claimed the discovery of the country between thirty-eight and forty degrees. He described the inhabitants as trading in sables, furs, and other skins; the land as a vast forest, abounding in bucks and does, in turkeys and partridges; the climate temperate, like that of Holland; the trees mantled by the vine. But the States General refused to grant a monopoly of trade.
1618. On the first day of January, 1618, the exclusive privilege conceded to the company of merchants for New Netherland, expired; but voyages continued to be made by their agents and by rival enterprise. The fort near Albany having been destroyed by a flood, a new post was taken on Norman’s Kill. But the strife of political parties still retarded the establishment of permanent settlements. By the constitution of the Low Countries, the municipal officers who were named by the stadtholder or were self-renewed on the principle of close corporations, appointed delegates to the provincial states; and these again, a representative to the States General. The

MS.  
 from  
 E. B.  
 O’Cal-  
 laghan.  
 Brod-  
 head’s  
 Hist. of  
 N. Y.  
 79, 80.  
 O Calla-  
 ghan’s  
 Hist.

States, the true personation of a fixed commercial aristocracy, resisted popular innovations; and the same instinct which led the Romans to elevate Julius Cæsar, the commons of England to sustain Henry VII., the Danes to confer hereditary power on the descendants of Frederic III., the French to substitute absolute for feudal monarchy, induced the people of Holland to favor the stadtholder. The division extended to domestic politics, theology, and international intercourse. The friends of the stadtholder asserted sovereignty for the States General; while the party of Olden Barneveldt and Grotius, with greater reason in point of historic facts, claimed sovereignty exclusively for the provincial assemblies. Prince Maurice, who desired to engage again in war with Spain, favored colonization in America; the aristocratic party, fearing the increase of executive power, opposed colonization because it might lead to new collisions. The Gomarists, who satisfied the natural passion for equality by denying personal merit, and ascribing every virtue and capacity to the benevolence of God, leaned to the crowd; while the Arminians, nourishing pride by asserting power and merit in man, commended their creed to the aristocracy. Thus the Calvinists, popular enthusiasm, and the stadtholder, were arrayed against the provincial states and municipal authorities. The colonization of New York by the Dutch depended on the struggle; and the issue was not long doubtful. The excesses of political ambition, disguised under the forms of religious controversy, led to violent counsels. In August, 1618, Olden Barneveldt and Grotius were taken into custody.

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1618. In November, 1618, a few weeks after the first acts of violence, the States General gave a limited incorporation to a company of merchants; yet the conditions of the charter were not inviting, and no organization took place. In May of the following year, Grotius, the first political writer of his age, was condemned to imprisonment for life; and by the default of the stadtholder, Olden Barneveldt, at the age of threescore years and twelve, the most venerable of the patriots of Holland, the founder of the republic, was conducted to the scaffold.

1620. These events hastened the colonization of New Netherland, where as yet no Europeans had repaired except commercial agents and their subordinates. In 1620, merchants of Holland who had thus far had a trade only in Hudson's River, wished to plant there a new commonwealth, lest the king of Great Britain should first people its banks with the English nation. To this end it was proposed to send over John Robinson, with four hundred families of his persuasion; but the pilgrims had not lost their love for the land of their nativity, and the States were unwilling to guaranty them protection. A voyage from Virginia to vindicate the trade in the Hudson for England, proved a total loss. The settlement of Manhattan grew directly out of the great continental struggles of Protestantism.

1621. The Thirty Years' War of religion in Germany had begun; the twelve years' truce between the Netherlands and the Spanish king had nearly expired; Austria hoped to crush the reformation in the empire, and Spain to recover dominion over its ancient provinces.

Brod-  
head's  
Docu-  
ments,  
i. 23.  
Hist. of  
N. Y.  
125.

The States General, whose existence was menaced by a combination of hostile powers, were summoned to display unparalleled energy in their foreign relations; and on the third of June, 1621, the Dutch West India Company, which became the sovereign of the central portion of the United States, was incorporated for twenty-four years, with a pledge of a renewal of its charter. It was invested, on the part of the Netherlands, with the exclusive privilege to traffic and plant colonies on the coast of Africa from the Tropic of Cancer to the Cape of Good Hope; on the coast of America, from the Straits of Magellan to the remotest north. Subscription to its joint stock was open to every nation; the States General made it a gift of half a million of guilders, and were also stockholders to the amount of another half million. The franchises of the company were immense, that it might lay its own plans, provide for its own defence, and in all things take care of itself. The States General, in case of war, were to be known only as its allies and patrons. While it was expected to render efficient aid in the impending war with Spain, its permanent objects were the peopling of fruitful unsettled countries and the increase of trade. It might acquire provinces, but only at its own risk; and it was endowed with absolute power over its possessions, subject to the approval of the States General. The company was divided into five branches or chambers, of which that in Amsterdam represented four-ninths of the whole. The government was intrusted to a board of Nineteen, of whom eighteen represented the five branches, and one was named by the States.

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XV.

1621.

Thus did a nation of merchants give away the right to appropriate continents; and the corporate company, invested with a boundless liberty of choice, culled the rich territories of Guinea, Brazil, and New Netherland.

1622.

Colonization on the Hudson and the Delaware was neither the motive nor the main object of the establishment of the Dutch West India Company; the territory was not described either in the charter or at that time in any public act of the States General, which neither made a formal specific grant nor offered to guaranty the possession of a single foot of land. Before the chamber of Amsterdam, under the authority of the company, assumed the care of New Netherland, while the trade was still prosecuted by private enterprise, the English privy council listened to the complaint of Arundel, Gorges, Argall and Mason of the Plymouth Company against "the Dutch intruders," and by the king's direction, in February, 1622, Sir Dudley Carleton, then British ambassador at The Hague, claiming the country as a part of New England, required the States General to stay the prosecution of their plantation. This remonstrance received no explicit answer; while Carleton reported of the Dutch that all their trade there was in ships of sixty or eighty tons at the most, to fetch furs, nor could he learn that they had either planted or designed to plant a colony. But the English, at that time disheartened by the sufferings and losses encountered in Virginia, were not disposed to incur the unprofitable expense of a new settlement; and the Dutch ships, which went over in 1622, found none to dispute the possession of the country.

The due organization of the West India Company in 1623, was the epoch of its zealous efforts at colonization. In the spring of that year "The New Netherland," a ship of two hundred and sixty tons burden, carried out thirty families. They were chiefly Walloons, Protestant fugitives from Belgian provinces. April was gone before the vessel reached Manhattan. A party under the command of Cornelis Jacobsen May, who has left his name on the southern county and cape of New Jersey, ascended the river Delaware, then known as the South River of the Dutch, and on Timber Creek, a stream that enters the Delaware a few miles below Camden, built Fort Nassau. At the same time Adriaen Joris, on the site of Albany, threw up and completed the fort named Orange. There eighteen families were settled; their huts of bark rose round the fort, and were protected by covenants of friendship with the various tribes of Indians.

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XV.

1623.

The next year, 1624, may be taken as the era of a continuous civil government, with Cornelis Jacobsen May as the first director. It had power to punish, but not with death; judgments for capital crimes were to be referred to Amsterdam. The emigrant ship returned laden with valuable furs, and the colony was reported to be bravely prosperous.

1624.

In 1625 May was succeeded by William Verhulst. The colony was gladdened by the arrival of two large ships freighted with cattle and horses, as well as swine and sheep. At Fort Orange a child of Netherland parentage was born. In that year Frederick Henry, the new stadtholder, was able to quell the passions of religious sects, and unite all parties in a com-

1625.

CHAP. mon love of country. Danger from England also was  
 XV. diminished, for Charles the First, soon after his acces-  
 1625. sion, entered into a most intimate alliance with the  
 Dutch. Just then Jean de Laet, a member of the  
 chamber of Amsterdam, in an elaborate work on the  
 West Indies, opportunely drew the attention of his  
 countrymen to their rising colony, and published  
 Hudson's own glowing description of the land.

1626. Under such auspices Peter Minuit, of Wesel, in Jan-  
 uary, 1626, sailed for New Netherland as its director  
 general. He arrived there on the fourth of May.  
 Hitherto the Dutch had no title to ownership of the  
 land; Minuit succeeded at once in purchasing the  
 island of Manhattan from its native proprietors. The  
 price paid was sixty guilders, about twenty-four dol-  
 lars for more than twenty thousand acres. The south-  
 ern point was selected for "a battery," and lines were  
 drawn for a fort, which took the name of New Amster-  
 dam. The town had already thirty houses, and the  
 emigrants' wives had borne them children. In the  
 want of a regular minister, two "consolers of the sick"  
 read to the people on Sundays "texts out of the  
 scriptures, together with the creeds."

Brod-  
 head's  
 Hist. of  
 N. Y.  
 164,165.

No danger appeared in the distance except from  
 the pretensions of England. The government of  
 Manhattan wisely sought an interchange of "friendly  
 kindness and neighborhood" with the nearest English  
 at New Plymouth, and by a public letter in March,  
 1627, it formally claimed mutual "good-will and ser-  
 vice," pleading "the nearness of their native countries,  
 the friendship of their forefathers, and the new cove-  
 nant between the States-General and England against  
 the Spaniards." Bradford, in reply, gladly accepted  
 the "testimony of love." "Our children after us," he  
 added, "shall never forget the good and courteous



entreaty which we found in your country; and shall desire your prosperity for ever." His benediction was sincere; though he called to mind that the English patent for New England extended to forty degrees, within which, therefore, the Dutch had no right "to plant or trade;" and he especially begged them not to send their yachts into the Narragansett.

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XV.

1627.

"Our authority to trade and plant we derive from the States of Holland, and will defend it," rejoined Minuit. But in October of the same year, he sent De Rasières, who stood next him in rank, on a conciliatory embassy to New Plymouth. The envoy, who proceeded in state with soldiers and trumpeters, landed at Monumet, and crossed the neck on foot. At Scusset, on Cape Cod Bay, he was met by a boat from the Old Colony, and "was honorably attended with the noise of trumpets." He succeeded in concerting a mutual trade, but Bradford still warned the authorities of New Amsterdam to "clear their title" to their lands without delay. The advice seemed like a wish to hunt the Dutch out of their infant colony, and led the college of Nineteen to ask of the States-General forty soldiers for its defence.

Such were the rude beginnings of New Netherland. 1628. The women and children of the colony were concentrated on Manhattan, which, in 1628, counted a population of two hundred and seventy souls, including Dutch, Walloons, and slaves from Angola. With April of that year arrived Jonas Michaelius, a clergyman, who at once "established a church." Minuit was chosen one of its two elders; at the first administration of the Lord's Supper, there were fifty communicants. This earliest age was the age of hunters and Indian traders; of traffic in the skins of otters and beavers; when the native tribes were employed in the pursuit of game, as far as the St. Lawrence, and the skiffs of

CHAP. the Dutch, in quest of furs, penetrated every bay and  
 XV. bosom and inlet, from Narraganset to the Delaware.

1628. It was the day of straw roofs and wooden chimneys and windmills. There had been no extraordinary charge; there was no multitude of people; but labor was well-directed and profitable; and the settlement promised fairly both to the state and to the undertakers. The experiment in feudal institutions followed.

Reprisals on Spanish commerce were the alluring pursuit of the West India Company. On a single occasion, in 1628, the captures secured by its privateers were almost eighty-fold more valuable than all the exports from their colony for the four preceding years.

1629. While the company of merchant warriors, conducting their maritime enterprises like princes, were making prizes of the rich fleets of Portugal and Spain, and, by their victories, pouring the wealth of America into their treasury, the States General interposed to subject the government of foreign conquests to a council of Nine; and in 1629 the college of Nineteen adopted a charter of privileges for patroons who desired to found colonies in New Netherland.

These colonies were to resemble the lordships in the Netherlands. Every one who would emigrate on his own account, was promised as much land as he could cultivate; but husbandmen were not expected to emigrate without aid. The liberties of Holland were the fruit of municipalities; the country people were subordinate to their landlord, against whose oppression the town was their refuge. The boors enjoyed as yet no political franchises, and had not had

the experience required for planting states on a principle of equality. To the enterprise of proprietaries New Netherland was to owe its tenants. He that within four years would plant a colony of fifty souls, became lord of the manor, or patroon, possessing in absolute property the lands he might colonize. Those lands might extend sixteen miles in length; or, if they lay upon both sides of a river, eight miles on each bank, stretching indefinitely far into the interior; yet it was stipulated that the soil must be purchased of the Indians. Were cities to grow up, the institution of their government would rest with the patroon, who was to exercise judicial power, yet subject to appeals. The schoolmaster and the minister were praised as desirable; but there was no establishment for their maintenance. The colonists were forbidden to manufacture any woollen, or linen, or cotton fabrics; not a web might be woven, not a shuttle thrown, on penalty of exile. To impair the monopoly of the Dutch weavers was punishable as a perjury. The company, moreover, pledged itself to furnish the manors with negroes; yet not, it was warily provided, unless the traffic should prove lucrative. The Isle of Manhattan, as the chosen seat of commerce, was reserved to the company.

This charter of liberties was fatal to the interests of the corporation; its directors and agents immediately appropriated to themselves the most valuable portions of its territory. In June, 1629, three years, therefore, before the concession of the charter for Maryland, Samuel Godyn and Samuel Blommaert, both directors of the Amsterdam chamber, bargained

CHAP.  
XV.

1680.

with the natives for the soil from Cape Henlopen to the mouth of Delaware River; in July, 1630, this purchase of an estate, more than thirty miles long, was ratified at Fort Amsterdam by Minit and his council. It is the oldest deed for land in Delaware, and comprises the water-line of the two southern counties of that state. Still larger domains were in the same year appropriated by the agents of another director of the Amsterdam chamber, Kiliaen Van Rensselaer, to whom successive purchases from Mohawk and Mohican chiefs gave titles to land north and south of Fort Orange. His deeds also were promptly confirmed; so that his possessions, including a later supplementary acquisition, extended above and below Fort Orange, for twenty-four miles on each side of the river and forty-eight miles into the interior. In the same year he sent out emigrants to the colony of Rensselaerwyck. Of Hoboken, and what is now Jersey City and Staten Island, Michael Pauw, another director, hastened to become the patroon; and he named his "colonie" Pavonia.

The company had designed, by its charter of liberties, to favor the peopling of the province, and yet to retain its trade; under pretence of advancing agriculture, individuals had acquired a title to all the important points, where the natives resorted for traffic. As a necessary consequence, the feudal possessors were often in collision with the central government; while to the humble emigrant, the monopoly of commerce was aggravated by the monopoly of land.

A company was soon formed to colonize the tract acquired by Godyn and Blommaert. The first set-

tlement in Delaware, older than any in Pennsylvania, was undertaken by a company, of which Godyn, Van Rensselaer, Blommaert, the historian De Laet, and a new partner, David Pietersen de Vries, were members. By joint enterprise, in December, 1630, a ship of eighteen guns, commanded by Pieter Heyes and laden with emigrants, store of seeds, cattle, and agricultural implements, embarked from the Texel, partly to cover the southern shore of Delaware Bay with fields of wheat and tobacco, and partly for the whale-fishery on the coast. A yacht which went in company, was taken by a Dunkirk privateer; early in the spring of 1631 the larger vessel reached its destination, and just within Cape Henlopen, on Lewes Creek, planted a colony of more than thirty souls. The superintendence of the settlement was entrusted to Gillis Hosset. A little fort was built and well beset with palisades; the arms of Holland were affixed to a pillar; the country received the name of Swaanendael; the water, that of Godyn's Bay. The voyage of Heyes was the cradling of a state. That Delaware exists as a separate commonwealth, is due to this colony. According to English rule, occupancy was necessary to complete a title to the wilderness; and the Dutch now occupied Delaware.

On the fifth of May, Heyes and Hosset, in behalf of Godyn and Blommaert, made a further purchase from Indian chiefs of the opposite coast of Cape May, for twelve miles on the bay, on the sea, and in the interior; and in June, this sale of a tract, twelve miles square, was formally attested at Manhattan.

Animated by the courage of Godyn, the patroons

CHAP.  
XV.

1630.

Murphy's  
Voyages  
of De  
Vries.  
Brod-  
head's  
History,  
205, 207,  
220.

1631.

CHAP. of Swaanendael fitted out a second expedition, under  
 XV. the command of De Vries. But before he set sail,  
 1631. news was received of the destruction of the little  
 fort and the murder of all its people. Hosset,  
 the commandant, had caused the death of an Indian  
 chief; and the revenge of the savages was not ap-  
 peased till not one of the emigrants remained alive.  
 De Vries, on his arrival, found only the ruins of the  
 house and its palisades, half consumed by fire, and  
 here and there the bones of the colonists.

Before the Dutch could recover the soil of Dela-  
 ware from the natives, the patent granted to Balti-  
 more gave them an English competitor. Distracted  
 by anarchy, the administration of New Netherland  
 could not withstand encroachments. The too power-  
 ful patroons disputed the fur-trade with the agents  
 1632. of the West India Company. In 1632, to still the  
 quarrels, the discontented Minit was displaced; but  
 the inherent evils in the system were not lessened by  
 appointing as his successor the selfish and incompe-  
 tent Wouter van Twiller. The English government  
 claimed that New Netherland was planted only on  
 sufferance. The ship in which Minit embarked for  
 Holland entered Plymouth in a stress of weather,  
 and was detained for a time on the allegation that it  
 had traded without license in a part of the king's  
 dominions. Van Twiller, who arrived at Manhattan  
 1633. in April, 1633, was defied by an English ship, which  
 sailed up the river before his eyes. The rush of Puritan  
 emigrants to New England had quickened the move-  
 ments of the Dutch on the Connecticut, which they

undoubtedly were the first to discover and to occupy CHAP  
XV.  
 The soil round Hartford was purchased of the natives, 1633  
 and a fort was erected<sup>1</sup> on land within the present Jan.  
 limits of that city, some months before the pilgrims of 8.  
 Plymouth colony raised their block-house at Windsor,  
 and more than two years before the people of Hooker  
 and Haynes began the commonwealth of Connecticut. 1635  
 To whom did the country belong? Like the banks  
 of the Hudson, it had been first explored, and even  
 occupied, by the Dutch; but should a log-hut and a  
 few straggling soldiers seal a territory against other  
 emigrants? The English planters were on a soil  
 over which England had ever claimed the sove-  
 reignty, and of which the English monarch had made  
 a grant; they were there with their wives and children,  
 and they were there forever. It were a sin, said they,  
 to leave so fertile a land unimproved.<sup>2</sup> Their religious  
 enthusiasm, zeal for popular liberty, and numbers, did  
 not leave the issue uncertain. Altercations continued  
 for years; but they had no dignity, for they were fol-  
 lowed by no result. The Dutch fort long remained in  
 the hands of the Dutch West India Company; but it  
 was surrounded by English towns. At last, the swarms  
 of the English in Connecticut grew so numerous, as  
 not only to overwhelm the feeble settlement at Hart-  
 ford, but, under a grant from Lord Stirling, to invade  
 the less doubtful territories of New Netherland.<sup>3</sup> In  
 the second year of the government of William Kieft, 1640  
 the arms of the Dutch on the east end of Long Island  
 were thrown down in derision, and a fool's head set in  
 their place.<sup>4</sup>

<sup>1</sup> Albany Records, ii. 157.

<sup>2</sup> De Vries's Voyages.

<sup>3</sup> Winthrop, i. 112, 113. Stuy-  
vesant, in Hazard, ii. 262. Bradford,  
in Hutchinson's Mass. 416, 417.

Trumbull, i. 21. Bradford, in Prince.  
Compare the argument of G C  
Verplanck, in N. A. Review, viii.  
78, &c.

<sup>4</sup> Records, ii. 82, &c.

CHAP.  
XV.

While the New England men were thus encroaching on the Dutch on the east, a new competitor for possessions in America appeared in Delaware Bay.

Gustavus Adolphus, the greatest benefactor of humanity in the line of Swedish kings, had discerned the advantages which might be expected from colonies and widely-extended commerce. His zeal was encouraged  
 1624. by William Wsselinx, a Netherlander, whose mind for many years had been steadily devoted to the subject ; at his instance, a commercial company, with exclusive privileges to traffic beyond the Straits of Gibraltar, and  
 1626. the right of planting colonies, was sanctioned by the  
 June 14. king, and incorporated by the states of Sweden. The  
 1627. stock was open to all Europe for subscription ; the king  
 May 1 himself pledged 400,000 dollars of the royal treasure on equal risks ; the chief place of business was established at Gottenburg ; a branch was promised to any city which would embark 300,000 dollars in the undertaking. The government of the future colonies was reserved to a royal council ; for "politics," says the charter—and the expression marks the nation and the times—"politics lie beyond the profession of merchants."<sup>1</sup> Men of every rank were solicited to engage in the enterprise ; it was resolved to invite "colonists from all the nations of Europe."<sup>2</sup> Other nations employed slaves in their colonies ; and "slaves," said they, "cost a great deal, labor with reluctance, and soon perish from hard usage ; the Swedish nation is laborious and intelligent, and surely we shall gain more by a free people with wives and children."<sup>3</sup> To the Scandinavian imagination, hope painted the New World

<sup>1</sup> *Argonautica Gustaviana* contain the Documents.

<sup>2</sup> *Ibid.* 3.

<sup>3</sup> *Ibid.* 3, and compare 22.



as a paradise ;<sup>1</sup> the proposed colony as a benefit to the persecuted, a security “to the honor of the wives and daughters” of those whom wars and bigotry had made fugitives ;<sup>2</sup> a blessing to the “common man ;” to the “whole Protestant world.”<sup>3</sup> It may prove the advantage, said Gustavus, of “all oppressed Christendom”<sup>4</sup>

CHAP  
XV.

But the reviving influence of the pope menaced Protestant Christendom with ruin. The insurrection against intellectual servitude, of which the reformation was the great expression, appeared in danger of being suppressed, when Gustavus Adolphus resolved to invade Germany and vindicate the rights of conscience with his sword. Even the cherished purpose of colonization yielded in the emergency ; and the funds of the company were arbitrarily applied as resources in the war. It was a war of revolution ; a struggle to secure German liberty by establishing religious toleration ; yet even the great events on which the destinies of Germany were suspended, could not wholly drive from the mind of Gustavus his designs in America. They did but enlarge his views ; and at Nuremberg, but a few days before the battle of Lützen, where humanity won one of her most glorious victories, and lost one of her ablest defenders, the enterprise, which still appeared to him as “the jewel of his kingdom,”<sup>5</sup> was recommended to the people of Germany.

1630.  
May  
29

1632  
Oct.  
16.

In confirming the invitation to Germany, Oxenstiern declares himself to be but the executor of the wish of Gustavus. The same wise statesman, one of the great

1633  
April  
10.

<sup>1</sup> Argonautica Gustaviana, 11.

<sup>2</sup> Ibid. 16.

<sup>3</sup> Ibid.

<sup>4</sup> “Totius oppressæ Christianitatis.” Mercurius Germaniæ, 38.

<sup>5</sup> Oxenstiern, in Argonautica Gustaviana. Compare Erinnerung, in Mercurius Germaniæ, l. These very rare tracts are in our Cambridge library.

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XV.

1633  
June  
26.

men of all time, the serene chancellor, who in the busiest scenes never took a care with him to his couch, renewed the patent of the company, and extended its benefits to Germany; the charter was soon confirmed by the deputies of the four upper circles at Frankfort<sup>1</sup> "The consequences" of this design, said Oxenstiern, "will be favorable to all Christendom, to Europe, to the whole world." And were they not so? The first permanent colonization of the banks of the Delaware is due to Oxenstiern.

1638 Yet more than four years passed away before the design was carried into effect. We have seen Minuit, the early governor of New Amsterdam, forfeit his place amidst the strifes of faction. He now offered the benefit of his experience to the Swedes; and leaving Sweden, probably near the close of the year 1637, he sailed for the Bay of Delaware. Two vessels, the Key of Calmar, and the Griffin, formed his whole fleet; the care of the Swedish government provided the emigrants with a religious teacher, with provisions, and merchandise for traffic with the natives. Early in the year 1638,<sup>2</sup> the little company of Swedes and Finns arrived in the Delaware Bay; the lands from the southern cape, which the emigrants from hyperborean regions named Paradise Point, to the falls in the river near Trenton,

<sup>1</sup> A copy of the act is before me, dated December 12, 1634, printed at Hamburg, 1635.

<sup>2</sup> There has been much confusion in the statements of the time when the first Swedish settlement was made; Campanius says about 1631, and Duponceau, p. 68, repeats the error. So Smith, in his *New Jersey*, 22, Proud, i. 115, and Holmes. Rûhs, and many others, make a similar mistake. In the *Albany Records*, xvii. 322, the journal of the Dutch commissary A. Hudde, set-

gles the question; more than 14 years after the building of Fort Nassau, that is, early in 1638. This too is the statement of the careful Acrelius, an author worthy of confidence. Campanius, on the contrary, was ignorant and careless. His book, full of errors, contains valuable materials, which he knew not how to use. The voyage to America used then to be made by the southern passage. Compare Campanius, 70—72. The ships must have left Sweden late in 1637.

were purchased of the natives ; and near the mouth of Christiana Creek, within the limits of the present state of Delaware, Christiana Fort, so called from the little girl who was then queen of Sweden, was erected. Delaware was colonized. CHAP  
XV.

The colony was not unmolested. Should the Dutch suffer their province to be dismembered ? The records at Albany<sup>1</sup> still preserve the protest, in which Kieft, then director general of New Netherland, claimed for the Dutch the country on the Delaware : their possession had long been guarded by forts, and had been sealed by the blood of their countrymen. But at that time, the fame of Swedish arms protected the Swedish flag in the New World ; and while Banner and Torsenson were humbling Austria and Denmark, the Dutch did not venture beyond a protest.

Meantime tidings of the loveliness of the country had been borne to Scandinavia, and the peasantry of Sweden and of Finland longed to exchange their lands in Europe for a settlement on the Delaware. Emigration increased ; at the last considerable expedition, there were more than a hundred families<sup>2</sup> eager to embark for the land of promise, and unable to obtain a passage in the crowded vessels. The plantations of the Swedes were gradually extended ; and to preserve the ascendancy over the Dutch, who renewed their fort at Nassau, Printz, the governor, established his residence 1643 in Tinicum, a few miles below Philadelphia. A fort, constructed of vast hemlock logs, defended the island ;<sup>3</sup> and houses began to cluster in its neighborhood. Pennsylvania was, at last, occupied by Europeans ; that commonwealth, like Delaware, traces its lineage

<sup>1</sup> Albany Records, ii. 7, 8.

<sup>2</sup> Lindstrom, in Campanius, 74.

<sup>3</sup> Hudde, in Albany Records, xvii. 323. Campanius, 79.

CHAP. to the Swedes, who had planted a suburb of Philadel-  
 XV. phia before William Penn became its proprietary. The  
 banks of the Delaware from the ocean to the falls were  
 known as New Sweden. The few English families  
 1640. within its limits, emigrants from New England,<sup>1</sup> allured  
 by the beauty of the climate and the opportunity of  
 Indian traffic, were either driven from the soil, or sub-  
 mitted to Swedish jurisdiction.<sup>2</sup>

While the limits of New Netherland were narrowed  
 by competitors on the east and on the south, and Long  
 Island was soon to be claimed by the agent of Lord  
 Stirling,<sup>3</sup> the colony was almost annihilated by the  
 vengeance of the neighboring Algonquin tribes. Angry  
 and even bloody quarrels had sometimes arisen between  
 dishonest traders and savages maddened by intoxica-  
 1640. tion. The blameless settlement on Staten Island had,  
 in consequence, been ruined by the blind vengeance of  
 the tribes of New Jersey. The strife continued. A  
 boy who had been present when, years before, his  
 uncle had been robbed and murdered, had vowed  
 revenge, and, now that he was grown to man's estate,  
 1641. remembered and executed the vow of his childhood.  
 A roving but fruitless expedition into the country south  
 of the Hudson, was the consequence. The Raritans  
 were outlawed, and a bounty of ten fathoms of wam-  
 pum was offered for every member of the tribe. The  
 season of danger brought with it the necessity of con-  
 sulting the people; and the commons elected a body of  
 twelve to assist the governor. De Vries, the head of  
 the committee of the people, urged the advantage of

<sup>1</sup> Hazard, ii. 213.

<sup>2</sup> Compare, on the whole subject, Trumbull's Connecticut, i. 178; Hazard's Register of Pennsylvania, i. 17, &c.; Clay's Annals of the

Swedes on the Delaware, 22; Hazard, ii. 127, 171, 181, 192, 213, 319 &c.; Winthrop, ii. 62, 76, 178.

<sup>3</sup> Albany Records, iv. 4.

friendship with the natives. But the traders did not learn humanity, nor the savage forget revenge; and the son of a chief, stung by the conviction of having been defrauded and robbed, aimed an unerring arrow at the first Hollander exposed to his fury. A deputation of the river chieftains hastened to express their sorrow, and deplore the alternate, never-ending libations of blood. The murderer they could not deliver up; but after the custom of the Saxons in the days of Alfred, or the Irish under Elizabeth, in exact correspondence with the usages of earliest Greece,<sup>1</sup> they offered to purchase security for the murderer by a fine for blood. Two hundred fathom of the best wampum might console the grief of the widow. "You yourselves," they added, "are the cause of this evil; you ought not craze the young Indians with brandy. Your own people, when drunk, fight with knives, and do foolish things; and you cannot prevent mischief, till you cease to sell strong drink to the Indian."

Kieft was inexorable, and demanded the murderer. Just then, a small party of Mohawks from the neighborhood of Fort Orange, armed with muskets, descended from their fastnesses, and claimed the natives round Manhattan as tributaries. At the approach of the formidable warriors of a braver Huron race, the more numerous but cowering Algonquins crowded together in despair, begging assistance of the Dutch. Kieft seized the moment for an exterminating massacre. In vain was it foretold that the ruin would light upon the Dutch themselves. In the stillness of a dark winter's night, the soldiers at the fort, joined by freebooters

CHAP  
XV.

1642

1643.  
FebFeb.  
25, 26<sup>1</sup> Iliad ix. 632:——καὶ μὲν τίς τε κασιγνήτιο φονῆος  
Ποινῆν ἢ οὐ παιδὸς ἐδέξατο τεθνηῶτος.

CHAP.  
XV.

1643

from Dutch privateers, and led by a guide who knew every by-path and nook where the savages nestled, crossed the Hudson, for the purpose of destruction. The naked and unsuspecting tribes could offer little resistance; the noise of musketry mingled with the yell of the victims. Nearly a hundred perished in the carnage. Day-break did not end its horrors; men might be seen, mangled and helpless, suffering from cold and hunger; children were tossed into the stream, and as their parents plunged to their rescue, the soldiers prevented their landing, that both child and parent might drown.

The massacre was held in detestation by the colonists, who afterwards decided to imitate the precedent of Virginia, by deposing their governor and sending him back to Holland. For the moment, he was proud of his deed of treachery, and greeted the returning troops with exultation. But his joy was short. No sooner was it known that the midnight attack had been made not by the Mohawks, but by the Dutch, than every Algonquin tribe round Manhattan burned with the frenzy of revenge. The swamps were their hiding-places, from which sudden onsets were made in every direction; villages were laid waste; the farmer murdered in the field; his children swept into captivity. From the shores of New Jersey to the borders of Connecticut, not a bowery was safe. It was on this occasion, that Anne Hutchinson,<sup>1</sup> one of the most extraordinary women of her age, worthy to be named with Roger Williams and George Fox, perished with her family. The Dutch colony was threatened with

<sup>1</sup> Winthrop, ii. 136. Gorton, 59. the Indians did burn her to death  
Hubbard, 345. Welde's Rise, with fire."  
Reign, and Ruin, "Some write

ruin. "Mine eyes," says a witness, "saw the flames at their towns, and the frights and hurries of men, women and children, the present removal of all that could for Holland." The director was compelled to desire peace.

On the fifth of March, 1643, a convention of sixteen sachems assembled in the woods of Rockaway, and at daybreak De Vries and another, the two envoys from Manhattan, were conducted to the centre of the little senate. Their best orator addressed them, holding in one hand a bundle of small sticks. "When you first arrived on our shores, you were destitute of food; we gave you our beans and our corn; we fed you with oysters and fish; and now, for our recompense, you murder our people." Such were his opening words; having put down one little stick, he proceeded: "The traders whom your first ships left on our shore to traffic till their return, were cherished by us as the apple of our eye: we gave them our daughters for their wives; among those whom you have murdered were children of your own blood." He laid down another stick; and many more remained in his hand, each a memento of an unsatisfied wrong. "I know all," said De Vries, interrupting him, and inviting the chiefs to repair to the fort. The speaking ceased; the chieftains gave costly presents, ten fathoms of seawan, to each of the whites; and then the party went by water to New Amsterdam. There peace was made; but the presents of Kieft were those of a niggard; and left still in the Indians the rankling memory of the cruel slaughter of their infants. A month later, a similar covenant was made with the tribes on the river. But confidence was not restored. The young warriors among the Red Men would not be pacified; one had lost a father or a mother; a second owed revenge to the memory of a friend. No sufficient

CHAP.  
XV.

16 43.

March  
5.

Murphy's  
Voyages  
of De  
Vries, 118.  
O'Calla-  
ghan,  
I. 276.  
Brod-  
head's  
Hist. of  
N.Y. 859.

ransom had stifled revenge and calmed the pride of honor. "The presents we have received," said an older chief, in despondency, "bear no proportion to our loss; the price of blood has not been paid;"<sup>1</sup> and war was renewed.

The commander of the Dutch troops was John Underhill, a fugitive from New England, a veteran in Indian warfare, and one of the bravest men of his day. Having the licentiousness not less than the courage of the soldiers of that age, he had been compelled, at 1640. Boston, in a great assembly, on lecture-day, during the session of the General Court, dressed in the ruthless habit of a penitent, to stand upon a platform, and with sighs and tears, and brokenness of heart, and the aspect of sorrow, to beseech the compassion of the congregation.<sup>2</sup> In the following year, he removed to New Netherland, and now, with a little army of one hundred and twenty men, became the protector of the Dutch settlements. The war continued for two years. At 1643. length, the Dutch were weary of danger; the Indians 1645. tired of being hunted like beasts. The Mohawks claimed a sovereignty over the Algonquins; their ambassador appeared at Manhattan to negotiate a peace; 1645. and in front of Fort Amsterdam, according to Indian usage, under the open sky, on the spot now so beautiful, where the commerce of the world may be watched from shady walks, in the presence of the sun and of the ocean, the sachems of New Jersey, of the River Indians, of the Mohicans, and from Long Island, acknowledging the chiefs of the Five Nations as witnesses and arbitrators, and having around them the director and council of New Netherland, with the whole com-

<sup>1</sup> It is curious to compare II. ix. 634, πῶλλ' ἀποτίσας.

<sup>2</sup> Hubbard's History of New England, 359, 360.



monopoly of the Dutch, set their marks to a solemn treaty of peace.<sup>1</sup> The joy of the colony broke forth into a general thanksgiving; but infamy attached to the name of Kieft, the author of the carnage; the emigrants desired to reject him as their governor; the West India Company disclaimed his barbarous policy. About two years after the peace, he embarked for Europe in a large and richly-laden vessel; but the man of blood was not destined to revisit the shores of Holland. The ship in which he sailed, unable to breast the fury of elements as merciless as his own passions, was dashed in pieces on the coast of Wales, and the guilty Kieft was overwhelmed by the waves.<sup>2</sup>

CHAP  
XV.1645  
Sept.  
6.1647  
1648

1648

A better day dawned on New Netherland, when the brave and honest Stuyvesant, recently the vice-director of Curaçao, wounded in the West Indies, in the attack on St. Martin, a soldier of experience, a scholar of some learning, was promoted for his services, and entered on the government of the province. Sad experience dictated a milder system towards the natives; and it was resolved to govern them with lenity. The interests of New Netherland required free trade; at first, the department of Amsterdam would not listen to the prayer; it had alone borne the expense of the colony, and would tolerate no interlopers. But nature is stronger than privileged companies; the monopoly could not be

1646  
1647  
May  
11.

1648

<sup>1</sup> The contemporary authorities are abundant. I. The Albany Records, vol. ii. contain Kieft's statement. Compare other places, as x. 139, xxiv. 55. II. The views of the Indians are given in De Vries. Compare too R. Williams in Knowles, 275. III. The N. England statements, in Winthrop, ii. 96, 97, 136. Gorton, 59. Hubbard, 441, and 365. The traditionary account of the battle on Strickland Plain, preserved by Trumbull, i.

161, and repeated, but not confirmed, by Wood, p. 74, cannot be quite accurate; at least as to time. Memory is an easy dupe, and tradition a careless storyteller. An account, to be of highest value, must be written immediately at the time of the event. The eyewitness, the earwitness often persuades memory into a belief of inventions. Examples of this will occur.

<sup>2</sup> Hubbard, 444.

CHAP. enforced ; and export duties were substituted.<sup>1</sup> Man-  
 XV. hattan began to prosper, when its merchants obtained  
 1648. freedom to follow the impulses of their own enterprise.  
 The glorious destiny of the city was anticipated.  
 "When your commerce becomes established, and your  
 ships ride on every part of the ocean, throngs that look  
 towards you with eager eyes will be allured to embark  
 for your island." This prophecy was, nearly two cen-  
 turies ago, addressed by the merchants of Amsterdam  
 to the merchants of Manhattan.<sup>2</sup> At that time, Am-  
 sterdam was esteemed the first commercial city, not of  
 Europe only, but of the world : who could have fore-  
 seen, that the population and wealth of that famed  
 emporium, would one day be so far excelled by the  
 maturity of the little settlement that had barely saved  
 its life from the vengeance of the savages ? The Island  
 of New York was then chiefly divided among farmers ;  
 1649. the large forests which covered the Park and the adja-  
 cent region, long remained a common pasture, where,  
 for yet a quarter of a century, tanners could obtain bark,  
 and boys chestnuts ;<sup>3</sup> and the soil was so little valued,  
 that Stuyvesant thought it no wrong to his employers<sup>4</sup>  
 to purchase of them at a small price an extensive  
 bowery just beyond the coppices, among which browsed  
 the goats and kine from the village.

With so feeble a population, it was impossible to  
 protect the eastern boundary of New Netherland. Of  
 what avail were protests against actual settlers ? Stuy-  
 vesant was instructed to preserve the House of Good  
 1647. Hope at Hartford ; but while he was claiming the  
 1649, 1650. country from Cape Cod to Cape Henlopen, there was

<sup>1</sup> Albany Records, iv. 1, 3, 9, 13.  
 This volume contains the corre-  
 spondence of Stuyvesant and the  
 West India Company.

<sup>2</sup> *Ibid.* vii. 226.

<sup>3</sup> Lovelace, in J. W. Moulton's  
 New Orange, 33.

<sup>4</sup> Albany Records, iv. 24.

CHAP  
XV.

danger that the New England men would stretch their settlements to the North River, intercept the navigation from Fort Orange, and monopolize the fur-trade.<sup>1</sup> The commercial corporation would not risk a war; the expense would impair its dividends. "War," they declared, "cannot in any event be for our advantage; the New England people are too powerful for us." No issue was left but by negotiation; Stuyvesant himself repaired as ambassador to Hartford, and was glad to conclude a provisional treaty, which allowed New Netherland to extend on Long Island as far as Oyster Bay, on the main to the neighborhood of Greenwich. This intercolonial treaty was acceptable to the West India Company, but was never ratified in England; its conditional approbation by the States General is the only Dutch state-paper in which the government of the republic recognized the boundaries of the province on the Hudson. The West India Company could never obtain a national guaranty for the integrity of their possessions.<sup>2</sup>

1650  
Sept.  
11

The war between the rival republics in Europe did not extend to America; we have seen the wilfulness of Massachusetts restrain the colonies; in England, Roger Williams<sup>3</sup> delayed an armament against New Netherland. It is true, that the West India Company, dreading an attack from New England, had instructed their governor "to engage the Indians in his cause."<sup>4</sup> But the friendship of the Narragansetts for the Puritans could not be shaken. "I am poor," said Mixam, one

1651  
to  
16541652  
Aug.  
15.

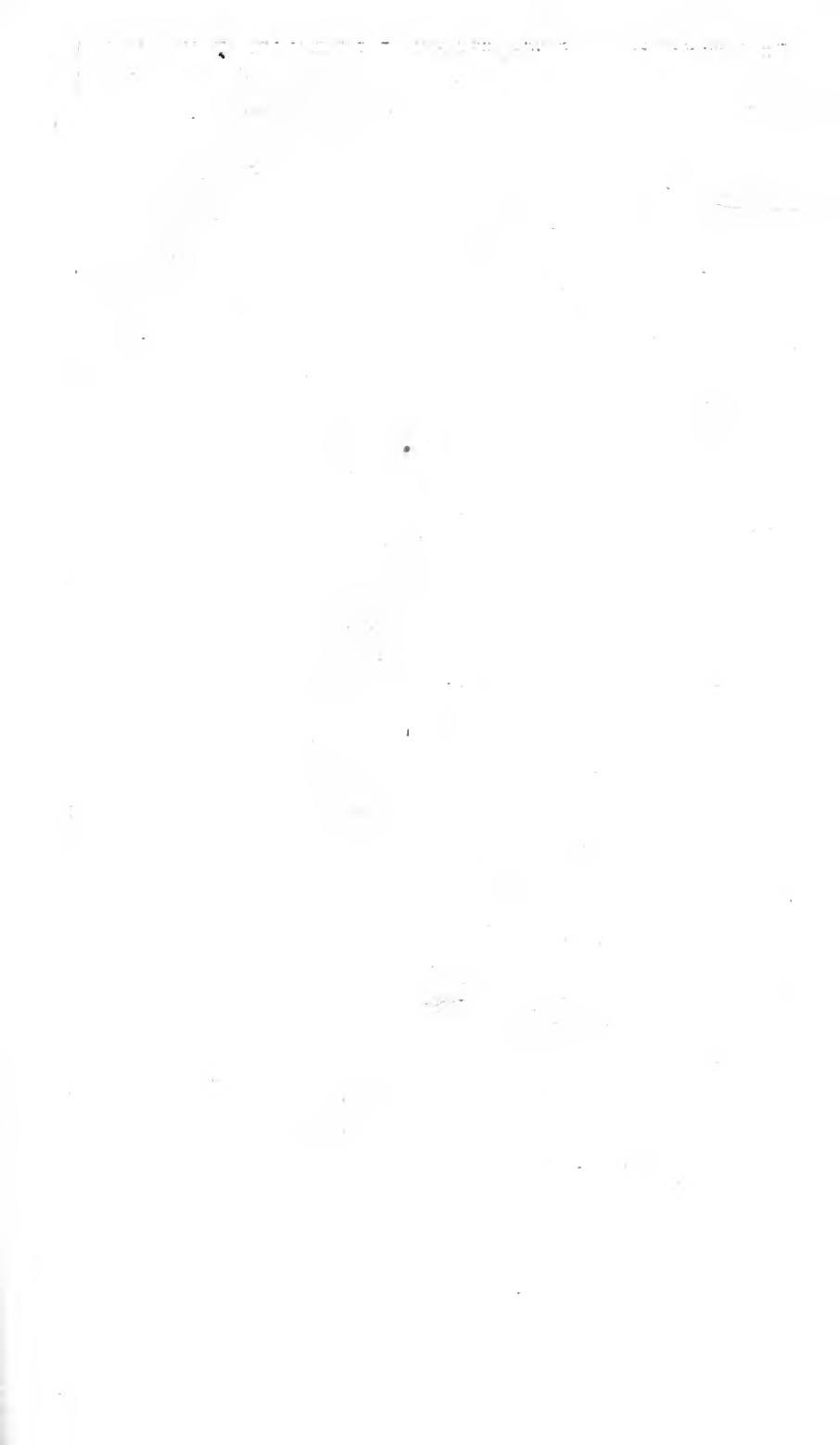
<sup>1</sup> Albany Records, vii. 3; iv. 32. compare Albany Records, iv. 120; vii. 147—150; Trumbull, i. 202: Hutchinson, i. 447. Hazard, ii. 218. Second Amboyna Tragedy, Hazard, ii. 257: Documents, in Hazard, ii. 15, 18, 28, 32, 35, &c. &c. 73, 207. 204—272: Verplanck, in N. A. Review, viii. 95—105: Irving, in  
<sup>2</sup> Treaty, in Trumbull, i. 192. vii. 147—150; Trumbull, i. 202: Hutchinson, i. 447. Hazard, ii. 218. Second Amboyna Tragedy, Hazard, ii. 257: Documents, in Hazard, ii. 15, 18, 28, 32, 35, &c. &c. 73, 207. 204—272: Verplanck, in N. A. Review, viii. 95—105: Irving, in  
<sup>3</sup> Williams, in Knowles, 263. Review, viii. 95—105: Irving, in  
<sup>4</sup> Albany Records, iv. 84. But Knickerbocker, ii. 48.

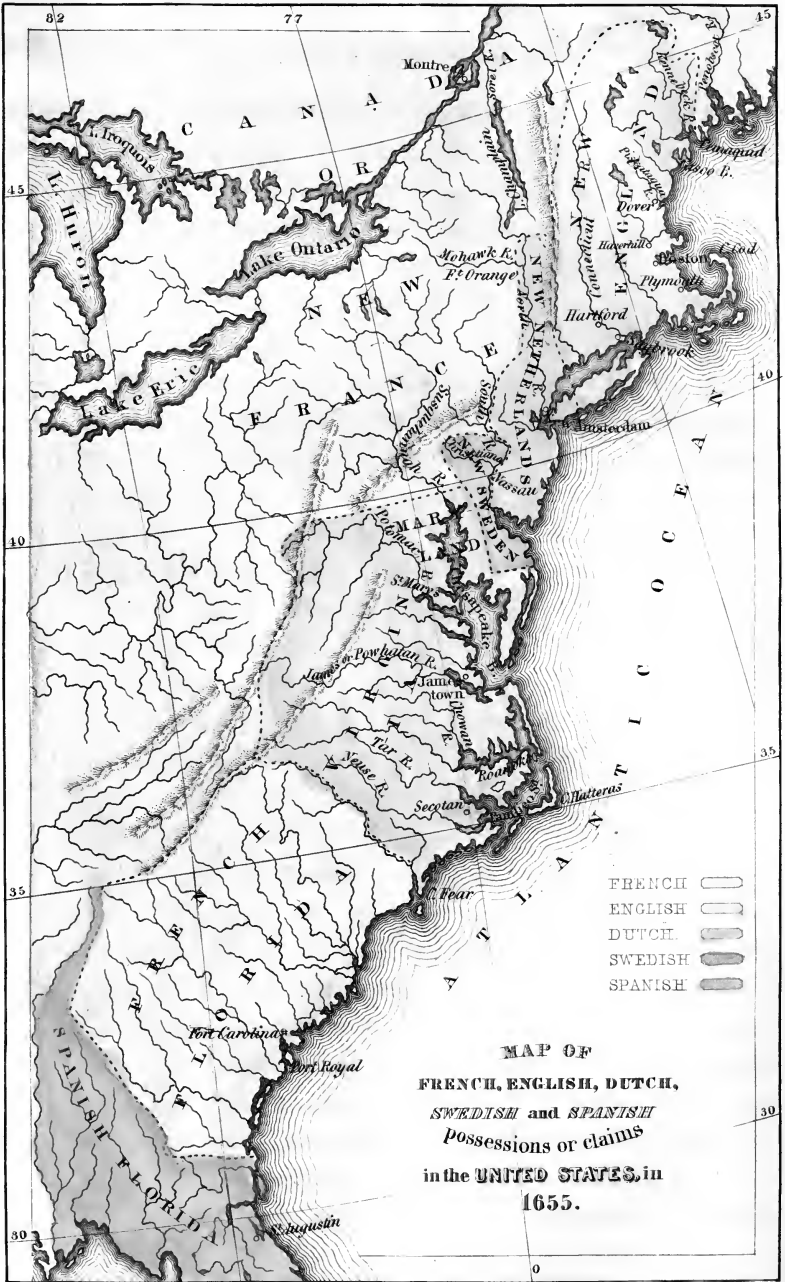
CHAP. of their sachems, "but no presents of goods, or of guns,  
 XV. or of powder and shot, shall draw me into a conspiracy  
 against my friends the English." The naval successes  
 1653. of the Dutch inspired milder counsels; and the news  
 of peace in Europe soon quieted every apprehension.

The provisionary compact left Connecticut in possession of a moiety of Long Island; the whole had often, but ineffectually, been claimed by Lord Stirling.  
 1634 Near the southern frontier of New Belgium, on Delaware  
 June Bay, the favor of Strafford had also obtained for  
 21. Sir Edward Ployden a patent for New Albion. The  
 1641 county never existed, except on parchment. The lord  
 to palatine attempted a settlement; but, for want of a  
 1648. pilot, he entered the Chesapeake; and his people were  
 absorbed in the happy province of Virginia. He was  
 never able to dispossess the Swedes.<sup>1</sup>

With the Swedes, therefore, powerful competitors for the tobacco of Virginia and the beaver of the Schuylkill, the Dutch were to contend for the banks of the Delaware. In the vicinity of the river, the Swedish company was more powerful than its rival; but the whole province of New Netherland was tenfold more populous than New Sweden. From motives  
 1651. of commercial security, the Dutch built Fort Casimir, on the site of Newcastle, within five miles of Christina, near the mouth of the Brandywine. To the Swedes this seemed an encroachment; jealousies ensued; and at last, aided by stratagem and immediate  
 1654. superiority in numbers, Rising, the Swedish governor, overpowered the garrison. The aggression was fatal to the only colony which Sweden had planted. The  
 1654, metropolis was exhausted by a long succession of wars;  
 1655.

<sup>1</sup> B. Plantagenet's Description of phia. Hazard, i. 160, &c. Winthrop, ii. 325.  
 New Albion, 1648, in the library of the Library Company, Philadel-





the statesmen and soldiers whom Gustavus had educated, had passed from the public service; Oxenstiern, after adorning retirement by the sublime pursuits of philosophy, was no more; a youthful and licentious queen, greedy of literary distinction, and without capacity for government, had impaired the strength of the kingdom by nursing contending factions, and then capriciously abdicating the throne. Sweden had ceased to awaken fear or inspire respect; and the Dutch company fearlessly commanded Stuyvesant to "revenge their wrong, to drive the Swedes from the river, or compel their submission." The order was renewed; and in September, 1655, the Dutch governor, collecting a force of more than six hundred men, sailed into the Delaware with the purpose of conquest. Resistance had been unavailing. One fort after another surrendered: to Rising honorable terms were conceded; the colonists were promised the quiet possession of their estates; and, in defiance of protests and the turbulence of the Scandinavians, the jurisdiction of the Dutch was established. Such was the end of NEW SWEDEN,<sup>1</sup> the colony that connects our country with Gustavus Adolphus and the nations that dwell on the Gulf of Bothnia. It maintained its distinct existence for a little more than seventeen years, and succeeded in establishing permanent plantations on the Delaware. The descendants of the colonists, in the course of generations, widely scattered and blended with emigrants of other lineage, constitute probably more than one part in two hundred of the present population of our country. At

CHAP  
XV1654  
Nov  
16.

1655

Sept  
25.

<sup>1</sup> Albany Records, xiii. 349—358, 367, 2, 7; iv. 157, 166, 186, 204, &c. 222. Acrelius, an accurate historian, Campanius, a heedless one. Of late writers, Clay's Swedish Annals. Compare Swedish Records, translated and printed in vols. iv. and v. of Hazard's Hist. Register.

CHAP  
XV.

the surrender, they did not much exceed seven hundred souls. Free from ambition, ignorant of the ideas which were convulsing the English mind, it was only as Protestants that they shared the impulse of the age. They cherished the calm earnestness of religious feeling; they revered the bonds of family and the purity of morals; their children, under every disadvantage of want of teachers and of Swedish books, were well instructed. With the natives they preserved peace. A love for Sweden, their dear mother country, the abiding sentiment of loyalty towards its sovereign, continued to distinguish the little band; at Stockholm, they remained for a century the objects of a disinterested and generous regard; affection united them in the New World; and a part of their descendants still preserve their altar and their dwellings round the graves of their fathers.<sup>1</sup>

1656 The conquest of the Swedish settlements was followed by relations bearing a near analogy to the provincial system of Rome. The West India Company desired an ally on its southern frontier; the country above Christiana was governed by Stuyvesant's deputy; Dec. while the city of Amsterdam became, by purchase, the proprietary of Delaware, from the Brandywine to Bombay Hook; and afterwards, under cessions from the natives, extended its jurisdiction to Cape Henlopen. But 1658, 1659. did a city ever govern a province with forbearance? The 1656, 1657 noble and right honorable lords, the burgomasters of Amsterdam, instituted a paralyzing commercial monopoly, and required of the colonists an oath of absolute obedience to all their past or future commands. But Maryland was free; Virginia governed itself. The

<sup>1</sup> Kalm's Travels. W. Penn's Letter. Clay's Swedish Annals.



restless colonists, almost as they landed, and even the soldiers of the garrison, fled in troops from the dominion of Amsterdam to the liberties of English colonies. The province of the city was almost deserted; the attempt to elope was punishable by death, and scarce thirty families remained.<sup>1</sup>

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XV.

During the absence of Stuyvesant from Manhattan, the warriors of the neighboring Algonquin tribes, never reposing confidence in the Dutch, made a desperate assault on the colony. In sixty-four canoes, they appeared before the town, and ravaged the adjacent country. The return of the expedition restored confidence. The captives were ransomed, and industry repaired its losses. The Dutch seemed to have firmly established their power, and promised themselves happier years. New Netherland consoled them for the loss of Brazil.<sup>2</sup> They exulted in the possession of an admirable territory, that needed no embankments against the ocean. They were proud of its vast extent, from New England to Maryland, from the sea to the Great River of Canada, and the remote north-western wilderness. They sounded with exultation the channel of the deep stream, which was no longer shared with the Swedes; they counted with delight its many lovely runs of water, on which the beaver built their villages; and the great travellers who had visited every continent, as they ascended the Delaware, declared it one of the noblest rivers in the world. Its banks were more inviting than the lands on the Amazon.

1655.  
Sept.

Meantime the country near the Hudson gained by

<sup>1</sup> Albany Records, iv. 217, 222, 223, 237, 273, 311; xviii. 43, 29, 40. Gordon's Pennsylvania, 23. Compare Albany Records, x. 397—468.

<sup>2</sup> Vander Donk, p. 8, &c. 5, &c. "Wat treurt men om Brazijl, vol snoode Portugeezen; Terwijl ons Vander Donk vertoont dit Nieuwe Land?"

CHAP.  
XV.

increasing emigration. Manhattan was already the chosen abode of merchants; and the policy of the government invited them by its good will. If Stuyvesant sometimes displayed the rash despotism of a soldier, he was sure to be reprov'd by his employers. Did he change the rate of duties arbitrarily? The directors, sensitive to commercial honor, charged him "to keep every contract inviolate." Did he tamper with the currency by raising the nominal value of foreign coin? The measure was rebuked as dishonest. Did he attempt to fix the price of labor by arbitrary rules? This also was condemned as unwise and impracticable. Did he interfere with the merchants by inspecting their accounts? The deed was censured as without precedent "in Christendom;" and he was ordered to "treat the merchants with kindness, lest they return, and the country be depopulated." Did his zeal for Calvinism lead him to persecute Lutherans? He was chid for his bigotry.<sup>1</sup> Did his hatred of "the abominable sect of Quakers" imprison and afterwards exile the blameless Bowne? "Let every peaceful citizen," wrote the directors, "enjoy freedom of conscience; this maxim has made our city the asylum for fugitives from every land; tread in its steps, and you shall be blessed."<sup>2</sup>

Private worship was, therefore, allowed to every religion. Opinion, if not yet enfranchised, was already tolerated. The people of Palestine, from the destruction of their temple, an outcast and a wandering race, were allured by the traffic and the candor of the New World; and not the Saxon and Celtic races only, the

<sup>1</sup> Albany Records, iv. 19, 25, 84, 128, 212. pare, on Quaker persecutions, xix. 1, 2, 3, 11, 12, 18—24; xx. 212,

<sup>2</sup> Ibid. xviii. 221; iv. 427. Com- 214, 231—233, 291.

children of the bondmen that broke from slavery in Egypt, the posterity of those who had wandered in Arabia, and worshipped near Calvary, found a home, liberty, and a burial-place on the Island of Manhattan.<sup>1</sup>

CHAP.  
XV.

The emigrants from Holland were themselves of the most various lineage ; for Holland had long been the gathering-place of the unfortunate. Could we trace the descent of the emigrants from the Low Countries to New Netherland, we should be carried not only to the banks of the Rhine and the borders of the German Sea, but to the Protestants who escaped from France after the massacre of Bartholomew's eve ; and to those earlier inquirers who were swayed by the voice of Huss in the heart of Bohemia. New York was always a city of the world. Its settlers were relics of the first fruits of the reformation, chosen from the Belgic provinces and England, from France and Bohemia, from Germany and Switzerland, from Piedmont and the Italian Alps.

The religious sects, which, in the middle ages, had been fostered by the municipal liberties of the south of France, were the harbingers of modern freedom, and had therefore been sacrificed to the inexorable feudalism of the north. After a bloody conflict, the plebeian reformers, crushed by the merciless leaders of the military aristocracy, escaped to the highlands that divide France and Italy. Preserving the discipline of a benevolent, ascetic morality, with the simplicity of a spiritual worship,

“ When all our fathers worshipped stocks and stones,”

it was found, on the progress of the reformation, that they had by three centuries anticipated Luther and Calvin.

<sup>1</sup> Albany Rec. iv. 203, 212 ; xv. 140, 141 ; xi. 21, 240, and 140, 141, 159.

CHAP. The hurricane of persecution, which was to sweep  
 XV. Protestantism from the earth, did not spare their seclusion; mothers with infants were rolled down the rocks, and the bones of martyrs scattered on the Alpine mountains. Was there no asylum for the pious Waldenses? The city of Amsterdam offered the fugitives a free passage to America, and a welcome reception was prepared in New Netherland<sup>1</sup> for the few who were willing to emigrate.

1656  
 Dec  
 19.

The persecuted of every creed and every clime were invited to the colony. When the Protestant churches in Rochelle were razed, the Calvinists of that city were gladly admitted; and the French Protestants came in such numbers, that the public documents were sometimes issued in French as well as in Dutch and English.<sup>2</sup> Troops of orphans were sometimes shipped for the milder destinies of the New World; a free passage was offered to mechanics; for "population was known to be the bulwark of every state." The government of New Netherland had formed just ideas of the fit materials for building a commonwealth; they desired "farmers and laborers, foreigners and exiles, men inured to toil and penury."<sup>3</sup> The colony increased; children swarmed in every village;<sup>4</sup> the new year and the month of May were welcomed with noisy frolics: new modes of activity were devised; lumber was shipped to France;<sup>5</sup> the whale pursued off the coast; the vine, the mulberry, planted; flocks of sheep as well as cattle were multiplied;<sup>6</sup> and tile, so long

<sup>1</sup> Albany Records, iv. 223. Lambrechtsten, p. 65, without quoting his authority, says six hundred came over. There could not have been so many. On a later occasion, 1663, the proposed emigration failed. Albany Records, iv. 223.

<sup>2</sup> Albany Records, xiv. 233; iv. 425, 461; xviii. 295.

<sup>3</sup> Ibid. xviii. 35; viii. 143.

<sup>4</sup> For instance, *ibid.* xix. 74.

<sup>5</sup> Ibid. xviii. 47.

<sup>6</sup> Ibid. iv. 91, 73, 92, 260, 326 Vander Donk, c. xiv.

imported from Holland,<sup>1</sup> began to be manufactured near Fort Orange. New Amsterdam could, in a few years, boast of stately buildings, and almost vied with Boston. "This happily-situated province," said its inhabitants, "may become the granary of our Fatherland; should our Netherlands be wasted by grievous wars, it will offer our countrymen a safe retreat; by God's blessing, we shall in a few years become a mighty people."

Thus did various nations of the Caucasian race assist in colonizing our central states. The African also had his portion on the Hudson. The West India Company, which sometimes transported Indian captives to the West Indies,<sup>2</sup> having large establishments on the coast of Guinea, at an early day introduced negroes into Manhattan, and continued the negro slave-trade without remorse. We have seen Elizabeth of England a partner in the commerce, of which the Stuarts, to the days of Queen Anne, were distinguished patrons; the city of Amsterdam<sup>3</sup> did not blush to own shares in a slave-ship, to advance money for the outfits, and to participate in the returns. In proportion to population, New York had imported as many<sup>4</sup> Africans as Virginia. That New York is not a slave-state like Carolina, is due to climate, and not to the superior humanity of its founders. Stuyvesant was instructed to use every exertion to promote the sale of negroes.<sup>5</sup> They were imported sometimes by way of the West Indies, often directly from Guinea,<sup>6</sup> and were sold at public auction to the highest bidder.<sup>7</sup> The average price<sup>8</sup> was less than

CHAP  
XV.

1664

1626

1664.

<sup>1</sup> Albany Records, xiv. 21; iv. 93; iii. 2.

<sup>2</sup> Ibid. xviii. 193.

<sup>3</sup> Ibid. viii. 383.

<sup>4</sup> Ibid. xxii. 308, 244; xviii. 116, 272, 299; xiii. 340.

<sup>5</sup> Albany Records, iv. 371.

<sup>6</sup> Ibid. iv. 2; viii. 14. The Records contain permits for the voyages, the numbers imported, &c.

<sup>7</sup> Ibid. iv. 332.

<sup>8</sup> Ibid. xviii. 72.

CHAP. one hundred and forty dollars. The monopoly of the  
 XV. traffic was not strictly enforced; and a change of policy  
 sometimes favored the export of negroes to the English  
 colonies.<sup>1</sup> The enfranchised negro might become a  
 freeholder.<sup>2</sup>

With the Africans came the African institution of  
 abject slavery; the large emigrations from Connecticut  
 engrafted on New Netherland the Puritan idea of  
 popular freedom. There were so many English at  
 Manhattan as to require an English secretary, preachers  
 who could speak in English as well as in Dutch, and a  
 publication of civil ordinances in English.<sup>3</sup> Whole  
 towns had been settled by New England men, who,  
 having come to America to serve God with a pure con-  
 science, and desiring to provide for the outward com-  
 forts and souls' welfare of their posterities, planted  
 New England liberties in a Congregational way, with  
 the consent, and under the jurisdiction of the Dutch.<sup>4</sup>  
 Their presence and their activity foretold a revolution.

In the Fatherland, the power of the people was un-  
 known; in New Netherland, the necessities of the  
 colony had given it a twilight existence, and delegates  
 from the Dutch towns, at first twelve, then perhaps  
 1642. eight in number, had mitigated the arbitrary authority  
 of Kieft. There was no distinct concession of legisla-  
 tive power to the people; but the people had, without  
 a teacher, become convinced of the right of resistance.  
 1644 The brewers refused to pay an arbitrary excise: "Were  
 Aug. we to yield," said they, "we should offend the eight  
 18. men, and the whole commonalty." The large propri-  
 etaries did not favor popular freedom; the commander  
 1644. of Rensselaer Stein had even raised a battery, that "the

<sup>1</sup> Albany Records, iv. 333, 172,  
 371, 456; xix. 26; xi. 35.

<sup>2</sup> Ibid. xxii. 331 But compare  
 ii 242.

<sup>3</sup> Albany Records, iv. 74

<sup>4</sup> Ibid. xix. 409—419.

canker of freemen" might not enter the manor; but the patrons cheerfully joined the free boors in resisting arbitrary taxation. As a compromise, it was proposed that, from a double nomination by the villages, the governor should appoint tribunes, to act as magistrates in trivial cases, and as agents for the towns, to give their opinion whenever they should be consulted. Town-meetings were absolutely prohibited.<sup>1</sup>

Discontents increased. Vander Donk and others were charged with leaving nothing untried to abjure what they called the galling yoke of an arbitrary government. A commission repaired to Holland for redress; as farmers, they claimed the liberties essential to the prosperity of agriculture; as merchants, they protested against the intolerable burden of the customs; and when redress was refused, tyranny was followed by its usual consequence—clandestine associations against oppression.<sup>2</sup> The excess of complaint obtained for New Amsterdam a court of justice like that of the metropolis; but the municipal liberties included no political franchise; the sheriff<sup>3</sup> was appointed by the governor; the two burgomasters and five schepens made a double nomination of their own successors, from which "the valiant director himself elected the board."<sup>4</sup> The city had privileges, not the citizens. The province gained only the municipal liberties, on which rested the commercial aristocracy of Holland. Citizenship was a commercial privilege, and not a political enfranchisement.<sup>5</sup> It was not much more than a license to trade.<sup>6</sup>

CHAP.  
XV.

1647.

1649  
to

1652

1650

1652

April

4.

<sup>1</sup> Albany Records, iii. 187, 188; vii. 74, 82, &c.

<sup>2</sup> Ibid. iv. 25, 29, 30, 33, 68.

<sup>3</sup> Ibid. xiii. 96—99; viii. 139—142.

<sup>4</sup> Albany Records, xix. 33, 34.

<sup>5</sup> So afterwards, in 1657. Albany Records, xv. 54—56.

<sup>6</sup> Ibid. xxiv. 45. Compare xx. 247, 248.

CHAP  
XV.

1653. The system was at war with Puritan usages ; the Dutch in the colony readily caught the idea of relying on themselves ; and the persevering restlessness of the people led to a general assembly of two deputies from each village in New Netherland ; an assembly which Stuyvesant was unwilling to sanction, and could not prevent. As in Massachusetts, this first convention<sup>1</sup> sprung from the will of the people ; and it claimed the right of deliberating on the civil condition of the country.

Nov.  
to  
Dec.

Dec.

“ The States General of the United Provinces ”—such was the remonstrance and petition, drafted by George Baxter, and unanimously adopted by the convention—“ are our liege lords ; we submit to the laws of the United Provinces ; and our rights and privileges ought to be in harmony with those of the Fatherland, for we are a member of the state, and not a subjugated people. We, who have come together from various parts of the world, and are a blended community of various lineage ; we, who have, at our own expense, exchanged our native lands for the protection of the United Provinces ; we, who have transformed the wilderness into fruitful farms,—demand, that no new laws shall be enacted but with consent of the people, that none shall be appointed to office but with the approbation of the people, that obscure and obsolete laws shall never be revived.”<sup>2</sup>

Stuyvesant was taken by surprise. He had never had faith in “ the wavering multitude ; ”<sup>3</sup> and doubts of man’s capacity for self-government dictated his reply. “ Will you set your names to the visionary notions

<sup>1</sup> The original is Lantdag Dutch Records, 2.

<sup>2</sup> Albany Records, ix. 28—33. I have selected and compressed the prominent points. Every word will, I trust, be found to be sanctioned

by the Dutch originals. Of course I have not adhered strictly to the words of Vander Kemp’s honest but ungrammatical version.

<sup>3</sup> Ibid. vii. 73.



of an Englishman? Is there no one of the Netherlands' nation able to draft your petition? And your prayer is so extravagant, you might as well claim to send delegates to the assembly of their high mightinesses themselves.

CHAP  
XV.

1653

1. "Laws will be made by the director and council. Evil manners produce good laws for their restraint; and therefore the laws of New Netherland are good.

2. "Shall the people elect their own officers? If this rule become our cynosure, and the election of magistrates be left to the rabble, every man will vote for one of his own stamp. The thief will vote for a thief; the smuggler for a smuggler; and fraud and vice will become privileged.

3. "The old laws remain in force; directors will never make themselves responsible to subjects."<sup>1</sup>

The delegates, in their rejoinder, appealed to the inalienable rights of nature. "We do but design the general good of the country and the maintenance of freedom; nature permits all men to constitute society, and assemble for the protection of liberty and property."<sup>2</sup> Stuyvesant, having exhausted his arguments, could reply only by an act of power; and dissolving the assembly, he commanded its members to separate on pain of arbitrary punishment. "We derive our authority from God and the West India Company, not from the pleasure of a few ignorant subjects:" such was his farewell message to the convention which he dispersed.

Dec.  
13.

The West India Company<sup>3</sup> declared this resistance to arbitrary taxation to be "contrary to the maxims

<sup>1</sup> Albany Records, ix. 38—46. &c.; xiv. 169, 171. Compare

<sup>2</sup> Ibid. ix. 48, 49, &c. &c. xviii. 77.

<sup>3</sup> Ibid. iv. 129, 133, 168, 175,

CHAP. of every enlightened government." "We approve the  
 XV. taxes you propose;"—thus they wrote to Stuyvesant—  
 "have no regard to the consent of the people;" "let  
 them indulge no longer the visionary dream, that taxes  
 can be imposed only with their consent." But the  
 people continued to indulge the dream; taxes could  
 1654 not be collected; and the colonists, in their desire that  
 1658. <sup>to</sup> popular freedom might prove more than a vision,  
 listened with complacency to the hope of obtaining  
 English liberties by submitting to English jurisdiction.

Cromwell had planned the conquest of New Netherland; in the days of his son, the design was revived; and the restoration of Charles II. threatened New Netherland with danger from the south, the north, and from England.

In previous negotiations with the agent of Lord  
 1659. Baltimore, the envoy of New Netherland had firmly  
 maintained the right of the Dutch to the southern  
 bank of the Delaware, pleading purchase and coloni-  
 zation before the patent to Lord Baltimore had been  
 granted. The facts were conceded; but, in the pride  
 of strength, it was answered, that the same plea had  
 not availed Clayborne, and should not avail the Dutch.<sup>1</sup>  
 On the restoration, Lord Baltimore renewed his claims  
 to the country from Newcastle to Cape Henlopen;  
 they were defended by his agents in Amsterdam and  
 in America, and were even presented to the States  
 General of the United Provinces. The College of  
 XIX. of the West India Company was inflexible;  
 1660 conscious of its rights, it refused to surrender its pos-  
 Sept. I. sessions, and resolved "to defend them even to the

<sup>1</sup> Heerman's Journal of his em- xviii. 337—365. Compare also viii  
 bassy to Maryland, in reply to Col. 185. So too Maryland Papers, in  
 N. Utie, &c., in Albany Records, N. Y. Hist. Coll. iii. 369—386.

spilling of blood.”<sup>1</sup> Beekman, the Dutch lieutenant-governor on the Delaware, was faithful to his trust; the jurisdiction of his country was maintained; and when young Baltimore, with his train, appeared at the mouth of the Brandywine, he was honored as a guest; but the proprietary claims of his father were triumphantly resisted. The Dutch, and Swedes, and Finns, kept the country safely for William Penn. At last, the West India Company, desiring a barrier against the English on the south, transferred the whole country on the Delaware to the city of Amsterdam. The banks of the river from Cape Henlopen to the falls at Trenton, certainly remained under the jurisdiction of the Dutch.

CHAP  
XV.1659  
to  
16641663  
Feb.  
and  
July.

With Virginia, during the protectorate, the most amicable relations had been confirmed by reciprocal courtesies. Even during the war between England and Holland, friendly intercourse had continued; for why, it was said, should there be strife between old friends and neighbors, brothers in Christ, dwelling in countries so far from Europe? Commerce, if interrupted by a transient hesitancy as to its security, soon recovered its freedom, and was sometimes conducted even with Europe by way of Virginia. Equal rights

1653

1659

<sup>1</sup> This statement is opposite to the account which the enemies of Penn have given. It is nevertheless the true one. The original despatch of the West India Company exists at Albany. The English reader may consult Albany Records, viii. 293, 294, where he will find the words of the text. Now compare Chalmers, 634. “The West India Company sent private orders to its officers to withdraw to the northward of Lord Baltimore’s boundary.” The company sent private orders *not to give up the country, but to defend it even to the spill-*

*ing of blood.* Once more turn to Chalmers, 634. “Charles Calvert, the son of the proprietary, immediately occupied what his opponents had relinquished.” This also is wrong. The heir of Lord Baltimore made a visit on the river, and was hospitably entertained by Beekman as a guest, not as a proprietary. See Records, xvii. 286, 297. But Chalmers hated Penn, and recklessly or passionately falsified history. And how hard to destroy error! How many have copied this statement of Chalmers!

CHAP. in the colonial courts were reciprocally secured by  
 XV. treaty. But upon the restoration, the act of naviga-  
 1664. tion, at first evaded, was soon enforced; and by degrees,  
 June Berkeley, whose brother coveted the soil of New Jer-  
 10. sey, threatened hostility. Clouds gathered in the south.<sup>1</sup>

In the north, affairs were still more lowering. Mas-  
 sachusetts did not relinquish its right to an indefinite  
 extension of its territory to the west; and the people  
 of Connecticut not only increased their pretensions on  
 1662. Long Island, but regardless of the provisional treaty,  
 Oct. claimed West Chester,<sup>2</sup> and were steadily advancing  
 towards the Hudson. To stay these encroachments,  
 1663. Stuyvesant himself repaired to Boston,<sup>3</sup> and entered his  
 Sept. complaints to the convention of the United Colonies.  
 But Massachusetts maintained a neutrality; the voyage  
 was, on the part of the Dutch, a confession of weak-  
 ness; and Connecticut inexorably demanded delay.  
 An embassy to Hartford renewed the language of re-  
 monstrance with no better success. Did the Dutch  
 1663. assert their original grant from the States General? It  
 Oct. was interpreted as conveying no more than a commer-  
 15 to cial privilege. Did they plead discovery, purchase from  
 26. the natives, and long possession? It was replied, that  
 Connecticut, by its charter, extended to the Pacific.  
 "Where, then," demanded the Dutch negotiators,  
 "where is New Netherland?"—And the agents of  
 Connecticut, with provoking indifference, replied, "We  
 do not know."<sup>4</sup>

These unavailing discussions were conducted during

<sup>1</sup> Albany Records, iv. 133, 165, 168, 198, 211, 236, 248, 282, 351, 320, 382; xxiv. 101, &c., 300, 399, 401; xviii. 157, &c., 197, 258—262.

<sup>2</sup> Ibid. xxi. 97, and xxi. 381, 388, and xxiv. 161—174.

<sup>3</sup> Hazard, ii. 479—483.

<sup>4</sup> Journal of the Envoys to Hartford, in Albany Records, xvi. 292, 315. Compare also Trumbull's Connecticut and the numerous documents in Hazard.

the horrors of a half-year's war with the savages round Esopus. The rising village on the banks of that stream was laid waste; many of its inhabitants murdered or made captive; and it was only on the approach of winter that an armistice restored tranquillity.<sup>1</sup> The colony had no friend but the Mohawks. "The Dutch," said the faithful warriors of the Five Nations, "are our brethren. With them we keep but one council fire; we are united by a covenant chain."<sup>2</sup>

CHAP  
XV.1663  
June.

Nov.

The contests with the natives, not less than with New England, displayed the feebleness of New Netherland. The province had no popular freedom, and therefore had no public spirit. In New England, there were no poor; in New Netherland, the poor were so numerous, it was difficult to provide for their relief.<sup>3</sup> The Puritans easily supported schools every where, and Latin schools in their larger villages; on Manhattan, a Latin school lingered, with difficulty, through two years, and was discontinued.<sup>4</sup> In New England, the people, in the hour of danger, rose involuntarily, and defended themselves; in the Dutch province, men were unwilling to go to the relief even of villages<sup>5</sup> that were in danger from the Indians, and demanded protection from the company, which claimed to be their absolute sovereign.

The necessities of the times wrung from Stuyvesant the concession of an assembly; the delegates of the villages would only appeal to the States General and to the West India Company for protection. But the States General had, as it were, invited aggression by abstaining from every public act which should pledge

1663  
Nov  
1.<sup>1</sup> Albany Records, xvi. 194—284.<sup>2</sup> Ibid. xviii. 102, 103; xix. 97.<sup>3</sup> Ibid. xix. 187, 377.<sup>4</sup> Albany Records, iv. 303; xviii. 19, 44, 164.<sup>5</sup> Ibid. xviii. 55—59.

CHAP  
XV.

1664  
April.

their honor to the defence of the province ; and the West India Company was too penurious to risk its funds, where victory was so hazardous. A new and more full diet was held in the spring of 1664. Rumors of an intended invasion from England had reached the colony ; and the popular representatives, having remonstrated against the want of all means of defence, and foreseeing the necessity of submitting to the English, demanded plainly of Stuyvesant—" If you cannot protect us, to whom shall we turn ?" The governor, faithful to his trust, proposed the enlistment " of every third man, as had more than once been done in the Fatherland." And thus Manhattan was left without defence ; the people would not expose life for the West India Company ; and the company would not risk bankruptcy for a colony which it valued chiefly as property. The established government could not but fall into contempt. In vain was the libeller of the magistrates fastened to a stake with a bridle in his mouth. Stuyvesant confessed his fear of the colonists. " To ask aid of the English villages would be inviting the Trojan horse within our walls."—" I have not time to tell how the company is cursed and scolded ; the inhabitants declare that the Dutch have never had a right to the country." Half Long Island had revolted ; the settlements on the Esopus wavered ; the Connecticut men had purchased of the Indians all the seaboard as far as the North River. Such were the narratives of Stuyvesant to his employers.

May  
12.

June  
2.

Aug  
4.

In the mean time, the United Provinces could not distrust a war with England. No cause for war existed except English envy of the commercial glory and prosperity of Holland. In profound confidence of firm peace, the countrymen of Grotius were planning

liberal councils ; at home they designed an abandonment of the protective system and concessions to free trade ; in the Mediterranean, their fleet, under De Ruyter, was preparing to suppress the piracies of the Barbary states, and punish the foes of Christendom and civilization. And at that very time, the English were engaging in a piratical expedition against the Dutch possessions on the coast of Guinea. The king had also, with equal indifference to the chartered rights of Connecticut, and the claims of the Netherlands, granted to the duke of York not only the country from the Kennebec to the St. Croix, but the whole territory from the Connecticut River to the shores of the Delaware ; and under the conduct of Richard Nicolls, groom of the bedchamber to the duke of York, the English squadron which carried the commissioners for New England to Boston, having demanded recruits in Massachusetts, and received on board the governor of Connecticut, approached the narrows, and quietly cast anchor in Gravesend Bay. Long Island was lost ; soldiers from New England pitched their camp near Breukelen Ferry.

CHAP  
XV.1664  
Feb.Mar  
12July  
23.Aug  
28.Aug  
30.

In New Amsterdam there existed a division of counsels. Stuyvesant, faithful to his employers, struggled to maintain their interests ; the municipality, conscious that the town was at the mercy of the English fleet, desired to avoid bloodshed by a surrender. A joint committee from the governor and the city having demanded of Nicolls the cause of his presence, he replied by requiring of Stuyvesant the immediate acknowledgment of English sovereignty, with the condition of security to the inhabitants in life, liberty, and property. At the same time, Winthrop of Connecticut, whose love of peace and candid affection for the Dutch

CHAP. nation had been acknowledged by the West India  
 XV. Company, advised his personal friends to offer no re-  
 sistance. "The surrender," Stuyvesant nobly an-  
 1664. sivered, "would be reproved in the Fatherland." The  
 Sept. burgomasters, unable to obtain a copy of the letter from  
 1. Nicolls, summoned, not a town-meeting,—that had been  
 inconsistent with the manners of the Dutch,—but the  
 principal inhabitants to the public hall, where it was  
 resolved, that the community ought to know all that  
 Sept. related to its welfare. On a more urgent demand for  
 2. the letter from the English commander, Stuyvesant  
 angrily tore it in pieces; and the burgomasters, instead  
 of resisting the invasion, spent their time in framing a  
 Sept. protest against the governor. On the next day, a new  
 3. deputation repaired to the fleet; but Nicolls declined  
 discussion. "When may we visit you again?" said  
 the commissioners. "On Thursday," replied Nicolls;  
 "for to-morrow I will speak with you at Manhattan."  
 —"Friends," it was smoothly answered, "are very  
 welcome there."—"Raise the white flag of peace,"  
 said the English commander, "for I shall come with  
 ships of war and soldiers." The commissioners re-  
 turned to advocate the capitulation, which was quietly  
 effected on the following days. The aristocratic liber-  
 ties of Holland yielded to the hope of popular liberties  
 like those of New England.

The articles of surrender, framed under the auspices  
 of the municipal authority, by the mediation of the  
 younger Winthrop and Pynchon, accepted by the  
 magistrates and other inhabitants assembled in the  
 Sept. town hall, and not ratified by Stuyvesant till the sur-  
 8. render had virtually been made, promised security to the  
 customs, the religion, the municipal institutions, the  
 possessions of the Dutch. The enforcement of the



navigation act was delayed for six months. During that period, direct intercourse with Holland remained free. The towns were still to choose their own magistrates, and Manhattan, now first known as New York, to elect its deputies, with free voices in all public affairs.

CHAP  
XV.

Albany  
Records  
xviii.  
and  
xxii

The colonists were satisfied; very few embarked for Holland; it seemed, rather, that English liberties were to be added to the security of property. In a few days, Fort Orange, now named Albany, from the Scottish title of the duke of York, quietly surrendered; and the league with the Five Nations was renewed. Early in October, the Dutch and Swedes on the Delaware capitulated; and for the first time the whole Atlantic coast of the old thirteen states was in possession of England. Our country had obtained geographical unity.

1664  
Sept  
24

Oct. 1

The dismemberment of New Netherland ensued on its surrender. The duke of York had already, two months before the conquest, assigned to Lord Berkeley and Sir George Carteret, both proprietaries of Carolina, the land between the Hudson and the Delaware. In honor of Carteret, the territory, with nearly the same bounds as at present, except on the north, received the name of New Jersey. If to fix boundaries and grant the soil, could constitute a state, the duke of York gave political existence to a commonwealth. Its moral character was moulded by New England Puritans, English Quakers, and dissenters from Scotland.

June  
23, 24

Meantime avarice paid its homage to freedom; and the royalists, who were become lords of the soil, indifferent to liberty, sought to foster their province, by most liberal concessions. Security of persons and property under laws to be made by an assembly composed of the governor and council, and at least an equal

1665  
Feb.  
10

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1665

number of representatives of the people; freedom from taxation except by the colonial assembly; a combined opposition of the people and the proprietaries to any arbitrary impositions from England; freedom of judgment, conscience, and worship, to every peaceful citizen; these were the allurements to New Jersey. To the proprietaries were reserved a veto on provincial enactments, the appointment of judicial officers, and the executive authority. Lands were promised at a moderate quitrent, not to be collected till 1670. The duke of York, now president of the African Company, was the patron of the slave-trade; the proprietaries, more true to the prince than to humanity, offered a bounty of seventy-five acres for the importation of each able slave. That the tenure of estates might rest on equity, the Indian title to lands was in all cases to be quieted.

The portion of New Netherland which thus gained popular freedom, was at that time almost a wilderness. The first occupation of Fort Nassau in Gloucester, and the grants to Godyn and Blomaert, above Cape May, had been of so little avail that, in 1634, not a single white man dwelt within the Bay of the Delaware. The pioneers of Sir Edmund Ployden, and the restless emigrants from New Haven, had both been unsuccessful. Here and there, in the counties of Gloucester and Burlington, a Swedish farmer may have preserved his dwelling on the Jersey side of the river; and, before 1664, perhaps three Dutch families were established about Burlington; but as yet West New Jersey had not a hamlet. In East Jersey, of which the hills had been praised by Verrazzani, and the soil trodden by the mariners of Hudson, a trading station seems, in 1618, to have been occupied at Bergen. In December, 1651, Augustine Herman purchased, but hardly took posses-

sion of the land that stretched from Newark Bay to the west of Elizabethtown, while, in January, 1658, other purchasers obtained the large grant called Bergen, where the early station became a permanent settlement. Before the end of 1664, a few families of Quakers appear also to have found a refuge south of Raritan Bay.

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XV.

More than a year earlier, New England Puritans, sojourners on Long Island, solicited of the Dutch, and, as the records prove, obtained leave to establish on the banks of the Raritan and the Minnisink, their cherished institutions, and even their criminal jurisprudence. Soon after the surrender, a similar petition was renewed to the representative of the duke of York; and, as the parties, heedless of the former grant to Herman, succeeded in obtaining from the Indians a deed of an extensive territory on Newark Bay, Nicolls, ignorant as yet of the sale of New Jersey, and having already granted land on Hackensack Neck, encouraged emigration by ratifying the sale. The tract afterwards became known as "the Elizabethtown purchase," and led to abundant litigation. In April, 1665, a further patent was issued, under the same authority, to William Goulding and others, for the region extending from Sandy Hook to the mouth of the Raritan. For a few months, East New Jersey bore the name of Albania. Nicolls could boast that "on the new purchases from the Indians, three towns were beginning;" and under grants from the Dutch and from the governor of New York, the coast from the old settlement of Bergen to Sandy Hook, along Newark Bay, at Middletown, at Shrewsbury, was enlivened by humble plantations, that were soon to constitute a semicircle of villages.

1663  
March.  
26.  
Albany  
Records  
iv. 415.

1664  
Sept.  
20.

Oct.  
28.

Oct. 3.  
Dec. 2

1665  
April  
8.

Nov.

In August, 1665, Philip Carteret appeared among the tenants of the scattered cabins, and was quietly re-

CHAP  
XV.  
1665. received as the governor appointed for the colony by the proprietaries. In vain did Nicolls protest against the division of his province, and struggle to secure for his patron the territory which had been released in ignorance. The incipient people had no motive to second his complaints; the freedom of New Jersey assured its separate existence. Yet so feeble were the beginnings of the commonwealth, it was but a cluster of four houses, which, in honor of the kind-hearted Lady Carteret, was now called Elizabethtown, and rose into dignity as the capital of the province.

To New England messengers were despatched to publish the tidings that Puritan liberties were warranted  
1666. a shelter on the Raritan. Immediately, an association of church members from the New Haven colony sailed into the Passaic, and, at the request of the governor, holding a council with the Hackensack tribe, themselves extinguished the Indian title to Newark. "With one heart, they resolved to carry on their spiritual and town affairs according to godly government;" to be ruled under their old laws by officers chosen from among themselves; and when, in May, 1668, a colonial legislative  
May  
21. assembly was for the first time convened at Elizabethtown, the influence of Puritans transferred the chief features of the New England codes to the statute book of New Jersey.

The province increased in numbers and prosperity. The land was accessible and productive; the temperate climate delighted by its salubrity; there was little danger from the neighboring Indians, whose strength had been broken by long hostilities with the Dutch; the Five Nations guarded the approaches from the interior; and the vicinity of older settlements saved the emigrants from the distresses of a first adventure in the

wilderness. Every thing was of good augury, till, in 1670, the quitrents of a half-penny an acre were seriously spoken of. But on the subject of real estate in the New World, the Puritans differed from the lawyers widely, asserting that the heathen, as a part of the lineal descendants of Noah, had a rightful claim to their lands. The Indian deeds, executed partly with the approbation of Nicolls, partly with the consent of Carteret himself, were, therefore, pleaded as superior to proprietary grants; the payment of quitrents was refused; disputes were followed by confusion; and, in May, 1672, the disaffected colonists, obeying the impulse of independence, rather than of gratitude, sent deputies to a constituent assembly at Elizabethtown. By that body, Philip Carteret was displaced, and his office transferred to the young and frivolous James Carteret, a natural son of Sir George. The proprietary officers could make no resistance. William Pardon, who withheld the records, found safety only in flight. Following the advice of the council, after appointing John Berry as his deputy, Philip Carteret hastened to England, in search of new authority, while the colonists remained in the undisturbed possession of their farms.

The liberties of New Jersey did not extend beyond the Delaware; the settlements in New Netherland, on the opposite bank, consisting chiefly of groups of Dutch round Lewistown and Newcastle, and Swedes and Finns at Christiana Creek, at Chester, and near Philadelphia, were retained as a dependency of New York. The claim of Lord Baltimore was denied with pertinacity. In 1672, the people of Maryland, desiring to stretch the boundary of their province to the bay, invaded Lewistown with an armed force. The country was immediately reclaimed, as belonging by conquest

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1670

March

25.

1672

May

14.

June

15.

July 1

1664

to

1672

CHAP. to the duke of York ;<sup>1</sup> and Delaware still escaped the  
 XV. imminent peril of being absorbed in Maryland.

1664. In respect to civil liberties, the territory shared the fortunes of New York ; and for that province the establishment of English jurisdiction was not followed by the expected concessions. Connecticut, surrendering all claims

1664. to Long Island, obtained a favorable boundary on the  
 Dec. 1 main. The city of New York was incorporated ; the municipal liberties of Albany were not impaired ; but the province had no political franchises, and therefore no political unity. In the governor and his subservient council were vested the executive and the highest

1664 judicial powers ; with the court of assizes, composed  
 to of justices of his own appointment, holding office at  
 1667. his will, he exercised supreme legislative power, promulgated a code of laws, and modified or repealed them at pleasure. No popular representation, no true English liberty, was conceded. Once, indeed, and

1665. only once, a convention was held at Hempstead, chiefly  
 Mar. for the purpose of settling the respective limits of the towns on Long Island. The rate for public charges was there perhaps agreed upon ;<sup>2</sup> and the deputies were induced to sign an extravagantly loyal address to the duke of York. But “ factious republicans ” abounded ; the deputies were scorned by their constituents for their inconsiderate servility ;<sup>3</sup> and the governor, who

1666. never again conceded an assembly, was “ reproached and vilified ” for his arbitrary conduct. Even the Dutch patents for land were held to require renewal, and Nicolls gathered a harvest of fees from exacting new title-deeds.

<sup>1</sup> Documents, in Smith's New Jersey, c. iii. iv. of assizes and the general assembly.

<sup>2</sup> Nicolls, in Chalmers, 597. <sup>3</sup> Correct Chalmers, 577, 598, 599, by Wood, 87 ; or Additions to the code in N. Y. Hist. Coll. i. 418.

Under Lovelace, his successor, the same system was more fully developed. Even on the southern shore of the Delaware, the Swedes and Finns, the most enduring of all emigrants, were roused to resistance "The method for keeping the people in order is severity, and laying such taxes as may give them liberty for no thought but how to discharge them." Such was the remedy proposed in the instructions from Lovelace to his southern subordinate, and carried into effect by an arbitrary tariff.

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XV.  
1667  
May.  
1669

Oct.  
18.

In New York, when the established powers of the towns favored the demand for freedom, eight villages soon united in remonstrating against the arbitrary government; they demanded the promised legislation by annual assemblies. But absolute government was the settled policy of the royal proprietary; and taxation for purposes of defence, by the decree of the governor, was the next experiment. The towns of Southold, Southampton, and Easthampton, expressed themselves willing to contribute, if they might enjoy the privileges of the New England colonies. The people of Huntington refused altogether; for, said they, "we are deprived of the liberties of Englishmen." The people of Jamaica declared the decree of the governor a disfranchisement, contrary to the laws of the English nation. Flushing and Hempstead were equally resolute. The votes of the several towns were presented to the governor and council; they were censured as "scandalous, illegal, and seditious, alienating the peaceable from their duty and obedience," and, according to the established precedents of tyranny, were ordered to be publicly burnt before the town-house of New York.<sup>1</sup>

Oct.  
9.

1670  
Oct.  
8.

Dec  
21.

<sup>1</sup> S. Wood's Sketch of the First Settlement of Long Island, p. 86—96.

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It was easy to burn the votes which the yeomanry of Long Island had passed in their town-meetings. But, meantime, the forts were not put in order; the government of the duke of York was hated as despotic, and when, in the next war between England and the Netherlands, a small Dutch squadron, commanded by the gallant Evertsen of Zeeland, approached Manhattan, the city surrendered within four hours; the people of New Jersey made no resistance, and the counties on the Delaware, recovering greater privileges than they had enjoyed, cheerfully followed the example.<sup>1</sup> The quiet of the neighboring colonies was secured by a compromise for Long Island and a timely message from Massachusetts. The year in which Champlain and the French entered New York on the north as enemies to the Five Nations, Hudson and the Dutch appeared at the south as their friends. The Mohawk chiefs now came down to congratulate their brethren on the recovery of their colony. "We have always," said they, "been as one flesh. If the French come down from Canada, we will join with the Dutch nation, and live and die with them;" and the words of love were confirmed by a belt of wampum.<sup>2</sup> New York was once more a province of the Netherlands.

1673  
July  
30.  
1674.

The moment at which Holland and Zeeland retired for a season from American history, like the moment of their entrance, was a season of glory. The little nation of merchants and manufacturers had just achieved its independence of Spain, and given to the Protestant world a brilliant example of a federal republic, when its mariners took possession of the Hudson. The country was now reconquered, at a time when the

<sup>1</sup> Albany Records, xxiii. 318,  
323—326, 332, &c.

<sup>2</sup> Albany Records, xxiii. 211  
&c.



provinces, single-handed, were again struggling for existence against yet more powerful antagonists. France, supported by the bishops of Munster and Cologne, had succeeded in involving England in a conspiracy for the political destruction of England's commercial rival. Charles II. had begun hostilities as a pirate; and Louis XIV. did not disguise the purpose of conquest. With armies amounting to two hundred thousand men, to which the Netherlands could oppose no more than twenty thousand, the French monarch invaded the republic; and within a month, Holland was exposed to the same desperate dangers which had been encountered a century before; while the English fleet, hovering off the coast, endeavored to land English troops in the heart of the wealthiest of the provinces. Ruin was imminent, and had come but for the public virtue. The annals of the human race record but few instances where moral power has so successfully defied every disparity of force, and repelled such desperate odds by invincible heroism. At sea, where greatly superior numbers were on the side of the allied fleets of France and England, the untiring courage of the Dutch would not consent to be defeated. On land, the dikes were broken up; the country drowned; the son of Grotius, suppressing anger at the ignominious proposals of the French, protracted the negotiations till the rising waters could form a wide and impassable moat round the cities. Was an invasion still feared from the east? At Groningen, the whole population, without regard to sex, children even, labored on the fortifications; and fear was not permitted even to a woman. Would William of Orange sustain the crisis with calm intrepidity? Arlington, one of the joint proprietaries of Virginia, advised him to seek advancement by yielding

CHAP. to England. "My country," calmly replied the young  
 XV. man, "trusts in me; I will not sacrifice it to my inter-  
 1673. ests, but, if need be, die with it in the last ditch." The  
 landing of British troops in Holland could be prevented  
 only by three naval engagements. De Ruyter and the  
 younger Tromp had been bitter enemies; the latter  
 had been disgraced on the accusation of the former;  
 political animosities had increased the feud. At the  
 battle of Soulsbay, where the Dutch with fifty-two  
 June 7. ships of the line engaged an enemy with eighty, De  
 Ruyter was successful in his first manœuvres, while  
 the extraordinary ardor of Tromp plunged headlong  
 into dangers which he could not overcome; the frank  
 and true-hearted De Ruyter checked himself in the  
 career of victory, and turned to the relief of his rival.  
 "Oh, there comes grandfather to the rescue," shouted  
 Tromp in an ecstasy; "I never will desert him so long  
 as I breathe." The issue of the day was uncertain.  
 June 14. In the second battle, the advantage was with the  
 Dutch. About three weeks after the conquest of New  
 Aug. 21. Netherland, the last and most terrible conflict took  
 place near the Helder. The enthusiasm of the Dutch  
 mariners dared almost infinite deeds of valor; the noise  
 of the artillery boomed along the low coast of Holland;  
 the churches on the shore were thronged with suppliants,  
 begging victory for the right cause and their country.  
 The contest raged, and was exhausted, and was again  
 renewed with unexampled fury. But victory was with  
 De Ruyter and the younger Tromp, the guardians of  
 their country. The British fleet retreated, and was  
 pursued; the coasts of Holland were protected.

For more than a century, no other naval combat  
 was fought between Netherlands and England. The  
 English parliament, condemning the war, refused sup-

plies ; Prussia and Austria were alarmed ; Spain openly threatened, and Charles II. consented to treaties. All conquests were to be restored ; and Holland, which had been the first to claim the enfranchisement of the oceans, against its present interests, established by compact the rights of neutral flags. In a work dedicated to all the princes and nations of Christendom, and addressed to the common intelligence of the civilized world, the admirable Grotius, contending that right and wrong are not the evanescent expressions of fluctuating opinions, but are endowed with an immortality of their own, had established the freedom of the seas on an imperishable foundation. Ideas once generated live forever. With the recognition of maritime liberty, Holland disappears from our history ; when, after the lapse of more than a century, this principle comes in jeopardy, Holland, the mother of four of our states, will rise up as our ally, bequeathing to the new federal republic the defence of commercial freedom which she had vindicated against Spain, and for which we shall see her prosperity fall a victim to England.

On the final transfer of New Netherland to England, after a military occupation of fifteen months by the Dutch, the brother of Charles II. resumed the possession of New York, and Carteret appears once more as proprietary of the eastern moiety of New Jersey ; but the banks of the Delaware were reserved for men who had been taught by the uneducated son of a poor Leicestershire weaver to seek the principle of God in their own hearts, and to build the city of humanity by obeying the nobler instincts of human nature.

CHAP.  
XV.

1674

Oct.  
31.

## CHAPTER XVI.

## THE PEOPLE CALLED QUAKERS IN THE UNITED STATES.

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THE nobler instincts of humanity are the same in every age and in every breast. The exalted hopes, that have dignified former generations of men, will be renewed as long as the human heart shall throb. The visions of Plato are but revived in the dreams of Sir Thomas More. A spiritual unity binds together every member of the human family; and every heart contains an incorruptible seed, capable of springing up and producing all that man can know of God, and duty, and the soul. An inward voice, uncreated by schools, independent of refinement, opens to the unlettered hind, not less than to the polished scholar, a sure pathway into the enfranchisements of immortal truth.

This is the faith of the people called QUAKERS. A moral principle is tested by the attempt to reduce it to practice.

The history of European civilization is the history of the gradual enfranchisement of classes of society. The feudal sovereign was limited by the power of the military chieftains, whose valor achieved his conquests. The vast and increasing importance of commercial transactions gave new value to the municipal privileges of which the Roman empire had bequeathed the precedents; while the intricate questions that were perpetually arising for adjudication, crowded the igno-

rant military magistrate from the bench, and reserved the wearisome toil of deliberation for the learning of his clerk. The emancipation of the country people followed. In every European code, the ages of feudal influence, of mercantile ambition, of the enfranchisement of the yeomanry, appear distinctly in succession.

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It is the peculiar glory of England, that her free people always had a share in the government. From the first, her freeholders had legislative power as well as freedom; and the tribunals were subjected to popular influence by the institution of a jury. The majority of her laborers were serfs; many husbandmen were bondmen, as the name implies; but the established liberties of freeholders quickened, in every part of England, the instinct for popular advancement. The Norman invasion could not uproot the ancient institutions; they lived in the heart of the nation, and rose superior to the Conquest.

The history of England is therefore marked by an original, constant and increasing political activity of the people. In the fourteenth century, the peasantry, conducted by tilers, and carters, and ploughmen, demanded of their young king a deliverance from the bondage and burdens of feudal oppression; in the fifteenth century, the last traces of villenage were wiped away; in the sixteenth, the noblest ideas of human destiny, awakening in the common mind, became the central points round which plebeian sects were gathered; in the seventeenth century, the enfranchised yeomanry began to feel an instinct for dominion; and its kindling ambition, quickly fanned to a flame, would not rest till it had attempted a democratic revolution. The best soldiers of the Long Parliament were country people; the men that turned the battle on Marston Moor

CHAP. were farmers and farmers' sons, fighting, as they be-  
 XVI. lieved, for their own cause. The progress from the rout  
 ~~~~~ of Wat Tyler to the victories of Naseby, and Worcester, and Dunbar, was made in less than three centuries. So rapid was the diffusion of ideas of freedom, so palpable was the advancement of popular intelligence, energy, and happiness, that to whole classes of enthusiasts the day of perfect enfranchisement seemed to have dawned; legislation, ceasing to be partial, was to be reformed and renewed on general principles, and the reign of justice and reason was about to begin. In the language of that age, Christ's kingdom on earth, his second coming, was at hand. Under the excitement of hopes, created by the rapid progress of liberty, which, to the common mind, was an inexplicable mystery, the blissful centuries of the millennium promised to open upon a favored world.

Political enfranchisements had been followed by the emancipation of knowledge. The powers of nature were freely examined; the merchants always tolerated or favored the pursuits of science. Galileo had been safe at Venice, and honored at Amsterdam or London. The method of free inquiry, applied to chemistry, had invented gunpowder and changed the manners of the feudal aristocracy; applied to geography, had discovered a hemisphere, and, circumnavigating the globe, made the theatre of commerce wide as the world; applied to the mechanical process of multiplying books, had brought the New Testament, in the vulgar tongue, within the reach of every class; applied to the rights of persons and property, had, for the English, built up a system of common law, and given securities to liberty in the interpretation of contracts. Under the guidance of Bacon, the inductive method, in its freedom, was

about to investigate the laws of the outward world, and reveal the wonders of divine Providence as displayed in the visible universe. CHAP
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On the continent of Europe, Descartes had already applied the method of observation and free inquiry to the study of morals and the mind; in England, Bacon hardly proceeded beyond the province of natural philosophy. He compared the subtle visions, in which the contemplative soul indulges, to the spider's web, and sneered at them as frivolous and empty; but the spider's web is essential to the spider's well-being, and for his neglect of the inner voice, Bacon paid the terrible penalty of a life disgraced by flattery, selfishness, and mean compliance. Freedom, as applied to morals, was cherished in England among the people, and therefore had its development in religion. The Anglo-Saxons were a religious people. Henry II. had as little superstitious regard for the Roman see as Henry VIII.; but the oppressed Anglo-Saxons looked for shelter to the church, and invoked the enthusiasm of Thomas a Becket to fetter the Norman tyrant and bind the Norman aristocracy in iron shackles. The enthusiast fell a victim to the church and to Anglo-Saxon liberty. If, from the day of his death, the hierarchy abandoned the cause of the people, that cause always found advocates in the inferior clergy; and Wickliffe did not fear to deny dominion to vice and to claim it for justice. The reformation appeared, and the inferior clergy, rising against Rome and against domestic tyranny, had a common faith and common political cause with the people. A body of the yeomanry, becoming Independents, planted Plymouth colony. The inferior gentry espoused Calvinism, and fled to Massachusetts. The popular movement of intellectual liberty is measured by ad-

Bacon
de Aug
Sci. l. 1

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vances towards the liberty of prophesying, and the liberty of conscience.

The moment was arrived when the plebeian mind should make its boldest effort to escape from hereditary prejudices ; when the freedom of Bacon, the enthusiasm of Wickliffe, and the politics of Wat Tyler, were to gain the highest unity in a sect ; when a popular, and, therefore, in that age, a religious party, building upon a divine principle, should demand freedom of mind, purity of morals, and universal enfranchisement.

The sect had its birth in a period of intense public activity—when the heart of England was swelling with passions, and the public mind turbulent with factious leaders ; when zeal for reform was invading the church, subverting the throne, and repealing the privileges of feudalism ; when Presbyterians in every village were quarrelling with Anabaptists and Independents, and all with the Roman Catholics and the English church.

The sect could arise only among the common people, who had every thing to gain by its success, and the least to hazard by its failure. The privileged classes had no motive to develop a principle before which their privileges would crumble. “Poor mechanics,” said William Penn, “are wont to be God’s great ambassadors to mankind.” “He hath raised up a few despicable and illiterate men,” said the accomplished Barclay, “to dispense the more full glad tidings reserved for our age.” It was the comfort of the Quakers, that they received the truth from a simple sort of people, unmixed with the learning of schools ; and almost for the first time in the history of the world, a plebeian sect proceeded to the complete enfranchisement of mind, teaching the English yeomanry the same method

Penn, i.
346, 353,
ed. 1825.

Barclay,
125, 301,
302.

Penn, ii.
467

of free inquiry which Socrates had explained to the young men of Athens. CHAP.
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The simplicity of truth was restored by humble instruments, and its first messenger was of low degree. George Fox, the son of "righteous Christopher," a Leicestershire weaver, by his mother descended from the stock of the martyrs, distinguished even in boyhood by frank inflexibility and deep religious feeling, became in early life an apprentice to a Nottingham shoemaker, who was also a landholder, and, like David, and Tamerlane, and Sixtus V., was set by his employer to watch sheep. The occupation was grateful to his mind, for its freedom, innocency, and solitude; and the years of earliest youth passed away in prayer and reading the Bible, frequent fasts, and the reveries of contemplative devotion. His boyish spirit yearned after excellence; and he was haunted by a vague desire of an unknown, illimitable good. In the most stormy period of the English democratic revolution, just as the Independents were beginning to make head successfully against the Presbyterians, when the impending ruin of royalty and the hierarchy made republicanism the doctrine of a party, and inspiration the faith of fanatics, the mind of Fox, as it revolved the question of human destiny, was agitated even to despair. The melancholy natural to youth heightened his anguish; abandoning his flocks and his shoemaker's bench, he nourished his inexplicable grief by retired meditations, and often walking solitary in the chase, sought in the gloom of the forest for a vision of God. 1644
Fox, 56.

He questioned his life; but his blameless life was ignorant of remorse. He went to many "priests" for comfort, but found no comfort from them. His misery urged him to visit London; and there the religious

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feuds convinced him that the great professors were dark. He returned to the country, where some advised him to marry, others to join Cromwell's army; but his excited mind continued its conflicts; and, as other young men have done from love, his restless spirit drove him into the fields, where he walked many nights long by himself in misery too great to be declared. Yet at times a ray of heavenly joy beamed upon his soul, and he reposed, as it were, serenely on Abraham's bosom.

1646. He had been bred in the church of England. One day, the thought rose in his mind, that a man might be bred at Oxford or Cambridge, and yet be unable to explain the great problem of existence. Again he reflected that God lives not in temples of brick and stone, but in the hearts of the living; and from the parish priest and the parish church, he turned to the dissenters. But among them he found the most experienced unable to reach his condition.

1647. Neither could the pursuit of wealth detain his mind from its struggle for fixed truth. His desires were those which wealth could not satisfy. A king's diet, palace, and attendance, had been to him as nothing. Rejecting "the changeable ways of religious" sects, the "brittle notions" and airy theories of philosophy, he longed for "unchangeable truth," a firm foundation of morals in the soul. His inquiring mind was gently led along to principles of endless and eternal love; light dawned within him; and though the world was rocked by tempests of opinion, his secret and as yet unconscious belief was firmly stayed by the anchor of hope.

The strong mind of George Fox had already risen above the prejudices of sects. The greatest danger

remained. Liberty may be pushed to dissoluteness, and freedom is the fork in the road where the by-way leads to infidelity. One morning, as Fox sat silently by the fire, a cloud came over his mind; a baser instinct seemed to say, "All things come by nature;" and the elements and the stars oppressed his imagination with a vision of pantheism. But as he continued musing, a true voice arose within him, and said, "There is a living God." At once the clouds of skepticism rolled away; mind triumphed over matter, and the depths of conscience were cheered and irradiated by light from heaven. His soul enjoyed the sweetness of repose, and he came up in spirit from the agony of doubt into the paradise of contemplation.

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1648

Fox, 68.

Having listened to the revelation which had been made to his soul, he thirsted for a reform in every branch of learning. The physician should quit the strife of words, and solve the appearances of nature by an intimate study of the higher laws of being. The priests, rejecting authority and giving up the trade in knowledge, should seek oracles of truth in the purity of conscience. The lawyers, abandoning their chicanery, should tell their clients plainly, that he who wrongs his neighbor does a wrong to himself. The heavenly-minded man was become a divine and a naturalist, and all of God Almighty's making.

Fox, 69
70.Ibid
Preface,
xxix.

Thus did the mind of George Fox arrive at the conclusion, that truth is to be sought by listening to the voice of God in the soul. Not the learning of the universities, not the Roman see, not the English church, not dissenters, not the whole outward world, can lead to a fixed rule of morality. The law in the heart must be received without prejudice, cherished without mixture and obeyed without fear.

CHAP.
XVI.1648,
1649.

Such was the spontaneous wisdom by which he was guided. It was the clear light of reason, dawning as through a cloud. Confident that his name was written in the Lamb's book of life, he was borne, by an irrepressible impulse, to go forth into the briery and brambly world, and publish the glorious principles which had rescued him from despair and infidelity, and given him a clear perception of the immutable distinctions between right and wrong. At the very crisis when the house of commons was abolishing monarchy and the peerage, about two years and a half from the day when Cromwell went on his knees to kiss the hand of the young boy who was duke of York, the Lord, who sent George Fox into the world, forbade him to put off his hat to any, high or low; and he was required to *thee* and *thou* all men and women, without any respect to rich or poor, to great or small. The sound of the church bell in Nottingham, the home of his boyhood, struck to his heart; like Milton and Roger Williams, his soul abhorred the hireling ministry of diviners for money; and on the morning of a first-day, he was moved to go to the great steeple-house and cry against the idol. "When I came there," says Fox, "the people looked like fallow ground, and the priest, like a great lump of earth, stood in the pulpit above. He took for his text these words of Peter— 'We have also a more sure word of prophecy;' and told the people, this was the Scriptures. Now, the Lord's power was so mighty upon me, and so strong in me, that I could not hold; but was made to cry out, 'Oh, no! it is not the Scriptures, it is the Spirit.'"

Life of
James
II. i. 29.

Fox, 74.

Fox 76

The principle contained a moral revolution. If it flattered self-love and fed enthusiasm, it also established absolute freedom of mind, trod every idolatry

under foot, and entered the strongest protest against the forms of a hierarchy. It was the principle for which Socrates died and Plato suffered; and now that Fox went forth to proclaim it among the people, he was every where resisted with angry vehemence, and priests and professors, magistrates and people, swelled like the raging waves of the sea. At the Lancaster sessions forty priests appeared against him at once. To the ambitious Presbyterians, it seemed as if hell were broke loose; and Fox, imprisoned and threatened with the gallows, still rebuked their bitterness as "exceeding rude and devilish," resisting and overcoming pride with unbending stubbornness. Possessed of vast ideas which he could not trace to their origin, a mystery to himself, like Cromwell and so many others who have exercised vast influence on society, he believed himself the special ward of a favoring Providence, and his doctrine the spontaneous expression of irresistible, intuitive truth. Nothing could daunt his enthusiasm. Cast into jail among felons, he claimed of the public tribunals a release only to continue his exertions; and as he rode about the country, the seed of God sparkled about him like innumerable sparks of fire. If cruelly beaten, or set in the stocks, or ridiculed as mad, he still proclaimed the oracles of the voice within him, and rapidly gained adherents among the country people. If driven from the church, he spoke in the open air, forced from the shelter of the humble alehouse, he slept without fear under a haystack, or watched among the furze. His fame increased; crowds gathered, like flocks of pigeons, to hear him. His frame in prayer is described as the most awful, living and reverent ever felt or seen; and his vigorous understanding, soon disciplined by clear convictions to natural dialectics, made

CHAP
XVI.

Fox, 73.

Ib. 145,
146Ib. 200
201.

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him powerful in the public discussions to which he defied the world. A true witness, writing from knowledge, and not report, declares that, by night and by day, by sea and by land, in every emergency of the nearest and most exercising nature, he was always in his place, and always a match for every service and occasion. By degrees "the hypocrites" feared to dispute with him; and the simplicity of his principle found such ready entrance among the people, that the priests trembled and scud as he drew near; "so that it was a dreadful thing to them, when it was told them, 'The man in leathern breeches is come.'"

Fox,
xxix.
100, 107,
103

Fox, 296.

The converts to his doctrine were chiefly among the yeomanry; and Quakers were compared to the butterflies that live in fells. It is the boast of Barclay, that the simplicity of truth was restored by weak instruments, and Penn exults that the message came without suspicion of human wisdom. It was wonderful to witness the energy and the unity of mind and character which the strong perception of speculative truth imparted to the most illiterate mechanics; they delivered the oracles of conscience with fearless freedom and natural eloquence; and with happy and unconscious sagacity, spontaneously developed the system of moral truth, which, as they believed, existed as an incorruptible seed in every soul.

Barclay,
301.

Fox,
xxvii.

ib. xx.

Every human being was embraced within the sphere of their benevolence. George Fox did not fail, by letter, to catechize Innocent XI. Ploughmen and milkmaids, becoming itinerant preachers, sounded the alarm throughout the world, and appealed to the consciences of Puritans and Cavaliers, of the Pope and the Grand Turk, of the negro and the savage. The plans of the Quakers designed no less than the establishment

Bewel,
570

of a universal religion ; their apostles made their way to Rome and Jerusalem, to New England and Egypt ; and some were even moved to go towards China and Japan, and in search of the unknown realms of Prester John.

CHAP.
XVI.

Fox, 351

The rise of the people called Quakers is one of the memorable events in the history of man. It marks the moment when intellectual freedom was claimed unconditionally by the people as an inalienable birth-right. To the masses in that age all reflection on politics and morals presented itself under a theological form. The Quaker doctrine is philosophy, summoned from the cloister, the college, and the saloon, and planted among the most despised of the people.

As poetry is older than critics, so philosophy is older than metaphysicians. The mysterious question of the purpose of our being is always before us and within us ; and the little child, as it begins to prattle, makes inquiries which the pride of learning cannot solve. The method of the solution adopted by the Quakers, was the natural consequence of the origin of their sect. The mind of George Fox had the highest systematic sagacity ; and his doctrine, developed and rendered illustrious by Barclay and Penn, was distinguished by its simplicity and unity. The Quaker has but one word, THE INNER LIGHT, the voice of God in the soul. That light is a reality, and therefore in its freedom the highest revelation of truth ; it is kindred with the Spirit of God, and therefore merits dominion as the guide to virtue ; it shines in every man's breast, and therefore joins the whole human race in the unity of equal rights. Intellectual freedom, the supremacy of mind, universal enfranchisement,—these three points include the whole of Quakerism, as far as it belongs to civil history.

Barclay,
Prop. 1,
2, 3, 10—
14, 4

7—9, 15.

5, 6, 15

Quakerism rests on the reality of the Inner Light.

CHAP. and its method of inquiry is absolute freedom applied
 XVI. to consciousness. The revelation of truth is immediate. It springs neither from tradition nor from the senses, but directly from the mind. No man comes to the knowledge of God but by the Spirit. "Each person," says Penn, "knows God from an infallible demonstration in himself, and not on the slender grounds of men's lo here interpretations, or lo there"—
 Barclay. "The instinct of a Deity is so natural to man, that he can no more be without it, and be, than he can be without the most essential part of himself." As the eye opens, light enters; and the mind, as it looks in upon itself, receives moral truth by intuition. Others have sought wisdom by consulting the outward world, and, confounding consciousness with reflection, have trusted solely to the senses for the materials of thought; the Quaker, placing no dependence on the world of the senses, calls the soul home from its wanderings through the mazes of tradition and the wonders of the visible universe, bidding the vagrant sit down by its own fires to read the divine inscription on the heart. "Some seek truth in books, some in learned men, but what they seek for is in themselves."—"Man is an epitome of the world, and to be learned in it, we have only to read ourselves well."

Penn, L. 123
 ll. 140.
 Penn, L. 354.

Thus the method of the Quaker coincided with that of Descartes and his disciples, who founded their system on consciousness, and made the human mind the point of departure in philosophy. But Descartes plunged immediately into the confusion of hypothesis, drifting to sea to be wrecked among the barren waves of ontological speculation; and even Leibnitz, confident in his genius and learning, lost his way among the monads of creation and the preëstab-

lished harmonies in this best of all possible worlds; the illiterate Quaker adhered strictly to his method; like the timid navigators of old time, who carefully kept near the shore, he never ventured to sea except with the certain guidance of the cynosure in the heart. He was consistent, for he set no value on learning acquired in any other way. Tradition cannot enjoin a ceremony, still less establish a doctrine; historical faith is as the old heavens that are to be wrapped up as a scroll.

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XVI.

Penn, i.
130.
Ib. ii 26.
Barclay
30

The constant standard of truth and goodness, says William Penn, is God in the conscience, and liberty of conscience is therefore the most sacred right, and the only avenue to religion. To restrain it is an invasion of the divine prerogative. It robs man of the use of the instinct of a Deity. To take away the great charter of freedom of conscience is to prevent the progress of society; or rather, as the beneficent course of Providence cannot be checked, it is in men of the present generation but knotting a whipcord to lash their own posterity. The selfishness of bigotry is the same in every age; the persecutors of to-day do not differ from those who inflamed the people of Athens to demand the death of Socrates; and the Quaker champions of freedom of mind would never shrink from its exercise, through fear of prisons or martyrdom.

Penn, ii.
1, 2, 133.

140, 137

130, 131.

i. 277.

But the Quaker asked for conscience more than security against penal legislation. He proclaimed an insurrection against every form of authority over conscience; he resisted every attempt at the slavish subjection of the understanding. He had no reverence for the decrees of a university, a convocation, or a synod; no fear of maledictions from the Vatican. Nor was this all. The Quaker denied the value of all learning,

CHAP. XVI. except that which the mind appropriates by its own
 intelligence. The lessons of tradition were no better
 than the prating of a parrot, and letter learning may
 be hurtful as well as helpful. When the mind is not
 free, the devil can accompany the zealot to his prayers
 and the doctor to his study. The soul is a living foun-
 tain of immortal truth; but a college is in itself no
 better than a cistern, in which water may stagnate,
 and truth to him who is learned and not wise, who
 knows words and not things, is of no more worth than
 a beautiful piece of sculpture to a Vandal. Let then
 the pedant plume himself in the belief, that erudition
 is wisdom; the waters of life, welling up from the
 soul, gush forth in spontaneous freedom; and the illite-
 rate mechanic need not fear to rebuke the proudest
 rabbis of the university.

Sam.
Fisher.

The Quaker equally claimed the emancipation of
 conscience from the terrors of superstition. He did
 not waken devotion by appeals to fear. He could
 not grow pale from dread of apparitions, or, like Grotius,
 establish his faith by the testimony of ghosts; and in
 an age when the English courts punished witchcraft
 with death, he rejected the delusion as having no
 warrant in the free experience of the soul. To him
 no spirit was created evil; the world began with inno-
 cency; and as God blessed the works of his hands,
 their natures and harmony magnified their Creator.
 God made no devil; for all that he made was good,
 without a jar in the whole frame. Discord proceeds
 from a perversion of powers, whose purpose was be-
 nevolent; and the spirit becomes evil only by a de-
 parture from truth.

Barclay.

Fox, 180.
324.

Penn,
329.

The Quaker was equally warned against the delu-
 sions of self-love. His enemies, in derision, sneered at

his idol as a delirious will-in-the-wisp, that claimed a heavenly descent for the offspring of earthly passions; and Fox, and Barclay, and Penn, earnestly denounced "the idolatry which hugs its own conceptions," mistaking the whimsies of a feverish brain for the calm revelations of truth. But "How shall I know," asks Penn, "that a man does not obtrude his own sense upon us as the infallible Spirit?" And he answers, "By the same Spirit." The Spirit witnesseth to our spirit. The Quaker repudiates the errors which the bigotry of sects, or the zeal of selfishness, or the delusion of the senses, has engrafted upon the unchanging principles of morals; and accepting intelligence wherever it exists, from the collision of parties and the strife in the world of opinions, he gathers together the universal truths which of necessity constitute the common creed of mankind. There is a natural sagacity of sympathy, which separates what belongs to the individual from that which commends itself to universal reason. Quakerism "is a most rational system." Judgment is to be made not from the rash and partial mind, but from the eternal light that never errs. The divine revelation is universal, and compels assent. The jarring reasonings of individuals have filled the world with controversies and debates; the true light pleads its excellency in every breast. Neither may the divine revelation be confounded with individual conscience; for the conscience of the individual follows judgment, and may be warped by self-love and debauched by lust. The Turk has no remorse for sensual indulgence, for he has defiled his judgment with a false opinion. The Papist, if he eat flesh in Lent, is reproved by the inward monitor, for that monitor is blinded by a false belief.

CHAP.
XVI.Barclay
346.Penn, ii
23.Barclay
35Besse,
ii. 498.Penn, ii
24.Barclay
55.Penn, i
322.Barclay
138-140

CHAP.
XVI.

The true light is therefore not the reason of the individual, nor the conscience of the individual; it is the light of universal reason; the voice of universal conscience, "manifesting its own verity, in that it is confirmed and established by the experience of all men." Moreover it has the characteristic of necessity.

Barclay,
198.
Ib 123.

"It constrains even its adversaries to plead for it."

"It never contradicts sound reason," and is the noblest and most certain rule, for "the divine revelation is so evident and clear of itself, that by its own evidence and clearness, it irresistibly forces the well-disposed understanding to assent."

Ib. 4.
Prop. ii.

But would the Inner Light bend to the authority of written inspiration? The Bible was the religion of Protestants; had the Quaker a better guide? The Quaker believed in the unity of truth; there can be no contradiction between right reason and previous revelation, between just tradition and an enlightened conscience. But the Spirit is the criterion. The Spirit is the guide which leads into all truth. The Quaker reads the Scriptures with delight, but not with idolatry. It is his own soul which bears the valid witness that they are true. The letter is not the Spirit; the Bible is not religion, but a record of religion. "The Scriptures"—such are Barclay's words—"are a declaration of the fountain, and not the fountain itself."

Barclay,
5.

Penn, 1
326.

Far from rejecting Christianity, the Quaker insisted that he alone maintained its primitive simplicity. The skeptic forever vibrated between opinions; the Quaker was fixed even to dogmatism. The infidel rejected religion; the Quaker cherished it as his life. The scoffer pushed freedom to dissoluteness; the Quaker circumscribed freedom by obedience to truth.

George Fox and Voltaire both protested against priest-craft; Voltaire in behalf of the senses, Fox in behalf of the soul. To the Quakers Christianity is freedom. And they loved to remember, that the patriarchs were graziers, that the prophets were mechanics and shepherds, that John Baptist, the greatest of envoys, was clad in a rough garment of camel's hair. To them there was joy in the thought, that the brightest image of divinity on earth had been born in a manger, had been reared under the roof of a carpenter, had been content for himself and his guests with no greater luxury than barley loaves and fishes, and that the messengers of his choice had been rustics like themselves. Nor were they embarrassed by knotty points of theology. Their creed did not vary with the subtleties of verbal criticism; they revered the eternity of the Inner Light without regard to the arguments of grammarians or the use of the Greek article. Did philosophers and divines involve themselves in the mazes of liberty and fixed decrees, of foreknowledge and fate, the monitor in the Quaker's breast was to him the sufficient guaranty of freedom. Did men defend or reject the Trinity by learned dissertations and minute criticisms on various readings, he avoided the use of the word, and despised the jargon of disputants; but the idea of God with us, the incarnation of the Spirit, the union of Deity with humanity, was to the Quaker the dearest and the most sublime symbol of man's enfranchisement.

As a consequence of this faith, every avenue to truth was to be kept open. "Christ came not to extinguish, but to improve the heathen knowledge." "The difference between the philosophers of Greece and the Christian Quaker is rather in manifestation than in nature." He cries Stand, to every thought that

Penn. i.
461Ibid. i.
327

CHAP.
XVI.

Penn, i.
326.

Ibid. i.
538; iii.
53.

Penn, i.
561; iii.
619.

Ibid. iii
619

Fox, xi.

knocks for entrance; but welcomes it as a friend, if it gives the watchword. Exulting in the wonderful bond which admitted him to a communion with all the sons of light, of every nation and age, he rejected with scorn the school of Epicurus; he had no sympathy with the follies of the skeptics, and esteemed even the mind of Aristotle too much bent upon the outward world. But Aristotle himself, in so far as he grounds philosophy on virtue and self-denial, and every contemplative sage, orators and philosophers, statesmen and divines, were gathered as a cloud of witnesses to the same unchanging truth. "The Inner Light," said Penn, "is the Domestic God of Pythagoras." The voice in the breast of George Fox, as he kept sheep on the hills of Nottingham, was the spirit which had been the good genius and guide of Socrates. Above all, the Christian Quaker delighted in "the divinely contemplative Plato," the "famous doctor of gentile theology," and recognized the unity of the Inner Light with the divine principle which dwelt with Plotinus. Quakerism is as old as humanity.

The Inner Light is to the Quaker not only the revelation of truth, but the guide of life and the oracle of duty. He demands the uniform predominance of the world of thought over the world of sensation. The blameless enthusiast, well aware of the narrow powers and natural infirmities of man, yet aims at perfection from sin; and tolerating no compromise, demands the harmonious development of man's higher powers with the entire subjection of the base to the nobler instincts. The motives to conduct and its rule are, like truth, to be sought in the soul.

Thus the doctrine of disinterested virtue—the doctrine for which Guyon was persecuted and Fenelon

disgraced—the doctrine which tyrants condemn as rebellion, and priests as heresy, was cherished by the Quaker as the foundation of morality. Self-denial he enforced with ascetic severity, yet never with ascetic superstition. He might array himself fantastically to express a truth by an apparent symbol, but he never wore sackcloth as an anchorite. “Thoughts of death and hell to keep out sin were to him no better than fig-leaves.” He would obey the imperative dictate of truth, even though the fires of hell were quenched. Virtue is happiness ; heaven is with her always.

CHAP
XVI.

Barclay
349

The Quakers knew no superstitious vows of celibacy ; they favored no nunneries, monasteries, “or religious bedlams ;” but they demanded purity of life as essential to the welfare of society, and founded the institution of marriage on permanent affection, not on transient passion. Their matches, they were wont to say, are registered in heaven. Has a recent school of philosophy discovered in wars and pestilence, in vices and poverty, salutary checks on population ? The Quaker, confident of the supremacy of mind, feared no evil, though plagues and war should cease, and vice and poverty be banished by intelligent culture. Despotism favors the liberty of the senses ; and popular freedom rests on sanctity of morals. To the Quaker, licentiousness is the greatest bane of good order and good government.

The Quaker revered principles, not men, truth, not power, and therefore could not become the tool of ambition. “They are a people,” said Cromwell, “whom I cannot win with gifts, honors, offices, or places.” Still less was the Quaker a slave to avarice. Seeking wisdom, and not the philosopher’s stone, to him the love of money for money’s sake was the basest of passions, and the rage of indefinite accumulation was “oppression

Fox 162.

Penn, i.
333
1. 445

CHAP
XXI

Penn, 1
446

to the poor, compelling those who have little to drudge like slaves." "That the sweat and tedious labor of the husbandmen, early and late, cold and hot, wet and dry, should be converted into the pleasure, ease and pastime of a small number of men, that the cart, the plough, the thresh, should be in inordinate severity laid upon nineteen parts of the land to feed the appetites of the twentieth, is far from the appointment of the great Governor of the world." It is best, the people be neither rich nor poor; for riches bring luxury, and luxury tyranny.

Ibid. 1
496.

Ibid. 1.

Ibid. 1.
582

The supremacy of mind, forbidding the exercise of tyranny as a means of government, attempted a reformation of society, but only by means addressed to conscience. The system contained a reform in education, it demanded that children should be brought up, not in the pride of caste; still less by methods of violence; but as men, by methods suited to the intelligence of humanity. Life should never be taken for an offence against property; nor the person imprisoned for debt. And the same train of reasoning led to a protest against war. The Quaker believed in the power of justice to protect itself; for himself, he renounced the use of the sword; and, aware that the vices of society might entail danger on a nation not imbued with his principles, he did not absolutely deny to others the right of defence, but looked forward with hope to the period when the progress of civilization should realize the vision of a universal and enduring peace.

Penn, 11.
276.

Barclay,
540.

Pref. xv.

The supremacy of mind abrogated ceremonies; the Quaker regarded "the substance of things," and broke up forms as the nests of superstition. Every Protestant refused the rosary and the censor; the Quaker rejects common prayer, and his adoration of God is the free

language of his soul. He remembers the sufferings of divine philanthropy, but uses neither wafer nor cup. He trains up his children to fear God, but never sprinkles them with baptismal water. He ceases from labor on the first day of the week, for the ease of creation, and not from reverence for a holiday. The Quaker is a pilgrim on earth, and life is but the ship that bears him to the haven; he mourns in his mind for the departure of friends by respecting their advice, taking care of their children, and loving those that they loved; and this seems better than outward emblems of sorrowing. His words are always freighted with innocence and truth; God, the searcher of hearts, is the witness to his sincerity; but kissing a book or lifting a hand is a superstitious vanity, and the sense of duty cannot be increased by an imprecation.

CHAP
XVIPenn, l.
357.

Fox, xv

Penn, ii
31.Barclay
523

The Quaker distrusts the fine arts; they are so easily perverted to the purposes of superstition and the delight of the senses. Yet, when they are allied with virtue, and express the nobler sentiments, they are very sweet and refreshing. The comedy, where, of old, Aristophanes excited the Athenians to hate Socrates, and where the profligate gallants of the court of Charles II. assembled to hear the drollery of Nell Gwyn heap ridicule on the Quakers, was condemned without mercy. But the innocent diversions of society, the delights of rural life, the pursuits of science, the study of history, would not interfere with aspirations after God. For apparel, the Quaker dresses soberly, according to his condition and education; far from prescribing an unchanging fashion, he holds it "no vanity to use what the country naturally produces," and reproves nothing but that extravagance which "all sober men of all sorts readily grant to be evil."

Ib. 386.

Ib. 514.

Ib. 507

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Like vanities of dress, the artifices of rhetoric were despised. Truth, it was said, is beautiful enough in plain clothes; and Penn, who was able to write exceedingly well, too often forgot that style is the gossamer on which the seeds of truth float through the world.

Careless of style, the Quakers employ for the propagation of truth no weapons but those of mind. They distributed tracts; but they would not sustain their doctrine by a hireling ministry. "A man thou hast corrupted to thy interests will never be faithful to them;" and an established church seemed "a cage for unclean birds." When a great high-priest, who was a doctor, had finished preaching from the words "Ho every one that thirsteth, come buy without money," George Fox "was moved of the Lord to say to him, 'Come down, thou deceiver! Dost thou bid people come to the waters of life freely, and yet thou takest three hundred pounds a year of them?'" The Spirit is a free teacher."

Fox, 244.
Ib. 100

Still less would the Quaker employ the methods of persecution. He was a zealous Protestant, but in the season of highest excitement, he pleaded for absolute liberty of worship, and sought to enfranchise the Roman Catholic himself. To persecute, he esteemed a confession of a bad cause; for the design that is of God has confidence in itself, and knows that any other will vanish. "Your cruelties are a confirmation, that truth is not on your side," was the remonstrance of a woman of Aberdeen to the magistrates who had imprisoned her husband.

Barclay,
480, &c

Bosse,
li 522.

In like manner, the Quaker never employed force to effect a social revolution or reform, but, refusing obedience to wrong, deprived tyranny of its instruments

The Quaker's loyalty, said the earl of Arrol at Aberdeen, is a qualified loyalty; it smells of rebellion: to which Alexander Skein, brother to a subsequent governor of West New Jersey, calmly answered, "I understand not loyalty, that is not qualified with the fear of God rather than of man." The Quaker never would pay tithes; never yielded to any human law which traversed his conscience. He did more: he resisted tyranny with all the moral energy of enthusiasm, bearing witness against blind obedience not less than against will worship. Believing in the supremacy of mind over matter, he sought no control over the government except by intelligence; and therefore he needed to hold the right of free discussion inviolably sacred. He never consented to the slightest compromise of this freedom. Wherever there was evil and oppression, the Quaker claimed the right to be present with a remonstrance. He delivered his opinions freely before Cromwell and Charles II., in face of the gallows in New England, in the streets of London, before the English commons. The heaviest penalties, that bigotry could devise, never induced him to swerve a hair's breadth from his purpose of speaking freely and publicly. This was his method of resisting tyranny. Algernon Sydney, who took money from Louis XIV., like Brutus, would have plunged a dagger into the breast of a tyrant; the Quaker, without a bribe, resisted tyranny by appeals to the monitor in the tyrant's breast, and he labored incessantly to advance reform by enlightening the public conscience. Any other method of revolution he believed an impossibility. Government—such was his belief—will always be as the people are; and a people imbued with the love of liberty, create the irresistible necessity of a free gov-

CHAP.
XVI.

1576.

Bease,
ii 512.Ibid. ii
521.

Barclay.

CHAP.
XVI.

ernment. He sought no revolution, but that which followed as the consequence of the public intelligence. Such revolutions were inevitable. "Though men consider it not, the Lord rules and overrules in the kingdoms of men." Any other revolution would be transient. The Quakers submitted to the restoration of Charles II., as the best arrangement for the crisis; confident that time and truth would lead to a happier issue. "The best frame, in ill hands, can do nothing that is great and good. Governments, like clocks, go from the motion imparted to them; they depend on men, rather than men on government. Let men be good, the government cannot be bad; if it be ill, they will cure it." Even with absolute power, an Antonine or an Alfred could not make bricks without straw, nor the sword do more than substitute one tyranny for another.

Penn., I
125.

Penn., in
Proud, I.
198.

Penn., II.
536.

Fox, II, 2.
Penn., I.
347, 348.

Fox, 176

The moral power of ideas is constantly effecting changes and improvement in society. No Quaker book has a trace of skepticism on man's capacity for progress. Such is the force of an honest profession of truth, the humblest person, if single-minded and firm, "can shake all the country for ten miles round." The integrity of the Inner Light is an invincible power. It is a power which never changes; such was the message of Fox to the pope, the kings, and nobles of all sorts; it fathoms the world, and throws down that which is contrary to it. It quenches fire; it daunts wild beasts; it turns aside the edge of the sword; it outfaces instruments of cruelty; it converts executioners. It was remembered with exultation, that the enfranchisements of Christianity were the result of faith, and not of the sword; and that truth in its simplicity, radiating from the foot of the cross, has filled a world of sensualists

with astonishment, overthrown their altars, discredited their oracles, infused itself into the soul of the multitude, invaded the court, risen superior to armies, and led magistrates and priests, statesmen and generals, in its train, as the trophies of its strength exerted in its freedom.

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XVI.

Penn, 1
347, 348

Thus the Quaker was cheered by a firm belief in the progress of society. Even Aristotle, so many centuries ago, recognized the upward tendency in human affairs; a Jewish contemporary of Barclay declared that progress to be a tendency towards popular power; George Fox perceived that the Lord's hand was against kings; and one day, on the hills of Yorkshire, he had a vision, that he was but beginning the glorious work of God in the earth; that his followers would in time become as numerous as motes in the sunbeams; and that the party of humanity would gather the whole human race in one sheepfold. Neither art, wisdom, nor violence, said Barclay, conscious of the vitality of truth, shall quench the little spark that hath appeared. The atheist—such was the common opinion of the Quakers—the atheist alone denies progress, and says in his heart, All things continue as they were in the beginning.

Fox, 175

Ib. xxv

Barclay
546.

Besse,
ii. 523.

If, from the rules of private morality, we turn to political institutions, here also the principle of the Quaker is the Inner Light. He acquiesces in any established government which shall build its laws upon the declarations of "universal reason." But government is a part of his religion; and the religion that declares "every man enlightened by the divine light," establishes government on universal and equal enfranchisement.

Penn, 1
202

Fox, 72.

"Not one of mankind," says Penn, "is exempted from this illumination."—"God discovers himself to

Penn, 1
330

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every man." He is in every breast, in the ignorant drudge as well as in Locke or Leibnitz. Every moral truth exists in every man's and woman's heart, as an incorruptible seed; the ground may be barren, but the seed is certainly there. Every man is a little sovereign to himself. Freedom is as old as reason itself, which is given to all, constant and eternal, the same to all nations. The Quaker is no materialist; truth and conscience are not in the laws of countries; they are not one thing at Rome, and another at Athens; they cannot be abrogated by senate or people. Freedom and the right of property were in the world before Protestantism; they came not with Luther; they do not vanish with Calvin; they are the common privilege of mankind.

The Bible enfranchises those only to whom it is carried; Christianity, those only to whom it is made known; the creed of a sect, those only within its narrow pale. The Quaker, resting his system on the Inner Light, redeems the race. Of those who believe in the necessity of faith in an outward religion, some have cherished the mild superstition, that, in the hour of dissolution, an angel is sent from heaven "to manifest the doctrine of Christ's passion;" the Quaker believes that the heavenly messenger is always present in the breast of every man, ready to counsel the willing listener.

Man is equal to his fellow-man. No class can, "by long apprenticeship" or a prelate's breath, by wearing black or shaving the crown, obtain a monopoly of moral truth. There is no distinction of clergy and laity.

The Inner Light sheds its blessings on the whole human race; it knows no distinction of sex. It redeems woman by the dignity of her moral nature, and claims for her the equal culture and free exercise of her

Penn, i.
323.Barclay,
295, 299.Ib. 168,
169.Penn, iii.
183.

Ib. i. 203

Barclay,
183.Penn, ii
552.Barclay,
183.Penn, i.
221.Ibid. ii.
294.

Ib. i. 221

Barclay,
7Ib 309,
310, 311

endowments. As the human race ascends the steep acclivity of improvement, the Quaker cherishes woman as the equal companion of the journey.

Men are equal. The Quaker knows no abiding distinction of king and subject. The universality of the Inner Light "brings crowns to the dust, and lays them low and level with the earth." "The Lord will be king; there will be no crowns but to such as obey his will." With God a thousand years are indeed as one day; yet judgment on tyrants will come at last, and may come ere long.

Every man has God in the conscience; the Quaker knows no distinction of castes. He bows to God, and not to his fellow-servant. "All men are alike by creation," says Barclay; and it is slavish fear which reverences others as gods. "I am a man," says every Quaker, and refuses homage. The most favored of his race, even though endowed with the gifts and glories of an angel, he would regard but as his fellow-servant and his brother. The feudal nobility still nourished its pride. "Nothing," says Penn, "nothing of man's folly has less show of reason to palliate it." "What a pother has this noble blood made in the world!" "But men of blood have no marks of honor stampt upon them by nature." The Quaker scorned to take off his hat to any of them; he held himself the peer of the proudest peer in Christendom. With the Eastern despotism of Diocletian, Europe had learned the hyperboles of Eastern adulation; but "My Lord Peter and My Lord Paul are not to be found in the Bible; My Lord Solon or Lord Scipio is not to be read in Greek or Latin stories." And the Quaker returned to the simplicity of Gracchus and Demosthenes, though "Thee and Thou proved a sore cut to

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Fox, 59
Barclay,
169, 305,
312

Fox, 175

Besse, ft.
523.

Barclay
541.
Ib. 504.

Ib. 505

I. 430

I. 417

Fox

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proud flesh." This was not done for want of courtesy, which "no religion destroys;" but he knew that the hat was the symbol of enfranchisement, worn before the king by the peers of the realm, in token of equality; and the symbol, as adopted by the Quaker, was a constant proclamation that all men are equal.

Thus the doctrine of George Fox was not only a plebeian form of philosophy, but also the prophecy of political changes. The spirit that made to him the revelation was the invisible spirit of the age, rendered wise by tradition, and excited to insurrection by the enthusiasm of liberty and religion. Every where in Europe, therefore, the Quakers were exposed to persecution. Their seriousness was called melancholy fanaticism; their boldness, self-will; their frugality, covetousness; their freedom, infidelity; their conscience, rebellion. In England, the general laws against dissenters, the statute against Papists, and special statutes against themselves, put them at the mercy of every malignant informer. They were hated by the church and the Presbyterians, by the peers and the king. The codes of that day describe them as "an abominable sect;" "their principles as inconsistent with any kind of government." During the Long Parliament, in the time of the protectorate, at the restoration, in England, in New England, in the Dutch colony of New Netherland, every where, and for wearisome years, they were exposed to perpetual dangers and griefs; they were whipped, crowded into jails among felons, kept in dungeons foul and gloomy beyond imagination, fined, exiled, sold into colonial bondage. They bore the brunt of the persecution of the dissenters. Imprisoned in winter without fire, they perished from frost. Some were victims to the barbarous cruelty of the jailer. Twice George Fox

narrowly escaped death. The despised people braved every danger to continue their assemblies. Haled out by violence, they returned. When their meeting-houses were torn down, they gathered openly on the ruins. They could not be dissolved by armed men; and when their opposers took shovels to throw rubbish on them, they stood close together, "willing to have been buried alive, witnessing for the Lord." They were exceeding great sufferers for their profession, and in some cases treated worse than the worst of the race. They were as poor sheep appointed to the slaughter, and as a people killed all day long.

CHAP
XVI.

Barclay,
483, 484,
356.

Fox,
Pref. vii.
10

Is it strange that they looked beyond the Atlantic for a refuge? When New Netherland was recovered from the United Provinces, Berkeley and Carteret entered again into possession of their province. For Berkeley, already a very old man, the visions of colonial fortune had not been realized; there was nothing before him but contests for quitrents with settlers resolved on governing themselves; and in March, 1674, a few months after the return of George Fox from his pilgrimage to all our colonies from Carolina to Rhode Island, the haughty peer, for a thousand pounds, sold the moiety of New Jersey to Quakers, to John Fenwick in trust for Edward Byllinge and his assigns. A dispute between Byllinge and Fenwick was allayed by the benevolent decision of William Penn; and in 1675, Fenwick, with a large company and several families, set sail in the Griffith for the asylum of Friends. Ascending the Delaware, he landed on a pleasant, fertile spot, and as the outward world easily takes the hues of men's minds, he called the place Salem, for it seemed the dwelling-place of peace.

1674

1674
Mar.
18.

1675

Byllinge was embarrassed in his fortunes; Gawen

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Laurie, William Penn, and Nicholas Lucas, became his assigns as trustees for his creditors, and shares in the undivided moiety of New Jersey were offered for sale. As an affair of property, it was like our land companies of to-day; except that in those days speculators bought acres by the hundred thousand. But the Quakers wished more; they desired to possess a territory where they could institute a government; and Carteret readily agreed to a division, for his partners left him the best of the bargain. And now that the men who had gone about to turn the world upside down, were possessed of a province, what system of politics would they adopt? The light, that lighteth every man, shone brightly in the Pilgrims of Plymouth, the Calvinists of Hooker and Haynes, and in the freemen of Virginia, when the transient abolition of monarchy compelled even royalists to look from the throne to a surer guide in the heart; the Quakers, following the same exalted instincts, could but renew the fundamental legislation of the men of the Mayflower, of Hartford, and of the Old Dominion. "The CONCESSIONS are such as Friends approve of;" this is the message of the Quaker proprietaries in England to the few who had emigrated: "We lay a foundation for after ages to understand their liberty as Christians and as men, that they may not be brought into bondage, but by their own consent; for we put THE POWER IN THE PEOPLE." And on the third day of March, 1677, the charter, or fundamental laws, of West New Jersey were perfected and published. They are written with almost as much method as our present constitutions, and recognize the principle of democratic equality as unconditionally and universally as the Quaker society itself.

1676.
Aug.
26.

1677.
Mar.
3.

No man, nor number of men, hath power over conscience. No person shall at any time, in any ways, or on any pretence, be called in question, or in the least punished or hurt for opinion in religion.—The general assembly shall be chosen, not by the confused way of cries and voices, but by the balloting box.—Every man is capable to choose or be chosen.—The electors shall give their respective deputies instructions at large, which these, in their turn, by indentures under hand and seal, shall bind themselves to obey. The disobedient deputy may be questioned before the assembly by any one of his electors. Each member is to be allowed one shilling a day, to be paid by his immediate constituents, “that he may be known as the servant of the people.”—The executive power rested with ten commissioners, to be appointed by the assembly; justices and constables were chosen directly by the people; the judges, appointed by the general assembly, retained office but two years at the most, and sat in the courts but as assistants to the jury. In the twelve men, and in them only, judgment resides; in them and in the general assembly rests discretion as to punishments. “All and every person in the province, shall, by the help of the Lord and these fundamentals, be free from oppression and slavery.” No man can be imprisoned for debt. Courts were to be managed without the necessity of an attorney or counsellor. The native was protected against encroachments; the helpless orphan educated by the state.

Immediately the English Quakers, with the good wishes of Charles II., flocked to West New Jersey, and commissioners, possessing a temporary authority, were sent to administer affairs, till a popular government could be instituted. When the vessel, freighted with

CHAP
XVI.1677
Smith,
523-539

81

CHAP. the men of peace, arrived in America, Andros, the
 XVI. governor of New York, claimed jurisdiction over their
 1677. territory. The claim, which, on the feudal system, was
 perhaps a just one, was compromised as a present
 question, and referred for decision to England. Mean-
 time lands were purchased of the Indians; the planters
 numbered nearly four hundred souls; and already at
 Burlington, under a tent covered with sail-cloth, the
 Quakers began to hold religious meetings.¹ The Indian
 kings also gathered in council under the shades of the
 1678. Burlington forests, and declared their joy at the pros-
 pect of permanent peace. "You are our brothers,"
 said the sachems, "and we will live like brothers with
 you. We will have a broad path for you and us to
 walk in. If an Englishman falls asleep in this path,
 the Indian shall pass him by, and say, He is an Eng-
 lishman; he is asleep; let him alone. The path
 shall be plain; there shall not be in it a stump to
 hurt the feet."²

Every thing augured success to the colony, but that,
 at Newcastle, the agent of the duke of York, who still
 possessed Delaware, exacted customs of the ships
 ascending to New Jersey. It may have been honestly
 believed, that his jurisdiction included the whole river;
 when urgent remonstrances were made, the duke free-
 ly referred the question to a disinterested commission.

The argument of the Quakers breathes the spirit of
 Anglo-Saxons.

1678 "An express grant of the powers of government
 1680. ¹⁰induced us to buy the moiety of New Jersey. If we
 could not assure people of an easy, free, and safe gov-
 ernment, liberty of conscience, and an inviolable pos-

¹ Haz. Reg. vi 182.

² Smith's New Jersey, 100.

session of their civil rights and freedoms, a mere wilderness would be no encouragement. It were madness to leave a free country to plant a wilderness, and give another person an absolute title to tax us at will.

CHAP
XVI.

1678
to
1680

“The customs imposed by the government of New York are not a burden only, but a wrong. By what right are we thus used? The king of England cannot take his subjects’ goods without their consent. This is a home-born right, declared to be law by divers statutes.

“To give up the right of making laws is to change the government and resign ourselves to the will of another. The land belongs to the natives; of the duke we buy nothing but the right of an undisturbed colonizing, with the expectation of some increase of the freedoms enjoyed in our native country. We have not lost English liberty by leaving England.

“The tax is a surprise on the planter: it is paying for the same thing twice over. Custom, levied upon planting, is unprecedented. Besides, there is no end of this power. By this precedent, we are assessed without law, and excluded from our English right of common assent to taxes. We can call nothing our own, but are tenants at will, not for the soil only, but for our personal estates. Such conduct has destroyed government, but never raised one to true greatness.

“Lastly, to exact such uninterminated tax from English planters, and to continue it after so many repeated complaints, will be the greatest evidence of a design to introduce, if the crown should ever devolve upon the duke, an unlimited government in England.”

Such was the argument of the Quakers; and it was triumphant. Sir William Jones decided that, as the

CHAP. grant from the duke of York had reserved no profit or
 XVI. jurisdiction, the tax was illegal. The duke of York
 1680. promptly acquiesced in the decision, and in a new
 Aug. indenture relinquished every claim to the territory and
 6. the government.

After such trials, vicissitudes, and success, the light of peace dawned upon West New Jersey; and in November, 1681, Jennings, acting as governor for the proprietaries, convened the first legislative assembly of the representatives of men who said *thee* and *thou* to all the world, and wore their hats in presence of beggar or king. Their first measures established their rights by an act of fundamental legislation, and in the spirit of "the Concessions," they framed their government on the basis of humanity. Neither faith, nor wealth, nor race, was respected. They met in the wilderness as men, and founded society on equal rights. What shall we relate of a community thus organized? That they multiplied, and were happy? that they levied for the expenses of their commonwealth two hundred pounds, to be paid in corn, or skins, or money? that they voted the governor a salary of twenty pounds? that they prohibited the sale of ardent spirits to the Indians? that they forbade imprisonment for debt? The formation of this little government of a few hundred souls, that soon increased to thousands, is one of the most beautiful incidents in the history of the age. West New Jersey had been a fit home for Fenelon. The people rejoiced under the reign of God, confident that he would beautify the meek with salvation. A loving correspondence began with Friends in England; and from the fathers of the sect, frequent messages were received. "Friends that are gone to make plantations
 1681, in America, keep the plantations in your hearts, that
 1682.

your own vines and lilies be not hurt. You that are governors and judges, you should be eyes to the blind, feet to the lame, and fathers to the poor; that you may gain the blessing of those who are ready to perish, and cause the widow's heart to sing for gladness. If you rejoice because your hand hath gotten much; if you say to fine gold, Thou art my confidence,—you will have denied the God that is above. The Lord is ruler among nations; he will crown his people with dominion.”¹

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1682

In the midst of this innocent tranquillity, Byllinge, the original grantee of Berkeley, claimed as proprietary the right of nominating the deputy-governor. The usurpation was resisted. Byllinge grew importunate; and the Quakers, setting a new precedent, amended their constitutions, according to the prescribed method, and then elected a governor. Every thing went well in West New Jersey; this method of reform was the advice of WILLIAM PENN.

For in the mean time William Penn had become deeply interested in the progress of civilization on the Delaware. In company with eleven others, he had purchased East New Jersey of the heirs of Carteret. But of the eastern moiety of New Jersey, peopled chiefly by Puritans, the history is intimately connected with that of New York. The line that divides East and West New Jersey, is the line where the influence of the humane society of Friends is merged in that of Puritanism.

It was for the grant of a territory on the opposite bank of the Delaware, that William Penn, in June, 1680, became a suitor.² His father, distinguished in English

1680
June

¹ Fox and Burnyeat, in Hazard's Reg. vi. 184—200.

² Proceedings of the privy council, in Votes and Proceedings of the

CHAP. history by the conquest of Jamaica, and by his con-
 XVI. duct, discretion, and courage, in the signal battle against
 1680. the Dutch in 1665, had bequeathed to him a claim
 on the government for sixteen thousand pounds. Mas-
 sachusetts had bought Maine for a little more than one
 thousand pounds; then, and long afterwards, colonial
 property was lightly esteemed; and to the prodigal
 Charles II., always embarrassed for money, the grant
 of a province seemed the easiest mode of cancelling
 the debt. William Penn had powerful friends in North,
 Halifax, and Sunderland;¹ and a pledge given to his
 father on his death-bed, obtained for him the assured
 favor of the duke of York.

Sustained by such friends, and pursuing his object
 with enthusiasm, William Penn triumphed over "the
 great opposition"² which he encountered, and ob-
 tained a charter for the territory, which received from
 Charles II. the name of Pennsylvania, and which was
 to include three degrees of latitude by five degrees of
 longitude west from the Delaware. The duke of York
 desired to retain the three lower counties, that is, the
 state of Delaware, as an appendage to New York;
 Pennsylvania was, therefore, in that direction, limited
 by a circle drawn at twelve miles' distance from New-
 castle, northward and westward, unto the beginning of
 the fortieth degree of latitude. This impossible bound-
 ary received the assent of the agents of the duke of
 York and Lord Baltimore.

The charter, as originally drawn up by William
 Penn himself, conceded powers of government analo-
 gous to those of the charter for Maryland. That no

House of Representatives in Penn-
 sylvania; and in Haz. Hist. Reg.
 i. 269, 271, 273, 274. More full than
 Chalmers, 635, 655, &c. Proud.

¹ Penn, in *Memoirs of Pennsyl-
 vania Historical Society*, ii. 244.

² *Ibid.* i. 205.

clause might be at variance with English law, it was revised by the attorney-general, and amended by Lord North, who inserted clauses to guard the sovereignty of the king and the commercial supremacy of parliament. The acts of the future colonial legislature were to be submitted to the king and council, who had power to annul them if contrary to English law. The power of levying customs was expressly reserved to parliament. The bishop of London, quite unnecessarily, claimed security for the English church. The people of the country were to be safe against taxation, except by the provincial assembly or the English parliament. In other respects the usual franchises of a feudal proprietary were conceded.

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1681
Jan.

At length, writes William Penn, "After many waitings, watchings, solicitings, and disputes in council, my country was confirmed to me under the great seal of England. God will bless and make it the seed of a nation. I shall have a tender care of the government, that it be well laid at first."

1681
Mar
5.

Pennsylvania included the principal settlements of the Swedes; and patents for land had been made to Dutch and English by the Dutch West India Company, and afterwards by the duke of York. The royal proclamation soon announced to all the inhabitants of the province, that William Penn, their absolute proprietary, was invested with all powers and preëminences necessary for the government. The proprietary also issued his proclamation to his vassals and subjects. It was in the following words:—

April
2.

"MY FRIENDS: I wish you all happiness here and hereafter. These are to lett you know, that it hath pleased God in his Providence to cast you within my Lott and Care. It is a business, that though I never

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 1681. undertook before, yet God has given me an understanding of my duty and an honest minde to doe it uprightly. I hope you will not be troubled at your chainge and the king's choice ; for you are now fixt, at the mercy of no Governour that comes to make his fortune great. You shall be governed by laws of your own makeing, and live a free, and if you will, a sober and industrious People. I shall not usurp the right of any, or oppress his person. God has furnisht me with a better resolution, and has given me his grace to keep it. In short, whatever sober and free men can reasonably desire for the security and improvement of their own happiness, I shall heartily comply with—I beseech God to direct you in the way of righteousness, and therein prosper you and your children after you. I am your true Friend,

WM. PENN.

*London, 8th of the Month called April, 1681.”*¹

Such were the pledges of the Quaker sovereign on assuming the government ; it is the duty of history to state, that, during his long reign, these pledges were redeemed. He never refused the free men of Pennsylvania a reasonable desire.

May. With this letter to the inhabitants, young Markham immediately² sailed as agent of the proprietary. He was to govern in harmony with law, and the people were requested to continue the established system of revenue till Penn himself could reach America. During July 11. the summer, the conditions for the sale of lands were reciprocally ratified by Penn and a company of adventurers. The enterprise of planting a province had been vast for a man of large fortunes ; Penn's whole

¹ Haz. Reg. i. 377.

the Indians, by P. S. Du Ponceau and J. Francis Fisher, p. 14.

² See the careful statement in the Memoir on Penn's Treaty with

estate had yielded, when unencumbered, a revenue of fifteen hundred pounds; but in his zeal to rescue his suffering brethren from persecution, he had, by heavy expenses in courts of law and at court, impaired his resources, which he might hope to retrieve from the sale of domains. Would he sacrifice his duty as a man to his emoluments as a sovereign? In August, a company of traders offered six thousand pounds and an annual revenue for a monopoly of the Indian traffic between the Delaware and the Susquehannah. To a father of a family, in straitened circumstances, the temptation was great; but Penn was bound, by his religion, to equal laws, and he rebuked the cupidity of monopoly. "I will not abuse the love of God,"—such was his decision,—“nor act unworthy of his Providence, by defiling what came to me clean. No; let the Lord guide me by his wisdom, to honor his name and serve his truth and people, that an example and a standard may be set up to the nations;” and he adds to a Friend, “There may be room there, though not here, for the Holy Experiment.”¹

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1681

Sept
30Oct
18.

With a company of emigrants, full instructions were forwarded respecting lands and planting a city. Penn disliked the crowded towns of the old world; he desired the city might be so planted with gardens round each house, as to form “a greene country town.”² And almost at the same time he addressed a letter to the native children of the American forest, declaring himself and them responsible to one and the same God, having the same law written in their hearts, and alike bound to love, and help, and do good to one another.³

Meantime, the mind of Penn was deeply agitated by thoughts on the government which he should estab-

¹ Mem. P. H. S. i. 205, and Proud, i. 169.² Ibid. ii. 220.³ Proud, i. 195, 196.

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lish. To him government was a part of religion itself, an emanation of divine power, capable of kindness, goodness, and charity; having an opportunity of benevolent care for men of the highest attainments, even more than the office of correcting evil-doers; and, without imposing one uniform model on all the world, without denying that time, place, and emergencies may bring with them a necessity or an excuse for monarchical, or even aristocratical institutions, he believed "any government to be free to the people, where the laws rule, and the people are a party to the laws." That Penn was superior to avarice, was clear from his lavish expenditures to relieve the imprisoned; that he had risen above ambition, appeared from his preference of the despised Quakers to the career of high advancement in the court of Charles II. But he loved to do good; and could passionate philanthropy resign absolute power, apparently so favorable to the exercise of vast benevolence? Here, and here only, Penn's spirit was severely tried;¹ but he resisted the temptation. "I purpose,"—such was his prompt decision—"for the matters of liberty I purpose, that which is extraordinary—to leave myself and successors no power of doing mischief; that the will of one man may not hinder the good of a whole country."²—"It is the great end of government to support power in reverence with the people, and to secure the people from the abuse of power; for liberty without obedience is confusion, and obedience without liberty is slavery." Taking counsel, therefore, from all sides, listening to the theories of Algernon Sydney, whose Roman pride was ever

1682
May
5.

¹ Penn's letter to Algernon Sydney; Penn's letter, in Proud, i. 210.
"I never felt judgment for the power I kept, but trouble for what I

parted with." Compare Markham, in Chalmers.

² Memoirs, P. H. S. i. 203, and Proud, i. 199.

faithful to the good old republican cause, and deriving still better guidance from the suavity and humanity of his Quaker brethren, Penn published a frame of government, not as an established constitution, but as a system¹ to be referred to the freemen in Pennsylvania

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XVI
1682
May 5.

About the same time, a free society of traders was organized. "It is a very unusual society,"—such was their advertisement,—“for it is an absolute free one, and in a free country; every one may be concerned that will, and yet have the same liberty of private traffic, as though there were no society at all.”²

May
20.

Thus the government and commercial prosperity of the colony were founded in freedom; to perfect his territory, Penn desired to possess the bay, the river, and the shore of the Delaware to the ocean. The territories or three lower counties, now forming the state of Delaware, were in possession of the duke of York, and, from the conquest of New Netherland, had been esteemed an appendage to his province. His claim, arising from conquest and possession, had the informal assent of the king and the privy council, and had extended even to the upper Swedish settlements. It was not difficult to obtain from the duke a release of his claim on Pennsylvania; and, after much negotiation, the lower province was granted by two deeds of feoffment.³ From the forty-third degree of latitude to the Atlantic, the western and southern banks of Delaware River and Bay were under the dominion of William Penn.

Aug
24

Every arrangement for a voyage to his province being finished, Penn, in a beautiful letter, took leave

¹ Appendix to Proud, ii.

² Documents in Hazard's Register, i. 394.

³ Haz. Reg. i. 429, 430. Clarkson. Proud, i. 200—202. Votes and Proceedings, xxxv, &c. &c

CHAP. of his family. His wife, who was the love of his youth
 XVI. he reminded of his impoverishment in consequence of
 1682. his public spirit, and recommended economy; "Live
 low and sparingly till my debts be paid." Yet for his
 children he adds, "Let their learning be liberal; spare
 no cost, for by such parsimony all is lost that is saved"
 Agriculture he proposed as their employment. "Let
 my children be husbandmen and housewives."—
 Friends in England watched his departure with anxious
 hope; on him rested the expectations of their society,
 and their farewell at parting was given with "the
 innocence and tenderness of the child that has no
 guile."

After a long passage, rendered gloomy by frequent
 death among the passengers, many of whom had
 in England been his immediate neighbors, on the
 Oct. twenty-seventh day¹ of October, 1682, William Penn
 27. landed at Newcastle.

The son and grandson of naval officers, his thoughts
 had from boyhood been directed to the ocean; the con-
 quest of Jamaica by his father early familiarized his
 imagination with the New World, and in Oxford, at the
 age of seventeen, he indulged in visions of happiness,
 of which America was the scene.² Bred in the school
 of Independency, he had, while hardly twelve years
 old, learned to listen to the voice of God in his soul;
 and at Oxford, where his excellent genius received the
 benefits of learning, the words of a Quaker preacher
 1661 so touched his heart, that he was fined and afterwards
 expelled for nonconformity.³ His father, bent on sub-

¹ Records in Watson. Penn's letter announces his arrival as on the 24th. This may refer to his entering into the bay.

² Penns. H. S. C. i. 203.

³ It is usual to add that Penn joined with Robert Spencer in tear-

ing surplices. The story is one of Oldmixon's. It cannot be true. Penn became first acquainted with Sunderland, in France, in 1663. Penn's letter to Sunderland, Mem P. H. S. ii. 244.

duing his enthusiasm, beat him and turned him into the streets, to choose between poverty with a pure conscience, or fortune with obedience. But how could the hot anger of a petulant sailor continue against an only son? It was in the days of the glory of Descartes, that, to complete his education, William Penn received a father's permission to visit the continent.

From the excitements and the instruction of travel, for which the passion is sometimes stronger than love or ambition, the young exile turned aside to the college at Saumur, where, under the guidance of the gifted and benevolent Amyrault, his mind was trained in the severities of Calvinism, as tempered by the spirit of universal love.¹

In the next year, Penn, having crossed the Alps, was just entering on the magnificence of Piedmont, when the appointment of his father to the command of a British squadron, in the naval war with Holland, compelled his return to the care of the estates of the family. The discipline of society and travel had given him grace of manners, enhanced by the severe but unpretending purity of his morals; and in London the travelled student of Lincoln's Inn, if diligent in gaining a knowledge of English law, was yet esteemed a most modish fine gentleman.² In France, the science of the Huguenots had nourished reflection; in London, every sentiment of sympathy was excited by the horrors which he witnessed during the devastations of the plague.³

Having thus perfected his understanding by the learning of Oxford, the religion and philosophy of the French Huguenots and France, and the study of the laws of England, in the bloom of youth, being of en-

¹ Clarkson, i. c. ii. and ii. c. xx. Sewel, 474, is the contemporary authority.

² Pepys, i. 311.

³ Penn, ii. 465.

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XVI.

gaging manners, and so skilled in the use of the sword, that he easily disarmed an antagonist,¹ of great natural vivacity, and gay good humor, the career of wealth and preferment opened before him through the influence of his father and the ready favor of his sovereign. But his mind was already imbued with "a deep sense of the vanity of the world, and the irreligiousness of its religions."²

1666. At length, in 1666, on a journey in Ireland, William Penn heard his old friend Thomas Loe speak of the faith that overcomes the world; the undying fires of enthusiasm at once blazed up within him, and he renounced every hope for the path of integrity. It is a path into which, says Penn, "God, in his everlasting kindness, guided my feet in the flower of my youth, when about two-and-twenty years of age." And in the autumn of that year, he was in jail for the crime of listening to the voice of conscience. "Religion"—such was his remonstrance to the viceroy of Ireland—"is my crime and my innocence; it makes me a prisoner to malice, but my own freeman."

1666,
1667. After his enlargement, returning to England, he encountered bitter mockings and scorings, the invectives of the priests, the strangeness of all his old companions;³ it was noised about, in the fashionable world, as an excellent jest, that "William Penn was a Quaker again, or some very melancholy thing;"⁴ and his father, 1667. in anger, turned him penniless out of doors.

The outcast, saved from extreme indigence by a 1668. mother's fondness, became an author, and announced to princes, priests, and people, that he was one of the despised, afflicted and forsaken Quakers; and repair-

Penn, l.
125.

¹ No Cross No Crown, c. ix.

² Penn, ii. 465.

³ Ibid. So Besse.

⁴ Pepys, ii. 172.

ing to court with his hat on, he sought to engage the duke of Buckingham in favor of liberty of conscience, claimed from those in authority better quarters for dissenters than stocks, and whips, and dungeons, and banishments, and was urging the cause of freedom with importunity, when he himself, in the heyday of youth, was consigned to a long and close imprisonment in the tower.¹ His offence was heresy: the bishop of London menaced him with imprisonment for life unless he would recant. "My prison shall be my grave," answered Penn. The kind-hearted Charles II. sent the humane and candid Stillingfleet to calm the young enthusiast. "The tower"—such was Penn's message to the king—"is to me the worst argument in the world." In vain did Stillingfleet urge the motive of royal favor and preferment; the inflexible young man demanded freedom of Arlington, "as the natural privilege of an Englishman." Club-law, he argued with the minister, may make hypocrites; it never can make converts. Conscience needs no mark of public allowance. It is not like a bale of goods that is to be forfeited unless it has the stamp of the custom-house. After losing his freedom for about nine months, his prison door was opened by the intercession of his father's friend, the duke of York; for his constancy had commanded the respect and recovered the favor of his father.

1668
1669

The Quakers, exposed to judicial tyranny, were led, by the sentiment of humanity, to find a barrier against their oppressors by narrowing the application of the common law, and restricting the right of judgment to the jury. Scarcely had Penn been at liberty a year, when, after the intense intolerance of "the conventicle act," he was arraigned for having spoken at a Quaker 1670

¹ Penn's Apology for himself. Mem. P. H. S. 238, 239.

CHAP meeting. "Not all the powers on earth shall divert
XVI. us from meeting to adore our God who made us."

1670. Thus did the young man of five-and-twenty defy the
Sept. English legislature; and he demanded on what law
3 the indictment was founded.—"On the common law," answered the recorder. "Where is that law?" demanded Penn. "The law which is not in being, far from being common, is no law at all." Amidst angry exclamations and menaces, he proceeded to plead earnestly for the fundamental laws of England, and, as he was hurried out of court, still reminded the jury, that "they were his judges."—Dissatisfied with the first verdict returned, the recorder heaped upon the jury every opprobrious epithet. "We will have a verdict, by the help of God, or you shall starve for it."—"You are Englishmen," said Penn, who had been again brought to the bar; "mind your privilege, give not away your right."—"It never will be well with us," said the recorder, "till something like the Spanish inquisition be in England." At last the jury, who had received no refreshments for two days and two nights, on the third day, gave their verdict, "Not Guilty."

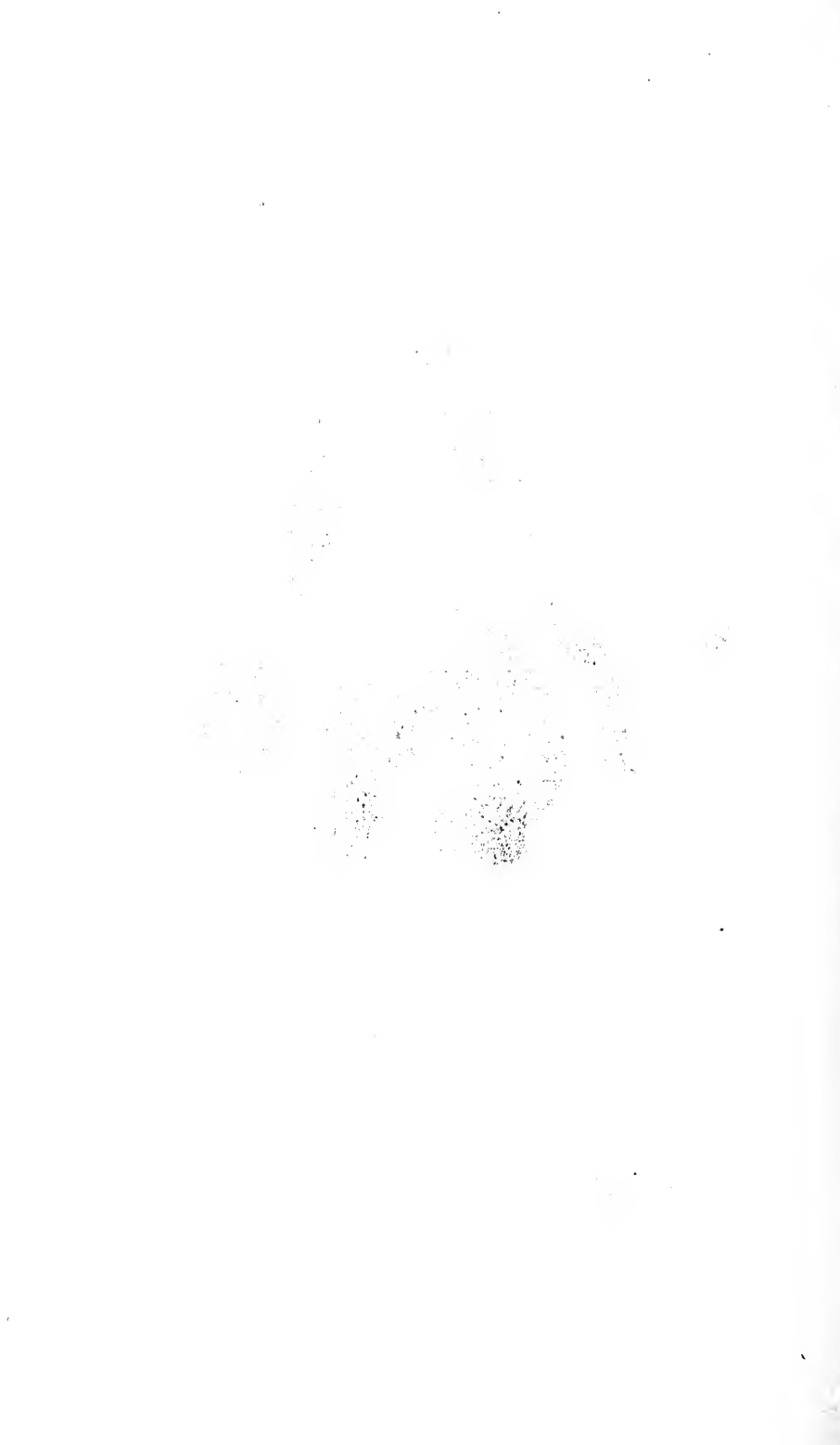
Sept. The recorder fined them forty marks apiece for their
5 independence, and, amercing Penn for contempt of court, sent him back to prison. The trial was an era in judicial history. The fines were soon afterwards discharged by his father, who was now approaching his end. "Son William," said the dying admiral, "if you and your friends keep to your plain way of preaching and living, you will make an end of the priests."

Inheriting a large fortune, he continued to defend publicly, from the press, the principles of intellectual liberty and moral equality; he remonstrated in unmeasured terms against the bigotry and intolerance,



Engraved by W. Finden.

A. J. W. P. M.



“ the hellish darkness and debauchery,” of the university of Oxford; he exposed the errors of the Roman Catholic church, and in the same breath pleaded for a toleration of their worship; and never fearing openly to address a Quaker meeting, he was soon on the road to Newgate, to suffer for his honesty by a six months’ imprisonment. “ You are an ingenious gentleman,” said the magistrate at the trial; “ you have a plentiful estate; why should you render yourself unhappy by associating with such a simple people?”—“ I prefer,” said Penn, “ the honestly simple to the ingeniously wicked.” The magistrate rejoined by charging Penn with previous immoralities. The young man, with passionate vehemence, vindicated the spotlessness of his life. “ I speak this,” he adds, “ to God’s glory, who has ever preserved me from the power of these pollutions, and who, from a child, begot a hatred in me towards them.” “ Thy words shall be thy burden; I trample thy slander as dirt under my feet.”

CHAP
XVI.1670
1671

From Newgate Penn addressed parliament and the nation in the noblest plea for liberty of conscience—a liberty which he defended by arguments drawn from experience, from religion, and from reason. If the efforts of the Quakers cannot obtain “ the olive branch of toleration, we bless the providence of God, resolving by patience to outweary persecution, and by our constant sufferings to obtain a victory more glorious than our adversaries can achieve by their cruelties.”

On his release from imprisonment, a calmer season followed. Penn travelled in Holland and Germany; then returning to England, he married a woman of extraordinary beauty and sweetness of temper, whose noble spirit “ chose him before many suitors,” and honored him with “ a deep and upright love.” As

1671
to
1673

CHAP.
XVI.

persecution in England was suspended, he enjoyed for two years the delights of rural life, and the animating pursuit of letters; till the storm was renewed, and the imprisonment of George Fox, on his return from America, demanded intercession. What need of narrating the severities, which, like a slow poison, brought the prisoner to the borders of the grave? Why enumerate the atrocities of petty tyrants, invested with village magistracies, the ferocious passions of irresponsible jailers? The Statute Book of England contains the clearest impress of the bigotry which a national church could foster, and a parliament avow; and Penn, in considering England's present interest, far from resting his appeal on the sentiment of mercy, merited the highest honors of a statesman by the profound sagacity and unbiased judgment with which he unfolded the question of the rights of conscience in its connection with the peace and happiness of the state.

It was this love of freedom of conscience which gave interest to his exertions for New Jersey. The summer and autumn after the first considerable Quaker emigration to the eastern bank of the Delaware, George Fox, and William Penn, and Robert Barclay, with others, embarked for Holland, to evangelize the continent; and Barclay and Penn went to and fro in Germany, from the Weser to the Mayne, the Rhine, and the Neckar, distributing tracts, discoursing with men of every sect and every rank, preaching in palaces and among the peasants, rebuking every attempt to inthrall the mind, and sending reproofs to kings and magistrates, to the princes and lawyers of all Christendom. The soul of William Penn was transported into fervors of devotion; and, in the ecstasies of enthusiasm, he explained "the universal principle" at Herford, in the

court of the princess palatine, and to the few Quaker converts among the peasantry of Kirchheim. To the peasantry of the highlands near Worms, the visit of William Penn was an event never to be forgotten.

CHAP
XVI
1678

The opportunity of observing the aristocratic institutions of Holland and the free commercial cities of Germany, was valuable to a statesman. On his return to England, the new sufferings of the Quakers excited a direct appeal to the English parliament. The special law against Papists was turned against the Quakers; Penn explained the difference between his society and the Papists; and yet, in an age of Protestant bigotry, at a season when that bigotry was become a jealous frenzy, he appeared before a committee of the house of commons to plead for universal liberty of conscience. "We must give the liberty we ask;"—such was the sublime language of the Quakers;—"we cannot be false to our principles, though it were to relieve ourselves; for we would have none to suffer for dissent on any hand."

Defeated in his hopes by the prorogation and dissolution of the parliament, Penn appealed to the people, and took an active part in the ensuing elections. He urged the electors throughout England to know their own strength and authority; to hold their representatives to be properly and truly their servants, to maintain their liberties, their share in legislation, and their share in the application of the laws. "Your well being"—these were his words—"depends upon your preservation of your right in the government. You are free; God, and nature, and the constitution, have made you trustees for posterity. Choose men who will, by all just and legal ways, firmly keep and zealously promote your power." And as Algernon Sydney now "embarked with those

CHAP. that did seek, love, and choose the best things," Wil-
 XVI. liam Penn, with fearless enthusiasm, engaged in the
 ~~~~~ election, and obtained for him a majority which was  
 defeated only by a false return.

1680 But every hope of reform from parliament vanished. Bigotry and tyranny prevailed more than ever, and Penn, despairing of relief in Europe, bent the whole energy of his mind to accomplish the establishment of a free government in the New World. For that "heavenly end," he was prepared by the severe discipline of life, and the love, without dissimulation, which formed the basis of his character. The sentiment of cheerful humanity was irrepressibly strong in his bosom; as with John Eliot and Roger Williams, benevolence gushed prodigally from his ever-overflowing heart; and when, in his late old age, his intellect was impaired, and his reason prostrated by apoplexy, his sweetness of disposition rose serenely over the clouds of disease. Possessing an extraordinary greatness of mind, vast conceptions, remarkable for their universality and precision, and "surpassing in speculative endowments;"<sup>1</sup> conversant with men, and books, and governments, with various languages, and the forms of political combinations, as they existed in England and France, in Holland, and the principalities and free cities of Germany, he yet sought the source of wisdom in his own soul. Humane by nature and by suffering; familiar with the royal family; intimate with Sunderland and Sydney; acquainted with Russel, Halifax, Shaftesbury, and Buckingham; as a member of the Royal Society, the peer of Newton and the great scholars of his age,—he

<sup>1</sup> Testimony of Friends. Compare J. F. Fisher's just and exact tribute to Penn, in Private Life of

William Penn. So too R. Tyson's Discourse, 1831, and Note 2.



valued the promptings of a free mind more than the awards of the learned, and revered the single-minded sincerity of the Nottingham shepherd more than the authority of colleges and the wisdom of philosophers. And now, being in the meridian of life, but a year older than was Locke, when, twelve years before, he had framed a constitution for Carolina, the Quaker legislator was come to the New World to lay the foundations of states. Would he imitate the vaunted system of the great philosopher? Locke, like William Penn, was tolerant; both loved freedom; both cherished truth in sincerity. But Locke kindled the torch of liberty at the fires of tradition; Penn at the living light in the soul. Locke sought truth through the senses and the outward world; Penn looked inward to the divine revelations in every mind. Locke compared the soul to a sheet of white paper, just as Hobbes had compared it to a slate, on which time and chance might scrawl their experience; to Penn, the soul was an organ which of itself instinctively breathes divine harmonies, like those musical instruments which are so curiously and perfectly framed, that, when once set in motion, they of themselves give forth all the melodies designed by the artist that made them. To Locke,<sup>1</sup> "Conscience is nothing else than our own opinion of our own actions;" to Penn, it is the image of God, and his oracle in the soul. Locke, who was never a father, esteemed "the duty of parents to preserve their children not to be understood without reward and punishment;"<sup>2</sup> Penn loved his children, with not a thought for the consequences. Locke, who was never married, declares marriage an affair of the senses;<sup>3</sup> Penn revered woman as the object of fer-

<sup>1</sup> Essay on the Human Understanding, b. i. c. iii. s. 8.

<sup>2</sup> Locke's Essay, b. ii. c. iii. s. 12.

<sup>3</sup> Ibid. ii. xxi. 34.

CHAP  
XVI

vent, inward affection, made, not for lust, but for love  
 In studying the understanding, Locke begins with the sources of knowledge ; Penn with an inventory of our intellectual treasures. Locke deduces government from Noah and Adam, rests it upon contract, and announces its end to be the security of property ; Penn, far from going back to Adam, or even to Noah, declares that "there must be a people before a government,"<sup>1</sup> and, deducing the right to institute government from man's moral nature, seeks its fundamental rules in the immutable dictates "of universal reason," its end in freedom and happiness. The system of Locke lends itself to contending factions of the most opposite interests and purposes ; the doctrine of Fox and Penn, being but the common creed of humanity, forbids division, and insures the highest moral unity. To Locke, happiness is pleasure ;<sup>2</sup> things are good and evil only in reference to pleasure and pain ;<sup>3</sup> and to "inquire after the highest good is as absurd as to dispute whether the best relish be in apples, plums, or nuts ;"<sup>4</sup> Penn esteemed happiness to lie in the subjection of the baser instincts to the instinct of Deity in the breast, good and evil to be eternally and always as unlike as truth and falsehood, and the inquiry after the highest good to involve the purpose of existence. Locke says plainly, that, but for rewards and punishments beyond the grave, "it is *certainly right* to eat and drink, and enjoy what we delight in ;"<sup>5</sup> Penn, like Plato and Fenelon, maintained the doctrine so terrible to despots, that God is to be loved for his own sake, and virtue to be practised for its intrinsic loveliness. Locke derives the idea of infinity

<sup>1</sup> Art Union, in Penn. S. Laws.

<sup>2</sup> Essay on the Human Understanding, b. ii. xxi. 42.

<sup>3</sup> Essay on the Human Understanding, ii. xx. 2.

<sup>4</sup> Ibid. ii. xxi. 55

<sup>5</sup> Ibid.

from the senses, describes it as purely negative, and attributes it to nothing but space, duration, and number;<sup>1</sup> Penn derived the idea from the soul, and ascribed it to truth, and virtue, and God. Locke declares immortality<sup>2</sup> a matter with which reason has nothing to do, and that revealed truth must be sustained<sup>3</sup> by outward signs and visible acts of power; Penn saw truth by its own light, and summoned the soul to bear witness to its own glory. Locke believed "not so many men in wrong opinions as is commonly supposed, because the greatest part have no opinions at all, and do not know what they contend for;"<sup>4</sup> Penn likewise vindicated the many, but it was because truth is the common inheritance of the race. Locke, in his love of tolerance, inveighed against the methods of persecution as "Popish practices;" Penn censured no sect, but condemned bigotry of all sorts as inhuman. Locke, as an American lawgiver, dreaded a too numerous democracy, and reserved all power to wealth and the feudal proprietaries; Penn believed that God is in every conscience, his light in every soul; and therefore, stretching out his arms, he built—such are his own words—"a free colony for all mankind." This is the praise of William Penn, that, in an age which had seen a popular revolution shipwreck popular liberty among selfish factions, which had seen Hugh Peters and Henry Vane perish by the hangman's cord and the axe; in an age when Sydney nourished the pride of patriotism rather than the sentiment of philanthropy, when Russel stood for the liberties of his order, and

<sup>1</sup> Essay on the Human Understanding, ii. xvii. 1.

<sup>2</sup> Ibid. iv. xviii. 7.

<sup>3</sup> Ibid. iv. xix. 15.

<sup>4</sup> Locke's whole chapter on Enthusiasm was probably levelled at

the Quakers. It is not always possible to know when Locke is opposing Descartes, and when the disciples of George Fox. He refutes both by partial representations of their views.

CHAP. not for new enfranchisements, when Harrington, and  
 XVI. Shaftesbury, and Locke, thought government should  
 rest on property,—Penn did not despair of humanity, and, though all history and experience<sup>1</sup> denied the sovereignty of the people, dared to cherish the noble idea of man's capacity for self-government. Conscious that there was no room for its exercise in England, the pure enthusiast, like Calvin and Descartes, a voluntary exile, was come to the banks of the Delaware to institute "THE HOLY EXPERIMENT."

1682 The news spread rapidly, that the Quaker king was  
 Oct. at Newcastle; and,<sup>2</sup> on the day after his landing, in  
 27, presence of a crowd of Swedes, and Dutch, and  
 28. English, who had gathered round the court-house, his deeds of feoffment were produced; the duke of York's agent surrendered the territory by the solemn delivery of earth and water, and Penn, invested with supreme and undefined power in Delaware, addressed the assembled multitude on government, recommended sobriety and peace, and pledged himself to grant liberty of conscience and civil freedom.

From Newcastle, Penn ascended the Delaware to Chester, where he was hospitably received by the honest, kind-hearted emigrants who had preceded him from the north of England; the little village of herdsmen and farmers, with their plain manners, gentle dispositions, and tranquil passions, seemed a harbinger of a golden age.

From Chester, tradition describes the journey of Penn to have been continued with a few friends in an

<sup>1</sup> See Hume's account of the meeting of the Long Parliament.

<sup>2</sup> Proud, i. 205. The date in Chalmers and Proud, of Penn's landing, is October 24. It is taken

from Penn's letter. But the copyist may have mistaken a figure; or Penn may have alluded to his entrance within the capes. See the New-castle Records, in Watson, 16.

open boat, in the earliest days of November, to the beautiful bank, fringed with pine-trees, on which the city of Philadelphia was soon to rise.

CHAP  
XVI

In the following weeks, Penn visited West and East New Jersey, New York, the metropolis of his neighbor proprietary, the duke of York, and, after meeting Friends on Long Island, he returned to the banks of the Delaware.<sup>1</sup>

1682  
Nov.  
Dec.

1682  
1683

To this period<sup>2</sup> belongs his first grand treaty with the Indians. Beneath a large elm-tree at Shakamaxon, on the northern edge of Philadelphia,<sup>3</sup> William Penn, surrounded by a few friends, in the habiliments of peace, met the numerous delegation of the Lenni Lenape tribes. The great treaty was not for the purchase of lands, but, confirming what Penn had written, and Markham covenanted, its sublime purpose was the recognition of the equal rights of humanity.<sup>4</sup> Under the shelter of the forest, now leafless by the frosts of autumn, Penn proclaimed to the men of the Algonquin race, from both banks of the Delaware, from the borders of the Schuylkill, and, it may have been, even from the Susquehannah, the same simple message of peace and love which George Fox had professed before Cromwell, and Mary Fisher had borne to the Grand Turk. The English and the Indian should respect the same moral law, should be alike secure in their pursuits and their possessions, and adjust every difference by a peaceful tribunal, composed of an equal number of men from each race.

“ We meet ”—such were the words of William Penn

<sup>1</sup> Penn's Letter.

<sup>2</sup> Duponceau and Fisher, 57.

<sup>3</sup> On the place, Vaux, Peters, Conyngham, in Penn. Mem. 1.

<sup>4</sup> Duponceau and Fisher. See Concessions, xi.—xv., and Penn's

letter to the Indians, in which he proposes the future personal interview. It is to be regretted, that no original record of the meeting has been preserved.

CHAP. —“ on the broad pathway of good faith and good will ,  
 XVI.  
 1682 no advantage shall be taken on either side, but all shall  
 Nov. be openness and love. I will not call you children ;  
 Dec. for parents sometimes chide their children too severely ;  
 nor brothers only ; for brothers differ. The friendship  
 between me and you I will not compare to a chain ; for  
 that the rains might rust, or the falling tree might  
 break. We are the same as if one man’s body were  
 to be divided into two parts ; we are all one flesh and  
 blood.”

The children of the forest were touched by the sacred doctrine, and renounced their guile and their revenge. They received the presents of Penn in sincerity ; and with hearty friendship they gave the belt of wampum. “ We will live,” said they, “ in love with William Penn and his children, as long as the moon and the sun shall endure.”

This treaty of peace and friendship was made under the open sky, by the side of the Delaware, with the sun, and the river, and the forest, for witnesses. It was not confirmed by an oath ; it was not ratified by signatures and seals ; no written record of the conference can be found ; and its terms and conditions had no abiding monument but on the heart. There they were written like the law of God, and were never forgotten. The simple sons of the wilderness, returning to their wigwams, kept the history of the covenant by strings of wampum, and, long afterwards, in their cabins, would count over the shells on a clean piece of bark, and recall to their own memory, and repeat to their children or to the stranger, the words of William Penn.<sup>1</sup> New England had just terminated a disastrous

<sup>1</sup> Heckewelder, Hist. Trans. Am. Phil. Soc 176.

war of extermination; the Dutch were scarcely ever at peace with the Algonquins; the laws of Maryland refer to Indian hostilities and massacres, which extended as far as Richmond. Penn came without arms; he declared his purpose to abstain from violence; he had no message but peace; and not a drop of Quaker blood was ever shed by an Indian.

CHAP  
XVI.  
1682

Was there not progress from Melendez to Roger Williams? from Cortez and Pizarro to William Penn? The Quakers, ignorant of the homage which their virtues would receive from Voltaire and Raynal, men so unlike themselves, exulted in the consciousness of their humanity. We have done better, said they truly, "than if, with the proud Spaniards, we had gained the mines of Potosi. We may make the ambitious heroes, whom the world admires, blush for their shameful victories. To the poor, dark souls round about us we teach their RIGHTS AS MEN."<sup>1</sup>

The scene at Shackamaxon forms the subject of one of the pictures of West; but the artist, faithful neither to the Indians nor to Penn, should have no influence on history.<sup>2</sup> Shall the event be commemorated by the pencil? Imagine the chiefs of the savage communities, of noble shape and grave demeanor, assembled in council without arms; the old men sit in a half-moon upon the ground; the middle-aged are in a like figure at a little distance behind them; the young foresters form a third semicircle in the rear. Before them stands William Penn, graceful in the summer of life, in dress scarce distinguished by a belt, surrounded by a few Friends, chiefly young men, and, like Anaxago-

<sup>1</sup> Planter's Speech, 1684.

<sup>2</sup> Clarkson countenances the mistakes of the painter. With perhaps an unnecessary excess of critical skep-

ticism, I have not rested one single fact relating to Penn on Clarkson's authority, but have verified all by documents and original sources.

CHAP. ras, whose example he cherished, pointing to the skies,  
 XVI. as the tranquil home, to which not Christians only, but

“ ————— the souls of heathen go,  
 Who better live than we, though less they know.”

1683 In the following year, Penn often met the Indians in council, and at their festivals. He visited them in their cabins, shared the hospitable banquet of hominy and roasted acorns, and laughed, and frolicked, and practised athletic games with the light-hearted, mirthful, confiding red men. He spoke with them of religion, and found that the tawny skin did not exclude the instinct of a Deity. “The poor savage people believed in God and the soul without the aid of metaphysics.” He touched the secret springs of sympathy, and succeeding generations on the Susquehannah acknowledged his loveliness.

1682. Dec. 4-7. Peace existed with the natives; the contentment of the emigrants was made perfect by the happy inauguration of the government. A general convention had been permitted by Penn: the people preferred to appear by their representatives; and in three days the work of preparatory legislation at Chester was finished. The charter from the king did not include the territories; these were now enfranchised by the joint act of the inhabitants and the proprietary, and united with Pennsylvania on the basis of equal rights. The freedom of all the inhabitants being thus confirmed, the Inward Voice, which was the celestial visitant to the Quakers, dictated a code. God was declared the only Lord of conscience; the first day of the week was reserved, as a day of leisure, for the ease of the creation. The rule of equality was introduced into families by abrogating the privileges of primogeniture.



The word of an honest man was evidence without an oath. The mad spirit of speculation was checked by a system of strict accountability, applied to factors and agents. Every man liable to civil burdens, possessed the right of suffrage ; and, without regard to sect, every Christian was eligible to office. No tax or custom could be levied but by law. The Quaker is a spiritualist ; the pleasures of the senses, masks, revels, and stage-plays, not less than bull-baits and cock-fights, were prohibited. Murder was the only crime punishable by death. Marriage was esteemed a civil contract ; adultery a felony. The Quakers had suffered from wrong imprisonment ; the false accuser was liable to double damages. Every prison for convicts was made a workhouse. There were neither poor rates nor tithes. The Swedes, and Finns, and Dutch, were invested with the liberties of Englishmen. Well might Lawrence Cook exclaim in their behalf, "It is the best day we have ever seen." The work of legislation being finished, the proprietary urged upon the house his religious counsel,<sup>1</sup> and the assembly was adjourned.

The government having been organized, William Penn, accompanied by members of his council, hastened to West River, to interchange courtesies with Lord Baltimore, and fix the limits of their respective provinces. The adjustment was difficult. Lord Baltimore claimed by his charter the whole country as far as the fortieth degree. Penn replied, just as the Dutch and the agents of the duke of York had always urged, that the charter for Maryland included only lands that were still unoccupied ; that the banks of the Delaware had been

CHAP  
XVI.1682  
Dec.  
4—7Dec.  
11.

<sup>1</sup> Votes and Proceedings of the Province of Pennsylvania. Printed House of Representatives of the and sold by B. Franklin. P. 7.

CHAP. purchased, appropriated, and colonized, before that  
 XVI. charter was written. For more than fifty years, the  
 1682 country had been in the hands of the Dutch and their  
 Dec. successors; and during that whole period, the claim  
 of Lord Baltimore had always been resisted. The  
 answer of Penn was true, and conformed to English  
 law as applied to the colonies. In 1623, the Dutch  
 had built Fort Nassau, in New Jersey; and the soil of  
 Delaware was purchased by Godyn, and colonized by  
 De Vries, before the promise of King Charles to Sir  
 George Calvert. This is the basis of the claim of Wil-  
 liam Penn; and its justice had already been repeatedly  
 sustained. Penn knew that it was just; yet his  
 sweetness of disposition prompted an apology for insist-  
 ing on his right. It was not "for the love of land, but  
 of the water." Historians have wronged themselves  
 by attributing to Penn the folly of urging the eager-  
 ness of his own desires, as an argument for his preten-  
 sions. His own letters and the published proceedings<sup>1</sup>  
 of the committee of trade and plantations prove the  
 singleness of the plea on which he rested; the  
 voyages of De Vries, and the records of Maryland and  
 of New York, establish its validity. But what line  
 should be esteemed the limit of New Netherland?  
 This remained a subject for compromise. A discussion  
 of three days led to no result: tired of useless debates,  
 Penn crossed the Chesapeake to visit Friends at Chop-  
 tank; and returned to his own province, prepared to  
 renew negotiation, or to submit to arbitration in  
 England.

1683. The enthusiasm of William Penn sustained his ex-  
 cited mind in unceasing exertion; and he now selected

<sup>1</sup> Votes and Proceedings, xiii., &c.

a site for a city, purchased the ground of the Swedes, and in a situation "not surpassed"—such are his words—"by one among all the many places he had seen in the world,"—and he had seen the cities of Europe from Bremen to Turin,—on a neck of land between the Schuylkill and Delaware, appointed for a town by the convenience of the rivers, the firmness of the land, the pure springs and salubrious air, William Penn laid out Philadelphia, the city of refuge, the mansion of freedom, the home of humanity. Pleasant visions of innocence and happiness floated before the imagination of his Quaker brethren. "Here," said they, "we may worship God according to the dictates of the Divine Principle, free from the mouldy errors of tradition; here we may thrive, in peace and retirement, in the lap of unadulterated nature; here we may improve an innocent course of life on a virgin Elysian shore." But vast as were the hopes of the humble Friends, who now marked the boundaries of streets on the chestnut, or ash and walnut trees of the original forest, they were surpassed by the reality. Pennsylvania bound the northern and the southern colonies in bonds stronger than paper chains; Philadelphia was the birthplace of American independence and the pledge of union.

In March, the infant city, in which there could have been few mansions but hollow trees,<sup>1</sup> was already the scene of legislation. From each of the six counties into which Penn's dominions were divided, nine representatives, Swedes, Dutch, and Quaker preachers, of Wales, and Ireland, and England, were elected for the purpose of establishing a charter of liberties. They desired it might be the acknowledged growth of the

CHAP.  
XVI.1683  
Jan.  
and  
Feb.1683  
Mar.  
12.<sup>1</sup> Watson's Phil. 225.

CHAP  
XVI.1683  
Mar.

New World, and bear date in Philadelphia.<sup>1</sup> "To the people of this place," said Penn, "I am not like a selfish man ; through my travail and pains the province came ; it is now in Friends' hands. Our faith is for one another, that God will be our counsellor forever." And when the general assembly came together, he referred to the frame of government proposed in England, saying, "You may amend, alter, or add ; I am ready to settle such foundations as may be for your happiness."

The constitution which was established created a legislative council and a more numerous assembly ; the former to be elected for three years, one third being renewed annually ; the assembly to be annually chosen. Rotation in office was enjoined. The theory of the constitution gave to the governor and council the initiation of all laws ; these were to be promulgated to the people ; and the office of the assembly was designed to be no more than to report the decision of the people in their primary meetings. Thus no law could be enacted but with the direct assent of the whole community. Such was the system of the charter of liberties. But it received modifications from the legislature by which it was established. The assembly set the precedent of engaging in debate, and of proposing subjects for bills by way of conference with the governor and council. In return, by unanimous vote, a negative voice was allowed the governor<sup>2</sup> on all the doings of the

<sup>1</sup> Votes, &c., p. 20.

<sup>2</sup> "The requisition was suffered to sleep on the journals." Gordon, p. 80. Now compare Votes and Proceedings, p. 10. "Proposed to the voice of the house, whether the governor shall have the power of an overruling voice in the provincial council and in the assembly ; as to

the provincial council, it was carried in the affirmative, N. C. D." Again, "The assembly required power to originate all legislative measures. This was conceded." Gordon, 79. Such was the issue ; but not immediately. The petition of the house was "for the privilege of conference." Votes, &c. p. 8. Com-

council, and such a power was virtually a right to negative any law. It had been more simple to have left the assembly full power to originate bills, and to the governor an unconditional negative. This was virtually the method established in 1683; it was distinctly recognized in the fundamental law in 1696. Besides, the charter from Charles II. held the proprietary responsible for colonial legislation; and no act of provincial legislation could be perfected till it had passed the great seal of the province. That a negative voice was thus reserved to William Penn, was, I believe, the opinion of the colonists of that day;<sup>1</sup> such was certainly the intention of the royal charter, and was necessary, unless the proprietary relation was to cease. In other respects, the frame of government gave all power to the people; the judges were to be nominated by the provincial council, and, in case of good behavior, could not be removed by the proprietary during the term for which they were commissioned.<sup>2</sup> But for the hereditary office of proprietary, Pennsylvania had been a representative democracy. In Maryland, the council was named by Lord Baltimore; in Pennsylvania, by the people. In Maryland, the power of appointing magistrates, and all, even the subordinate executive officers, rested solely with the proprietary;<sup>3</sup> in Pennsylvania, William Penn could not appoint a justice or a constable; every executive officer, except the highest,

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pare, too, Council Books, in Hazard's Register, i. 16, for March 15, 1683. The chamber of deputies under Louis XVIII. could petition the king to introduce a bill. Practically, the house gained the initiative, and Penn the negative voice.

<sup>1</sup> Votes, &c. p. 21. "Recommended to the great seal."

<sup>2</sup> Compare First Charter, section xvii., with Second Charter, section

xvi. Proud, ii. App. 13, 25. The writer in Am. Q. Rev. v. 416, interprets the new clause absolutely, and, according to modern use of language, correctly. Penn and the council did not. Witness the commission to the judges, in Proud i. 287: "This commission to be in force *during two years.*"

<sup>3</sup> McMahan, 156.

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was elected by the people or their representatives; and the governor could perform no public act, but with the consent of the council. Lord Baltimore had a revenue derived from the export of tobacco, the staple of Maryland; and his colony was burdened with taxes: a similar revenue was offered to William Penn, and declined,<sup>1</sup> and tax-gatherers were unknown in his province.

In the name of all the freemen of the province, the charter was received by the assembly with gratitude, as one "of more than expected liberty."<sup>2</sup> "I desired," says Penn, "to show men as free and as happy as they can be."<sup>3</sup> In the decline of life, the language of his heart was still the same. "If, in the relation between us," he writes in his old age, "the people want of me any thing that would make them happier, I should readily grant it."<sup>4</sup>

When Peter, the great Russian reformer, attended in England a meeting of Quakers, the semibarbarous philanthropist could not but exclaim, "How happy must be a community instituted on their principles!" "Beautiful!" said the philosophic Frederic of Prussia, when, a hundred years later, he read the account of the government of Pennsylvania; "it is perfect, if it can endure."<sup>5</sup> To the charter which Locke invented for Carolina, the palatines voted an immutable immortality; and it never gained more than a short, partial existence: to the people of his province Penn left it free to subvert or alter the frame of government; and its essential principles remain to this day without change.

Such was the birth of popular power in Pennsyl-

<sup>1</sup> Penn to a society of traders.

<sup>2</sup> Votes, &c. 21.

<sup>3</sup> Watson, 20.

<sup>4</sup> Watson, 29. Proud, ii. 45.

<sup>5</sup> Herder, xiii. 116.

vania and Delaware. It remained to dislodge superstition from its hiding-places in the mind. The Scandinavian emigrants came from their native forests with imaginations clouded by the gloomy terrors of an invisible world of fiends; and a turbulent woman was brought to trial as a witch. Penn presided, and the Quakers on the jury outnumbered the Swedes. The grounds of the accusation were canvassed; the witnesses calmly examined; and the jury, having listened to the charge from the governor, returned this verdict: "The prisoner is guilty of the common fame of being a witch, but not guilty as she stands indicted." The friends of the liberated prisoner were required to give bonds, that she should keep the peace; and in Penn's domain, from that day to this, neither demon nor hag ever rode through the air on goat or broomstick; and the worst arts of conjuration went no farther than to foretell fortunes, mutter powerful spells over quack medicines, or discover by the divining rod the hidden treasures of the bucaniers.<sup>1</sup>

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1684.  
Feb.  
27

Meantime the news spread abroad, that William Penn, the Quaker, had opened "an asylum to the good and the oppressed of every nation;" and humanity went through Europe, gathering the children of misfortune. From England and Wales,<sup>2</sup> from Scotland and Ireland, and the Low Countries, emigrants crowded to the land of promise. On the banks of the Rhine, it was whispered that the plans of Gustavus Adolphus and Oxenstiern were consummated; new companies were formed under better auspices than those of the Swedes; and from the highlands above Worms, the humble people who had melted at the eloquence of

1683  
to  
1688

<sup>1</sup> Hazard's Register, i. 16, 108, 289.

<sup>2</sup> Ibid. vi. 238, 239

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Penn, the Quaker emissary, renounced their German homes for the protection of the Quaker king. There is nothing in the history of the human race like the confidence which the simple virtues and institutions of William Penn inspired. The progress of his province was more rapid than the progress of New England. In August, 1683, "Philadelphia consisted of three or four little cottages;"<sup>1</sup> the conies were yet undisturbed in their hereditary burrows; the deer fearlessly bounded past blazed trees, unconscious of foreboded streets; the stranger that wandered from the river bank was lost in the thickets of the interminable forest; and, two years afterwards, the place contained about six hundred houses,<sup>2</sup> and the schoolmaster and the printing-press had begun their work.<sup>3</sup> In three years from its foundation, Philadelphia gained more than New York had done in half a century. This was the happiest season in the public life of William Penn. "I must, without vanity, say"—such was his honest exultation—"I have led the greatest colony into America that ever any man did upon a private credit, and the most prosperous beginnings that ever were in it, are to be found among us."<sup>4</sup>

1684  
Mar.  
9.

The government had been organized, peace with the natives confirmed, the fundamental law established, the courts of justice instituted; the mission of William Penn was accomplished; and now, like Solon, the most humane of ancient legislators, he prepared to leave the commonwealth, of which he had founded the happiness. Intrusting the great seal to his friend Lloyd, and the executive power to a com-

<sup>1</sup> Pastorius, in Watson, 61.

<sup>2</sup> Turner, in Watson, 67.

<sup>3</sup> Council Records, in Haz. Reg.  
i. 16. Thomas, Hist. of Printing,

ii. 8, 9. Council Records, in Proud,  
i. 345.

<sup>4</sup> Penn to Halifax, in Watson,  
19.



mittee of the council, Penn sailed for England, leaving freedom to its own development. His departure was happy for the colony and for his own tranquillity. He had established a democracy, and was himself a feudal sovereign. The two elements in the government were incompatible; and for ninety years, the civil history of Pennsylvania is but the account of the jarring of these opposing interests, to which there could be no happy issue but in popular independence. But rude collisions were not yet begun; and the benevolence of William Penn breathed to his people a farewell, unclouded by apprehension. "My love and my life are to you and with you, and no water can quench it, nor distance bring it to an end. I have been with you, cared over you, and served you with unfeigned love; and you are beloved of me and dear to me beyond utterance. I bless you in the name and power of the Lord, and may God bless you with his righteousness, peace, and plenty, all the land over."—"You are come to a quiet land, and liberty and authority are in your hands. Rule for Him under whom the princes of this world will one day esteem it their honor to govern in their places."—"And thou, Philadelphia, the virgin settlement of this province, my soul prays to God for thee, that thou mayest stand in the day of trial, and that thy children may be blessed."—"Dear friends, my love salutes you all."

CHAP  
XVI.1684  
Aug.  
12.

And after he reached England, he assured the eager inquirers, that "things went on sweetly with Friends in Pennsylvania; that they increased finely in outward things and in wisdom."

Oct 3

The question respecting the boundaries between the domains of Lord Baltimore and of William Penn was promptly resumed before the committee of trade and

Dec  
9

CHAP.  
XVI.1685.  
Oct.  
17.  
Nov.  
7.

plantations; and, after many hearings, it was decided, that the tract of Delaware did not constitute a part of Maryland. The proper boundaries of the territory remained to be settled; and the present limits of Delaware were established by a compromise. There is no reason to suppose any undue bias on the minds of the committee; had a wrong been suspected, the decision would have been reversed at the revolution of 1688.

This decision formed the basis of an agreement between the respective heirs of the two proprietaries in 1732. Three years afterwards the subject became a question in chancery; in 1750, the present boundaries were decreed by Lord Hardwicke; ten years later, they were, by agreement, more accurately defined; and in 1761, commissioners began to designate the limit of Maryland on the side of Pennsylvania and Delaware. In 1763, Charles Mason and Jeremiah Dixon, two mathematicians or surveyors, were engaged to mark the lines. In 1764 they entered upon their task, with good instruments and a corps of axemen; by the middle of June, 1765, they had traced the parallel of latitude to the Susquehannah; a year later they climbed the little Alleghany; in 1767 they carried forward their work under an escort from the Six Nations, to an Indian war-path, two hundred and forty-four miles from the Delaware river. Other hands, at a later day, continued Mason and Dixon's line to the West, as the Southern boundary of Pennsylvania.<sup>1</sup>

But the care of colonial property did not absorb the enthusiasm of Penn; and, now that his father's friend

<sup>1</sup> John H. Latrobe's History of Mason and Dixon's Line.

had succeeded to the throne, he employed his fortune, his influence, and his fame, to secure that "IMPARTIAL" liberty of conscience, which, for nearly twenty years,<sup>1</sup> he had advocated, with Buckingham and Arlington, before the magistrates of Ireland, and English juries, in the tower, in Newgate, before the commons of England, in public discussions with Baxter and the Presbyterians, before Quaker meetings, at Chester and Philadelphia, and through the press to the world. It was his old post—the office to which he was faithful from youth to age. Fifteen thousand families had been ruined for dissent since the restoration; five thousand persons had died victims to imprisonment. The monarch was persuaded to exercise his prerogative of mercy; and at Penn's intercession, not less than twelve hundred Friends were liberated from the horrible dungeons and prisons where many of them had languished hopelessly for years. Penn delighted in doing good. His house was thronged by swarms of clients, envoys from Massachusetts<sup>2</sup> among the number; and sometimes there were two hundred at once, claiming his disinterested good offices with the king. For Locke, then a voluntary exile, and the firm friend of intellectual freedom, he obtained a promise of immunity,<sup>3</sup> which the blameless philosopher, in the just pride of innocence, refused. And at the very time when the Roman Catholic Fenelon, in France, was pleading for Prot-

1686

<sup>1</sup> Penn, in Proud, i. 325. So Penn, in his autograph Apology. This was communicated to me in MS. by J. F. Fisher, who has since caused it to be printed. It is a most honorable office to do justice to the illustrious dead. My friend writes of Penn with affectionate interest, and yet with careful criticism. True criticism does not

consist in absolute skepticism as to exalted worth.

<sup>2</sup> Lambeth MSS., communicated by Francis L. Hawks.

<sup>3</sup> Mackintosh, p. 289. Am. ed. refers to Clarkson. The original authority for the fact is Le Clerc, from whom it passed into the *Biographia Britannica*.

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estants against the intolerance of Louis XIV. the Protestant Penn, in England, was laboring to rescue the Roman Catholics from the jealousy of the English aristocracy. Claiming for the executive of the country the prerogative of employing every person, "according to his ability, and not according to his opinion," he labored to effect a repeal of every disfranchisement for opinion. Always a friend to liberty as established by law, ever ready to deepen the vestiges of British freedom, and vindicate the right of "the free Saxon people to be governed by laws of which they themselves were the makers,"<sup>1</sup> his whole soul was bent on effecting this end by means of parliament during the reign of James II., well knowing that the prince of Orange was pledged to a less liberal policy. The political tracts of "the arch Quaker" have the calm wisdom and the universality of Lord Bacon; in behalf of liberty of conscience, they beautifully connect the immutable principles of human nature and human rights with the character and origin of English freedom, and exhaust the question as a subject for English legislation. Penn resisted the tyrannical proceedings against Magdalen College, and yet desired that the universities might not be altogether shut against dissenters. No man in England was more opposed to Roman Catholic dominion; but, like an honest lover of truth, and well aware that he and George Fox could win more converts than James II. and the pope with all their patronage, he desired, in the controversy with the Roman church, nothing but equality. He knew that Popery was in England the party of the past, from causes that lay in the heart of society, incapable of restoration; and therefore he ridiculed the Popish panic as

<sup>1</sup> Penn, iii. 220, and 273, 274.

a scarecrow fit only to frighten children.<sup>1</sup> Such was the strong antipathy of England to the Roman see, he foretold the sure success of the English church, if it should plough with that heifer, but equally predicted the still later result, that the Catholics, in their turn becoming champions of civil freedom, would unite with its other advocates, and impair and subvert the English hierarchy.<sup>2</sup> Penn never gave counsel at variance with popular rights. He resisted the commitment of the bishops to the tower, and, on the day of the birth of the prince of Wales, pressed the king exceedingly to set them at liberty.<sup>3</sup> His private correspondence proves that he esteemed parliament<sup>4</sup> the only power through which his end could be gained; and, in the true spirit of popular liberty, he sought to infuse his principles into the popular mind, that so they might find their place in the statute-book through the free convictions of his countrymen. England to-day confesses his sagacity, and is doing honor to his genius. He came too soon for success, and he was aware of it. After more than a century, the laws which he reprovved began gradually to be repealed; and the principle which he developed, sure of immortality, is slowly but firmly asserting its power over the legislation of Great Britain.

<sup>1</sup> Penn, ii. 580. Penn knew the secret motive.—“Time, that informs children, will tell the world the meaning of the fright.”

<sup>2</sup> *Ibid.* 575—578.

<sup>3</sup> “This excellent man lent himself to the measures of the king.” Mackintosh, 290. Thus the modern. Now the contemporary authority in Mr. Lawton’s *Memoir of William Penn*, in *Mem. P. H. S.* iii. P. ii. p. 230, 231. “Penn was against the commitment of the bishops.”—“He pressed the king exceedingly to set them at liberty.”

<sup>4</sup> “I should rejoice to see the penal laws repealed.” Penn to Har-

risson, in *Proud*, i. 308. Burnet says Penn promised, on behalf of King James, an assent to a solemn and unalterable law. The whole mission to the prince of Orange is based upon an intended action of parliament. Burnet, ii. 395, 396. Compare Penn, in *Proud*, i. 325. The “Good Advice to the Church of England,” Penn, ii., is an argument for the repeal of the penal laws and tests. What better mode than to reach the legislature through an address to the public? Compare Penn’s own *Apology*, in *Mem. P. H. S.* iii. P. ii., and letter to Shrewsbury, in *The Friend*, vi. 194.

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The political connections of William Penn have involved him in the obloquy which followed the overthrow of the Stuarts; and the friends to the tests, comprising nearly all the members of both the political parties, into which England was soon divided, have generally been unfriendly to his good name. But their malice has been without permanent effect. There are not wanting those who believe the many to be the most competent judge of the beautiful; every Quaker believes them the best arbiter of the just and the true. It is certain that they, and they only, are the dispensers of glory. Their final award is given freely, and cannot be shaken. Every charge of hypocrisy, of selfishness, of vanity, of dissimulation, of credulous confidence; every form of reproach, from virulent abuse to cold apology;<sup>1</sup> every ill name, from tory and Jesuit to blasphemer and infidel,—has been used against Penn; but the candor of his character always triumphed over calumny. His name was safely cherished as a household word in the cottages of Wales and Ireland, and among the peasantry of Germany; and not a tenant of a wigwam from the sea to the Susquehannah doubted his integrity. His fame is now wide as the world; he is one of the few who have gained abiding glory.

Was he prospered? Before engaging in his American enterprise, he had impaired his patrimony to relieve the suffering Quakers; his zeal for his provinces hurried him into colonial expenses beyond the returns; his philanthropy, establishing popular power, left him without a revenue; and he who had so often been imprisoned for religion, in his old age went to jail for debt. But what is so terrible as remorse? what so soothing as an approving conscience? William Penn was happy. “He

<sup>1</sup> Mackintosh, Hist. of Rev. 290. Am. ed.

could say it before the Lord, he had the comfort of having approved himself a faithful steward to his understanding and ability."<sup>1</sup>

Meanwhile the Quaker legislators in the woods of Pennsylvania were serving their novitiate in popular legislation. To complain, to impeach, to institute committees of inquiry, to send for persons and papers, to quarrel with the executive,—all was attempted, and all without permanent harm. But the character of parties was already evident; and the people, with an irresistible propension, tended towards the fixed design of impairing the revenues, and diminishing the little remaining authority, of their feudal sovereign.<sup>2</sup> Penn had reserved large tracts of territory as his private property; he alone could purchase the soil from the natives; and he reserved quitrents on the lands which he sold. Pennsylvania, for nearly a century, sought to impair the exclusive right to preëmption, and to compel an appropriation of the income from quitrents, in part at least, to the public service. Colonial jealousy of a feudal chief was early and perseveringly displayed. The maker of the first Pennsylvania almanac was censured for publishing Penn as a lord.<sup>3</sup> The assembly originated bills without scruple; they attempted a new organization of the judiciary; they alarmed the merchants by their lenity towards debtors; they would vote no taxes; they claimed the right of inspecting the records, and displacing the officers of the courts; they expelled a member who reminded them of their contra-

CHAP.  
XVI.

1686  
Jan. 9

1685

1686  
March  
15.

<sup>1</sup> Penn, in Proud, i. 291.

<sup>2</sup> The Historical Review, attributed to Franklin, and much cited by the enemies of Penn's fame, is an uncandid, ex parte, political argument. The author's aim in the

work is not truth, but victory. Its historic matter is better found in the original documents which he quotes. Tyson's judgment on it is correct.

<sup>3</sup> Hazard's Register, i. 16.

CHAP  
XVI.1687  
Feb. 1.  
1688

vening the provisions of their charter.<sup>1</sup> The executive power was also imperfectly administered: for the whole council was too numerous a body for its regular exercise. A commission of five was substituted;<sup>2</sup> and finally, when it was resolved to appoint a deputy-governor,<sup>3</sup> the choice of the proprietary was not wisely made. In a word, folly and passion, not less than justice and wisdom, had become enfranchised on the Delaware, and were desperately bent on the exercise of their privileges. Free scope was opened to every whim that enthusiasts might propose as oracles from the skies, to every selfish desire that could lurk under the Quaker garb. But the smiling light of prosperity rose serenely over the little clouds of discontent, and the swelling passions of the young apprentices at legislation died away at the adjournments.<sup>4</sup> To freedom and justice a fair field was given, and they were safe.<sup>5</sup>

Peace also was uninterrupted. Once, indeed, it was rumored, that on the Brandywine five hundred Indians were assembled to concert a massacre. Immediately Caleb Pusey, with five Friends, hastened unarmed to the scene of anticipated danger. The sachem repelled the calumnious report with indignation; and the little griefs of the tribe were canvassed and assuaged. "The great God, who made all mankind, extends his love to Indians and English. The rain and the dews fall alike on the ground of both; the sun shines on us equally; and we ought to love one another." Such

<sup>1</sup> Votes and Proceedings, 32, &c

<sup>2</sup> Doc. in Proud, i. 305.

<sup>3</sup> Hazard's Register, iii. 104, 105; i. 443.

<sup>4</sup> Votes and Proceedings, 35, 36, and 47. "Thankful acknowledgment of kindness of God, and coun-

cil," March 19, 1688, passed unan-  
imously.

<sup>5</sup> Tyson's censure on Chalmers and others, in Mem. P. H. S. ii. Part ii. p. 140, 141, is to my mind strictly just. It is the language of accurate investigation. The whole "Examination" is a manly paper.



was the diplomacy of the Quaker envoy. The king of the Delawares answered, "What you say is true. Go home, and harvest the corn God has given you. We intend you no harm." CHAP. XVI. 1688.

The white man agreed with the red man to love one another. Would he love the negro also, and refuse homage from the African? William Penn employed blacks without scruple. The free Society of Traders, which he chartered and encouraged, in its first public agreement<sup>1</sup> relating to them, did but substitute, after fourteen years' service, the severe condition of adscripts to the soil, for that of slaves. At a later day, he endeavored to secure to the African mental and moral culture, the rights and happiness of domestic life. His efforts were not successful, and he himself died a slave-holder.<sup>2</sup> On the subject of negro slavery, the German mind was least enthralled by prejudice, because Germany had never yet participated in the slave-trade. The Swedish and German colony of Gustavus Adolphus was designed to rest on free labor. If the general meeting of the Quakers for a season forbore a positive judgment, already, in 1688, "the poor hearts" from Kirchheim, "the little handful" of German Friends from the highlands above the Rhine, came to the resolution that it was not lawful for Christians to buy or to keep negro slaves.<sup>3</sup>

This decision of the German emigrants on negro slavery, was taken during the lifetime of George Fox, who recognized no distinction of race. "Let your light shine among the Indians, the blacks, and the

<sup>1</sup> The Articles, Settlement, and Offices of the Free Society of Traders, in Pennsylvania; Article xviii. Hazard's Register, i. 395.

<sup>2</sup> Extract of a letter from James Logan to Mrs. Hannah Penn, &c.

ye 11th 3 mo. 1721.—"The proprietor, in a will, left with me at his departure hence, gave all his Negroes their freedom," &c. &c. &c.

<sup>3</sup> Penn's Works, ii. 439. Bettle in Memoirs of Penn. Hist. Soc. i. 365.

CHAP. whites," was his message to Quakers on the Dela-  
 XVI.  
 ware. His heart was with the settlements of which he had been the pioneer; and, a few weeks before his death, he exhorted Friends in America to be the light of the world, the salt to preserve earth from corruption. Covetousness, he adds, is idolatry; and he bids them beware of that "idol for which so many lose morality and humanity."

1691  
 Jan.  
 13.

On his death-bed, the venerable apostle of equality was lifted above the fear of dying, and, esteeming the change hardly deserving of mention, his thoughts turned to the New World. Pennsylvania, and Delaware, and West New Jersey, and now Rhode Island, and in some measure North Carolina, were Quaker states; as his spirit, awakening from its converse with shadows, escaped from the exile of fallen humanity, nearly his last words were—"Mind poor Friends in America." His works praise him. Neither time nor place can dissolve fellowship with his spirit. To his name William Penn left this short epitaph—"Many sons have done virtuously in this day; but, dear GEORGE, thou excellest them all."

Were his principles thus excellent? An opposite system was developed in the dominions of the duke of York

## CHAPTER XVII.

## JAMES II. CONSOLIDATES THE NORTHERN COLONIES

THE country which, after the reconquest of the New Netherlands, was again conveyed to the duke of York, included the New England frontier from the Kennebec to the Saint Croix, extended continuously to Connecticut River, and was bounded on the south by Maryland. We have now to trace an attempt to consolidate the whole coast north of the Delaware.

CHAP.  
XVII.  
1674  
June  
29.

The charter from the king sanctioned whatever ordinances the duke of York or his assigns might establish; and in regard to justice, revenue, and legislation, Edmund Andros, the governor, was left responsible only to his own conscience and his employer. He was instructed to display all the humanity and gentleness that could consist with arbitrary power; and to use punishments not from wilful cruelty, but as an instrument of terror. On the last day of October, he received the surrender of the colony from the representatives of the Dutch, and renewed the absolute authority of the proprietary. The inhabitants of the eastern part of Long Island resolved, in town-meetings, to adhere to Connecticut. The charter certainly did not countenance their decision; and, unwilling to be declared rebels, they submitted to New York.

In the following summer, Andros, with armed sloops, proceeded to Connecticut to vindicate his jurisdiction

1675  
July 9

- CHAP. XVII. as far as the river. On the first alarm, William Leet, the aged deputy-governor, one of the first seven pillars of the church of Guilford, educated in England as a lawyer, a rigid republican, hospitable even to regicides, convened the assembly. A proclamation was unanimously voted, and forwarded by express to Bull, the captain of the company on whose firmness the independence of the little colony rested. It arrived just as
- 1675  
July 10.
11. Andros, hoisting the king's flag, demanded the surrender of Saybrook Fort. Immediately the English colors were raised within the fortress. Despairing of victory, Andros attempted persuasion. Having been allowed to land with his personal retinue, he assumed authority, and in the king's name ordered the duke's patent, with his own commission, to be read. In the king's name, he was commanded to desist; and Andros was overawed by the fishermen and farmers who formed the colonial troops. Their proclamation he called a slender affair, and an ill requital for his intended kindness. The Saybrook militia, escorting him to his boat, saw him sail for Long Island; and Connecticut, resenting the aggression, made a declaration of its wrongs, sealed it with its seal, and transmitted it to the neighboring plantations.
- 1676 In New York itself Andros was hardly more welcome than at Saybrook; for the obedient servant of the duke of York discouraged every mention of assemblies, and levied customs without the consent of the people. But, since the Puritans of Long Island claimed a representative government as an inalienable English birthright, and the whole population opposed the ruling system as a tyranny, the governor, who was personally free from vicious dispositions, advised his master to concede legislative franchises.

The dull James II., then duke of York, of a fair complexion and an athletic frame, was patient in details, yet singularly blind to universal principles, plodding with sluggish diligence, but unable to conform conduct to a general rule. Within narrow limits he reasoned correctly; but his vision did not extend far. Without sympathy for the crowd, he had no discernment of character, and was the easy victim of duplicity and intrigue. His loyalty was but devotion to the prerogative which he hoped to inherit. Brave in the face of expected dangers, an unforeseen emergency found him pusillanimously helpless. He kept his word sacredly, unless it involved complicated relations, which he could scarcely comprehend. Spiritual religion is an enfranchising power, expanding and elevating the soul, a service of forms was analogous to the understanding of James; to attend mass, to build chapels, to risk the kingdom for a rosary,—this was within his grasp; he had no clear perception of religious truth. Freedom of conscience, always an ennobling conception, was, in that age, an idea yet standing on the threshold of the world, waiting to be ushered in; and none but exalted minds—Roger Williams and Penn, Vane, Fox, and Bunyan—went forth to welcome it; no glimpse of it reached James, whose selfish policy, unable to gain immediate dominion for his persecuted priests and his confessor, begged at least for toleration. Debauching a woman on promise of marriage, he next allowed her to be traduced as having yielded to frequent prostitution, and then married her; he was conscientious, but his moral sense was as slow as his understanding. He was not bloodthirsty; but to a narrow mind fear seems the most powerful instrument of government, and he propped his throne with the block and the gallows.

CHAP.  
XVII.

1676

1677

CHAP.  
XVII.

A libertine without love, a devotee without spirituality, an advocate of toleration without a sense of the natural right to freedom of conscience,—in him the muscular force prevailed over the intellectual. He floated between the sensuality of indulgence and the sensuality of superstition, hazarding heaven for an ugly mistress, and, to the great delight of abbots and nuns, winning it back again by pricking his flesh with sharp points of iron, and eating no meat on Saturdays. Of the two brothers, the duke of Buckingham said well, that Charles would not, and James could not see. James put his whole character into his reply to Andros, which is as follows :—

Life of  
James  
II 586.

Burnet.

1677.  
Jan. 1.

“ I cannot but suspect assemblies would be of dangerous consequence ; nothing being more known than the aptness of such bodies to assume to themselves many privileges, which prove destructive to, or very often disturb, the peace of government, when they are allowed. Neither do I see any use for them. Things that need redress may be sure of finding it at the quarter sessions, or by the legal and ordinary ways, or, lastly, by appeals to myself. However, I shall be ready to consider of any proposal you shall send.”

In November, some months after the province of Sagadahock, that is, Maine beyond the Kennebec, had been protected by a fort and a considerable garrison, Andros hastened to England ; but he could not give eyes to the duke ; and, on his return, he was ordered to continue the duties, which, at the surrender, had been established for three years. In the next year, the revenue was a little increased. Meantime the Dutch Calvinists had been inflamed by an attempt to thwart the discipline of the Dutch Reformed church. Yet it should be added, that the taxes were hardly three per

cent. on imports, and really insufficient to meet the ex-  
 penses of the colony; while the claim to exercise pre-  
 rogative in the church was abandoned. As in the days  
 of Lovelace, the province was "a terrestrial Canaan.  
 The inhabitants were blessed in their basket and their  
 store. They were free from pride; and a wagon gave  
 as good content as in Europe a coach; their home-made  
 cloth as the finest lawns. The doors of the low-roofed  
 houses, which luxury never entered, stood wide open to  
 charity, and to the stranger."<sup>1</sup> The Island of New  
 York may, in 1678, have contained not far from three  
 thousand inhabitants; in the whole colony there could  
 not have been far from twenty thousand. Ministers  
 were scarce, but welcome, and religions many; the poor  
 were relieved, and beggars unknown. A thousand  
 pounds were opulence; the possessor of half that  
 sum was rich. The exports were land productions—  
 wheat, lumber, tobacco—and peltry from the Indians.  
 In the community, composed essentially of farmers,  
 great equality of condition prevailed; there were but  
 "few merchants," "few servants, and very few  
 slaves."

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 1678

What was wanting to the happiness of the people?  
 Prompted by an exalted instinct, they demanded power  
 to govern themselves. Discontent created a popular  
 convention; and if the two Platts, Titus, Wood, and  
 Wicks of Huntington, arbitrarily summoned to New  
 York, were still more arbitrarily thrown into prison,  
 the fixed purpose of the yeomanry remained unshaken.

1681  
 Wood,  
 99

The government of New York was quietly main-  
 tained over the settlements south and west of the  
 Delaware, till they were granted to Penn; over the

<sup>1</sup> Denton's New York, printed in government, p. 19 and 20. Andros,  
 1670, describes it under the duke's in Chalmers, 601, &c.

CHAP. XVII. Jerseys Andros claimed a paramount authority. We have seen the Quakers refer the contest for decision to an English commission.

1675. In East New Jersey, Philip Carteret had, as the deputy of Sir George, resumed the government, and, gaining popularity by postponing the payment of quit-rents, confirmed liberty of conscience with representative government. A direct trade with England, unencumbered by customs, was encouraged. The commerce of New York was endangered by the competition; and, disregarding a second patent from the duke of York, Andros claimed that the ships of New Jersey should pay tribute at Manhattan. After long altercations, and the arrest of Carteret, terminated only by the honest verdict of a New York jury, Andros again entered New Jersey, to intimidate its assembly by the royal patent to the duke. The people of New Jersey could not, as in the happier Connecticut, plead an earlier grant from the king. But when were Puritans at a loss for arguments in favor of freedom? "We are the representatives of the freeholders of this province;"—such was the answer of the assembly;—"his majesty's patent, though under the great seal, we dare not grant to be our rule or joint safety; for the great charter of England, alias Magna Charta, is the only rule, privilege, and joint safety of every free-born Englishman."<sup>1</sup>
1678. Oct. 10.
1680. June 2

The firmness of the legislature preserved the independence of New Jersey; the decision of Sir William Jones protected its people against arbitrary taxation; its prosperity sprung from the miseries of Scotland. The trustees of Sir George Carteret, tired of the burden

<sup>1</sup> Gordon's New Jersey, 47.



of colonial property, exposed their province to sale; and the unappropriated domain, with jurisdiction over the five thousand already planted on the soil, was purchased by an association of twelve Quakers, under the auspices of William Penn. A brief account of the province was immediately published; and settlers were allured by a reasonable eulogy on its healthful climate and safe harbors, its fisheries and abundant game, its forests and fertile soil, and the large liberties established for the encouragement of adventurers. In November, 1682, possession was taken by Thomas Rudyard,<sup>1</sup> as temporary deputy-governor; the happy country was already tenanted by "a sober, professing people." Meantime the twelve proprietors selected each a partner; and, in March, 1683, to the twenty-four, among whom was the timorous, cruel, iniquitous Perth, afterwards chancellor of Scotland, and the amiable, learned, and ingenious Barclay, who became nominally the governor of the territory, a new and latest patent of East New Jersey was granted by the duke of York. From Scotland the largest emigration was expected; and, in 1685, just before embarking for America with his own family and about two hundred passengers, George Scot of Pitlochrie addressed to his countrymen an argument in favor of removing to a country where there was room for a man to flourish without wronging his neighbor. "It is judged the interest of the government"—thus he wrote, apparently with the sanction of men in power—"to suppress Presbyterian principles altogether; the whole force of the law of this kingdom is levelled at the effectual bearing them down. The rigorous putting these laws in execution hath in a great part ruined many of those who, notwithstanding

CHAP.  
XVII.1682  
Feb. 1  
and 2.Leaming and  
Spicer's  
Grants,  
&c., of  
N. Jersey,  
73.

1682

Model of  
the Gov-  
ernment  
of N. J  
146Leaming and  
Spicer,  
141.1683.  
March  
14.

1685

<sup>1</sup> G. P. on the Early History of vertiser, March and April, 1839. East Jersey, in Newark Daily Ad- Smith's Hist. of N. J., 166, 167.

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thereof, find themselves in conscience obliged to retain these principles. A retreat, where, by law, a toleration is allowed, doth at present offer itself in America, and is no where else to be found in his majesty's dominions."

This is the era at which East New Jersey, till now chiefly colonized from New England, became the asylum of Scottish Presbyterians. Who has not heard of the ruthless crimes by which the Stuarts attempted to plant Episcopacy in Scotland, on the ruins of Calvinism, and extirpate the faith of a whole people? To whom

1679. has the tale not been told of the defeat of Graham of Claverhouse on Loudon Hill, and the subsequent rout of the insurgent fanatics at Bothwell Bridge? Who has not heard of the Cameronians, hunted like beasts of prey, and exasperated by sufferings and despair? refusing, in face of the gallows, to say, "God save the king;" and charged even by their wives to die for the good old cause of the covenant? "I am but

1680. twenty," said an innocent girl at her execution; "and they can accuse me of nothing but my judgment." The boot and the thumbikins could not extort confes-

1681. sions. The condemnation of Argyle displayed the

1682. prime nobility as "the vilest of mankind;" and wide-

1683. spread cruelty exhausted itself in devising punishments. Just after the grant of East New Jersey, a proclamation, unparalleled since the days when Alva drove the Netherlands into independence, proscribed all who had ever communed with rebels, and put twenty thousand lives at the mercy of informers. "It were better," said Lauderdale, "the country bore windle straws and sand larks than boor rebels to the king." After the

1684. insurrection of Monmouth, the sanguinary excesses of despotic revenge were revived, gibbets erected in vil-

lages to intimidate the people, and soldiers intrusted with the execution of the laws. Scarce a Presbyterian family in Scotland but was involved in proscriptions or penalties; the jails overflowed, and their tenants were sold as slaves to the plantations.

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1684.

Wed-  
row

Maddened by the succession of military murders; driven from their homes to caves, from caves to morasses and mountains; bringing death to the inmates of a house that should shelter them, death to the benefactor that should throw them food, death to the friend that listened to their complaint, death to the wife or the father that still dared to solace a husband or a son; ferreted out by spies; hunted with packs of dogs,—the fanatics turned upon their pursuers, and threatened to retaliate on the men who should continue to imbrue their hands in blood. The council retorted by ordering a massacre. He that would not take the oath, should be executed, though unarmed; and the recusants were shot on the roads, or as they labored in the fields, or as they stood in prayer. To fly was a confession of guilt; to excite suspicion was sentence of death; to own the covenant was treason. The houses of the victims were set on fire; their families shipped for the colonies. “It never will be well with Scotland, till the country south of the Forth is reduced to a hunting-field.” The remark is ascribed to James. “I doubt not, sir, but to be able to propose a way how to gratifie all such as your majestie shall be pleased to thinke deserving of it, without touching your exchequer,” wrote Jeffries to James II., just as he had passed sentence of transportation on hundreds of Monmouth’s English followers. James II. sent the hint to the north, and in Scotland the business was equally well understood. The indemnity proclaimed on the acces- 1685

CHAP. sion of James II. was an act of delusive clemency.  
 XVII. Every day wretched fugitives were tried by a jury of  
 1685. soldiers, and executed in clusters on the highways; women, fastened to stakes beneath the sea-mark, were drowned by the rising tide; the dungeons were crowded with men perishing for want of water and air. The humanity of the government was barbarous; of the shoals transported to America, women were often burnt in the cheek, men marked by lopping off their ears.

Is it strange, that Scottish Presbyterians of virtue, education, and courage, blending a love of popular liberty with religious enthusiasm, hurried to East New Jersey in such numbers as to give to the rising commonwealth a character which a century and a half has not effaced? In 1686, after the judicial murder of the duke of Argyle, his brother, Lord Neill Campbell, who had purchased the proprietary right of Sir George Mackenzie, and in the previous year had sent over a large number of settlers, came himself to act for a few months as chief magistrate. When Campbell<sup>1</sup> withdrew, the executive power, weakened by transfers, was intrusted by him to Andrew Hamilton. The territory, easy of access from its extended seaboard, its bays and rivers, flanked on the west by the safe outposts of the peaceful Quakers, was the abode of peace and abundance, of deep religious faith, and of honest industry. Peaches and vines grew wild on the river sides; the woods were crimsoned with strawberries; and "brave oysters" abounded along the shore. Brooks and rivulets, with "curious clear water," were as plenty as in the dear native Scotland; the houses of the towns, unlike the pent villages of the old world, were scattered upon the several lots and farms; the highways were so

Wod-  
row.

1682,  
1687.

Leaming  
and  
Spicer,  
302.  
G. P. on  
Hist. of  
East  
Jersey.

<sup>1</sup> I am indebted to Garret D. of Leaming and Spicer's Collection of Grants, &c., of New Jersey Wall, of New Jersey, for a copy

broad, that flocks of sheep could nibble by the roadside ; troops of horses multiplied in the woods. In a few years, a law of the commonwealth, giving force to the common principle of the New England and the Scottish Calvinists, established a system of free schools. It was "a gallant, plentiful" country, where the humblest laborer might soon turn farmer for himself. In all its borders, said Gawen Laurie, the faithful Quaker merchant, who had been Rudyard's successor, "there is not a poor body, or one that wants."

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Thus the mixed character of New Jersey springs from the different sources of its people. Puritans, Covenanters, and Quakers, met on her soil ; and their faith, institutions, and preferences, having life in the common mind, survive the Stuarts.

Every thing breathed hope, but for the arbitrary cupidity of James II., and the navigation acts. Dyer, the collector, eager to levy a tax on the commerce of the colony, complained of their infringement ; in April, 1686, a writ of quo warranto against the proprietaries, menaced New Jersey with being made "more dependent." It was of no avail to appeal to the justice of King James, who revered the prerogative with idolatry ; and in 1688, to stay the process for forfeiture, the proprietaries, stipulating only for their right of property in the soil, surrendered their claim to the jurisdiction. The province was annexed to New York.

In New York, the attempt to levy customs without a colonial assembly, had been defeated by the grand jury ; and trade became free, just as Andros was returning to England. All parties joined in entreating for the people a share in legislation. The duke of York temporized. The provincial revenue had expired ; the ablest lawyers in England questioned his right to

1682  
Mar

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1683.

renew it; the province opposed its collection with a spirit that required compliance, and in January, 1683, the newly appointed governor Thomas Dongan, a Roman Catholic, was instructed to call a general assembly of all the freeholders, by the persons whom they should choose to represent them. Accordingly, on the seventeenth of the following October, about seventy years after Manhattan was first occupied, about thirty years after the demand of the popular convention by the Dutch, the people of New York met in assembly, and by their first act, claimed the rights of Englishmen. "Supreme legislative power"—such was their further declaration—"shall forever be and reside in the governor, council, and people, met in general assembly. Every freeholder and freeman shall vote for representation without restraint. No freeman shall suffer but by judgment of his peers; and all trials shall be by a jury of twelve men. No tax shall be assessed, on any pretence whatever, but by the consent of the assembly. No seaman or soldier shall be quartered on the inhabitants against their will. No martial law shall exist. No person, professing faith in God by Jesus Christ, shall at any time be any ways disquieted or questioned for any difference of opinion." Thus did New York by its self-enacted "charter of liberties," take its place by the side of Virginia and Massachusetts, surpassing them both in religious toleration. The proprietary accepted the revenue granted by the legislature for a limited period, permitted another session to be held, and promised to make no alterations in the form or matter of the bill containing the franchises and privileges of the colony, except for its advantage; but in 1685, in less than a month after James the Second had ascended the throne, he prepared to overturn the insti-

1685.

tutions which he had conceded. A direct tax was decreed by an ordinance ; the titles to real estate were questioned, that larger fees and quitrents might be extorted ; and of the farmers of Easthampton who protested against the tyranny, six were arraigned before the council.

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XVII.

Wood,  
103, 104

While the liberties of New York were thus sequestered by a monarch who desired to imitate the despotism of France, its frontiers had no protection against encroachments from Canada, except in the valor of the Iroquois. The Mohawks, Oneidas, Onondagas, Cayugas, and Senecas, the Five Nations, dwelling near the river and the lakes that retain their names, formed a confederacy of equal tribes. The union of three of the nations precedes tradition ; the Oneidas and Senecas were younger associates. Each nation was a sovereign republic, divided again into clans, between which a slight subordination was scarcely perceptible. The clansmen dwelt in fixed places of abode, surrounded by fields of beans and of maize ; each castle, like a New England town or a Saxon hundred, constituted a little democracy. There was no slavery ; no favored caste. All men were equal. The union was confirmed by an unwritten compact ; the congress of the sachems, at Onondaga, like the Witena-gemots of the Anglo-Saxons, transacted all common business. Authority resided in opinion ; law in oral tradition. Honor and esteem enforced obedience ; shame and contempt punished offenders. The leading warrior was elected by the general confidence in his virtue and conduct ; merit alone could obtain preferment to office ; and power was as permanent as the esteem of the tribe. No profit was attached to eminent station, to tempt the sordid. As their brave men went forth to war, instead of martial

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instruments, they were cheered by the clear voice of their leader. On the smooth surface of a tree from which the outer bark had been peeled, they painted their deeds of valor by the simplest symbols. These were their trophies and their annals; these and their war-songs preserved the memory of their heroes. They proudly deemed themselves supreme among mankind; men excelling all others; and hereditary arrogance inspired their young men with dauntless courage. When Hudson, John Smith, and Champlain, were in America together, the Mohawks had extended their strolls from the St. Lawrence to Virginia; half Long Island paid them tribute; and a Mohawk sachem was revered on Massachusetts Bay. The geographical position of their fixed abodes, including within their immediate sway the headlands not of the Hudson only, but of the rivers that flow to the gulfs of Mexico and St. Lawrence, the bays of Chesapeake and Delaware, opened widest regions to their canoes, and invited them to make their war-paths along the channels where New York and Pennsylvania are now perfecting the avenues of commerce. Becoming possessed of fire-arms by intercourse with the Dutch, they renewed  
 1649. their merciless, hereditary warfare with the Hurons;   
 1653 and, in the following years, the Eries, on the south   
 1655 <sup>to</sup> shore of the lake of which the name commemorates their   
 1656 existence, were defeated and extirpated. The Allegha-   
 1672. <sup>to</sup> ny was next descended, and the tribes near Pittsburg, probably of the Huron race, leaving no monument but a name to the Guyandot River of Western Virginia, were subjugated and destroyed. In the east and in the west, from the Kennebec to the Mississippi, the Abenakis as well as the Miamis and the remoter Illinois, could raise no barrier against the invasions of the Iroquois but by alliances with the French



But the Five Nations had defied a prouder enemy. At the commencement of the administration of Dongan, the European population of New France, which, in 1679, amounted to eight thousand five hundred and fifteen souls, may have been a little more than ten thousand; the number of men capable of bearing arms was perhaps three thousand, about the number of warriors of the Five Nations. But the Iroquois were freemen; New France suffered from despotism and monopoly. The Iroquois recruited their tribes by adopting captives of foreign nations; New France was sealed against the foreigner and the heretic. For nearly fourscore years, hostilities had prevailed, with few interruptions. Thrice did Champlain invade the country of the Mohawks, till he was driven with wounds and disgrace from their wilderness fastnesses. The Five Nations, in return, at the period of the massacre in Virginia, attempted the destruction of New France. Though repulsed, they continued to defy the province and its allies, and, under the eyes of its governor, openly intercepted canoes destined for Quebec. The French authority was not confirmed by founding a feeble outpost at Montreal; and Fort Richelieu, at the mouth of the Sorel, scarce protected its immediate environs. Negotiations for peace led to no permanent result; and even the influence of the Jesuit missionaries, the most faithful, disinterested, and persevering of their order, could not permanently restrain the sanguinary vengeance of the barbarians. The Iroquois warriors scoured every wilderness to lay it still more waste; they thirsted for the blood of the few men who roamed over the regions between Huron, Erie, and Ontario. Depopulating the whole country on the Outáwa, they obtained an acknowledged superiority

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1676

1609

to

1615

1622

1623

1637

1640

1642.

1645

1649

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over New France, mitigated only by commercial relations of the French traders with the tribes that dwelt farthest from the Hudson. The colony was still in perpetual danger ; and Quebec itself was besieged.

To what use a winter's invasion of the country of the Mohawks? The savages disappeared, leaving their European adversaries to war with the wilderness.

By degrees the French made firmer advances ; and a fort built at the outlet of Ontario, for the purpose, as was pretended, of having a convenient place for treaties, commanded the commerce of the lake

We have seen the Mohawks brighten the covenant chain that bound them to the Dutch. The English, on recovering the banks of the Hudson, confirmed, without delay, the Indian alliance, and, by the confidence with which their friendship inspired the Iroquois, increased the dangers that hovered over New France.

The ruin which menaced Canada gave a transient existence to a large legislative council ; and an assembly of *notables* was convoked by De la Barre, the governor-general, to devise a remedy for the ills under which the settlements languished. It marks the character of the colonists, that, instead of demanding civil franchises, they solicited a larger garrison from Louis XIV.

The governor of New York had been instructed to preserve friendly relations with the French ; but Donagan refused to neglect the Five Nations. From the French traders who were restrained by a strict monopoly, the wild hunters of beaver turned to the English, who favored competition ; and their mutual ties were strengthened by an amnesty of past injuries.

Along the war-paths of the Five Nations, down the

Susquehannah, and near the highlands of Virginia, the proud Oneida, Onondaga, and Cayuga warriors had left bloody traces of their presence. The impending struggle with New France quickened the desire of renewing peace with the English; and the deputies from the Mohawks and the three offending tribes, soon joined by the Senecas, met the governors of New York and Virginia at Albany.

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XVII.1684  
July  
13.

To the complaints and the pacific proposals of Lord Howard of Effingham, Cadianne, the Mohawk orator, replied:—

Colden

July  
14

“Sachem of Virginia, and you, Corlaer, sachem of New York, give ear, for we will not conceal the evil that has been done.” The orator then rebuked the Oneidas, Onondagas, and Cayugas, for their want of faith, and gave them a belt of wampum, to quicken their memory. Then, turning to Effingham, he continued:—

“Great sachem of Virginia, these three beaver-skins are a token of our gladness that your heart is softened; these two of our joy, that the axe is to be buried. We are glad that you will bury in the pit what is past. Let the earth be trod hard over it; let a strong stream run under the pit, to wash the evil away out of our sight and remembrance, so that it never may be digged up.

“You are wise to keep the covenant-chain bright as silver; and now to renew it and make it stronger. These nations are chain-breakers; we Mohawks”—as he spoke he gave two beavers and a raccoon—“we Mohawks have kept the chain entire. The covenant must be preserved; the fire of love of Virginia and Maryland, and of the Five Nations, burns in this place: this house of peace must be kept clean. We plant a tree whose top shall touch the sun, whose branches

CHAP. shall be seen afar. We will shelter ourselves under it,  
 XVII. and live in unmolested peace.”

1684. At the conclusion of the treaty, each of the three offending nations gave a hatchet to be buried. “We bury none for ourselves,” said the Mohawks, “for we have never broken the ancient chain.”

The axes were buried, and the offending tribes in noisy rapture chanted the song of peace.

Aug. “Brother Corlaer,” said a chief for the Onondagas  
 2 and Cayugas, “your sachem is a great sachem; and we are a small people. When the English came first to Manhattan, to Virginia, and to Maryland, they were a small people, and we were great. Because we found you a good people, we treated you kindly, and gave you land. Now, therefore, that you are great and we small, we hope you will protect us from the French. They are angry with us because we carry beaver to our brethren.”

Aug. The envoys of the Senecas soon arrived, and expressed their delight, that the tomahawk was already buried, and all evil put away from the hearts of the English sachems. On the same day, a messenger from De la Barre appeared at Albany. But his complaints were unheeded. “We have not wandered from our paths,” said the Senecas. “But when Onondio, the sachem of Canada, threatens us with war, shall we run away? Shall we sit still in our houses? Our beaver-hunters are brave men, and the beaver-hunt must be free.” The sachems returned to nail the arms of the duke of York over their castles—a protection, as they thought, against the French—an acknowledgment, as the English deemed, of British sovereignty.

Meantime the rash and confident De la Barre, with six hundred French soldiers, four hundred Indian allies,

four hundred carriers, and three hundred men for a garrison, advanced to the fort which stood near the outlet of the present Rideau Canal. But the unhealthy exhalations of August on the marshy borders of Ontario disabled his army; and, after crossing the lake, and disembarking his wasted troops in the land of the Onondagas, he was compelled to solicit peace from the tribes whom he had designed to exterminate. The Mohawks, at the request of the English, refused to negotiate, but the other nations, jealous of English supremacy, desired to secure independence by balancing the French against the English. An Onondaga chief called Heaven to witness his resentment at English interference. "Onondio," he proudly exclaimed to the envoy of New York, "Onondio has for ten years been our father; Corlaer has long been our brother. But it is because we have willed it so. Neither the one nor the other is our master. He who made the world gave us the land in which we dwell. We are free. You call us subjects; we say we are brethren; we must take care of ourselves. I will go to my father, for he has come to my gate, and desires to speak with me words of reason. We will embrace peace instead of war; the axe shall be thrown into a deep water."

The deputies of the tribes repaired to the presence of De la Barre to exult in his humiliation. "It is well for you," said the eloquent Haaskouaun, rising from the calumet, "that you have left under ground the hatchet which has so often been dyed in the blood of the French. Our children and old men had carried their bows and arrows into the heart of your camp, if our braves had not kept them back.—Our warriors have not beaver enough to pay for the arms we have taken from the French; and our old men are not afraid of

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1684

La Hon-  
tan.

CHAP. war.—We may guide the English to our lakes. We are  
 XVII. born free. We depend neither on Onondio nor Corlaer.”

1684. Dismayed by the energy of the Seneca chief, the governor of Canada accepted a disgraceful treaty, leaving his allies at the mercy of their enemies.

Meantime fresh troops arrived from France, and De la Barre was superseded by Denonville, an officer whom Charlevoix extols as possessing, in a sovereign degree, every quality of a perfectly honorable man. His example, it is said, made virtue and religion more  
 1685. respectable: his tried valor and active zeal were enhanced by prudence and sagacity. But blind obedience paralyzes conscience and enslaves reason; and quiet pervaded neither the Five Nations nor the English provinces.

For the defence of New France, a fort was to be  
 1686. established at Niagara. The design, which would have  
 May. controlled the entire fur-trade of the Upper Lakes, was resisted by Dongan; for, it was said, the country south of the lakes, the whole domain of the Iroquois, is subject to England. Thus began the long contest for territory in the west. The limits between the English and French never were settled; but, for the present,  
 May 22. the Five Nations of themselves were a sufficient bulwark against encroachments from Canada, and in the summer of 1686, a party of English traders penetrated even to Michilimackinac.

The gentle spirit which swayed William Penn at Shackamaxon did not find its way into the voluptuous councils of Versailles. “The welfare of my service”—such were the instructions of Louis XIV. to the governor of New France—“requires that the number of the Iroquois should be diminished as much as possible. They are strong and robust, and can be made useful

as galley-slaves. Do what you can to take a large number of them prisoners of war, and ship them for France." By open hostilities, no captives could be made; and Lamberville, the missionary among the Onondagas, was unconsciously employed to decoy the Iroquois chiefs into the fort on Ontario. Invited to negotiate a treaty, they assemble without distrust, are surprised, put in irons, hurried to Quebec, and thence to Europe, and the warrior hunters of the Five Nations, who used to roam from Hudson's Bay to Carolina, were chained to the oar in the galleys of Marseilles. But the counsels of injustice are always fearfully avenged; and the sins of the fathers are jealously visited on the children unto the third and fourth generation. We shall hereafter have occasion to pursue the maritime destinies of a monarchy of which the fleets employed slaves for mariners.

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1687

Meantime the old men of the Onondagas summoned Lamberville to their presence. "We have much reason," said an aged chief, "to treat thee as an enemy, but we know thee too well. Thou hast betrayed us; but treason was not in thy heart. Fly, therefore, for when our young braves shall have sung their war-song, they will listen to no voice but the swelling voice of their anger." And trusty guides conducted the missionary through by-paths into a place of security. The noble forbearance was due to the counsel of Garon-konthié. Generous barbarian! your honor shall endure, if words of mine can preserve the memory of your deeds.

Charle-  
voix,  
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An incursion into the country of the Senecas followed. The savages retired into remoter forests; of the country which was overrun without resistance, possession was taken by the French, and a fort erected

CHAP. XVII. at Niagara. France seemed to have gained firm possession of Western New York. But as the French army withdrew, the wilderness remained to its old inhabitants. The Senecas in their turn made a descent upon their still feebler enemy; and the Onondagas threatened war. "Onondio has stolen our sachems; he has broken," said they, "the covenant of peace;" and Dongan, at the solicitation of the French, offered himself as mediator, but only on condition that the kidnapped chiefs should be ransomed, the fort in the Iroquois country razed, and the spoils of the Senecas restored.

1688. The negotiations fail; and Haaskouaun advances with five hundred warriors to dictate the terms of peace. "I have always loved the French," said the proud chieftain to the foes whom he scorned. "Our warriors proposed to come and burn your forts, your houses, your granges, and your corn; to weaken you by famine, and then to overwhelm you. I am come to tell Onondio he can escape this misery, if within four days he will yield to the terms which Corlaer has proposed."

Twelve hundred Iroquois were already on Lake St. Francis; in two days they could reach Montreal. The haughty condescension of the Seneca chief was accepted, the ransom of the Iroquois chiefs conceded, and the whole country south of the chain of lakes rescued from the dominion of Canada. In the course of events, New York owes its present northern boundary to the valor of the Five Nations. But for them Canada would have embraced the basin of the St. Lawrence.

Charle-voix,  
529.

1686 During these events, James II. had, in a treaty with Louis XIV., made it a condition of amity between the colonies of the two states, that neither should assist the



indian tribes with whom the other might be at war. Thus did the king of England ignorantly abandon his allies. Yet, with all his faults, James II. had a strong sentiment of English nationality; and, in consolidating the northern colonies, he hoped to engage the energies of New England in defence of the whole English frontier.

CHAP  
XVII.

The alarm of Massachusetts at the loss of its charter had been increased by the news that Kirke, afterwards infamous for military massacres in the West of England, was destined for its governor. It was a relief to find that Joseph Dudley, a degenerate son of the colony, was intrusted for a season with the highest powers of magistracy over the country from Narragansett to Nova Scotia. The general court, in session at his arrival, and unprepared for open resistance, dissolved their assembly, and returned in sadness to their homes. The charter government was publicly displaced by the arbitrary commission, popular representation abolished, and the press subjected to the censorship of Randolph.

1686  
May  
15.

May  
25.

Nov  
29.

At last, Sir Edmund Andros, glittering in scarlet and lace, landed at Boston, as governor of all New England. How unlike Penn at Newcastle! He was authorized to remove and appoint members of his council, and, with their consent, to make laws, lay taxes, and control the militia of the country. He was instructed to tolerate no printing-press, to encourage Episcopacy, and to sustain authority by force. From New York came West as secretary; and in the council, four subservient members, of whom but one was a New England man, alone commanded his attention. The other members of the council formed a fruitless but united opposition. "His excellency," said Randolph, "has to do with a perverse people."

Dec.  
20.

CHAP.  
XVII.

Cotton  
Mather.

A series of measures followed, the most vexatious and tyrannical to which men of English descent were ever exposed. "The wicked walked on every side; and the vilest men were exalted." As agents of James II., they established an arbitrary government; as men in office, they coveted large emoluments.

Lambeth  
MSS.  
841.

The schools of learning, formerly so well taken care of, were allowed to go to decay. The religious institutions were impaired by abolishing the methods of their support. "It is pleasant," said the foreign agents of tyranny, "to behold poor coblers and pitiful mechanics, who have neither home nor land, strutting and making noe mean figure at their elections, and some of the richest merchants and wealthiest of the people stand by as insignificant cyphers;" and therefore a town-meeting was allowed only for the choice of town officers. The vote by ballot was rejected. To a committee from Lynn, Andros said plainly, "There is no such thing as a town in the whole country." To assemble in town-meeting for deliberation was an act of sedition or a riot.

1688.  
Mar.  
16.

Personal liberty and the customs of the country were disregarded. None might leave the country without a special permit. Probate fees were increased almost twenty fold. "West," says Randolph,—for dishonest men betray one another,—“extorts what fees he pleases, to the great oppression of the people, and renders the present government grievous.” To the scrupulous Puritans, the idolatrous custom of laying the hand on the Bible, in taking an oath, operated as a widely-disfranchising test.

1686.  
Dec.

The Episcopal service had never yet been performed within Massachusetts Bay, except by the chaplain of the hated commission of 1665. Its day of liberty was come. Andros demanded one of the meeting-houses

for the church. The wrongs of a century crowded on the memories of the Puritans as they answered, "We cannot with a good conscience consent." Goodman Needham declared he would not ring the bell; but at the appointed hour the bell rung; and the love of liberty did not expire, even though, in a Boston meeting-house, the Common Prayer was read in a surplice. By-and-by, the people were desired to contribute towards erecting a church. "The bishops," answered Sewall, and wisely, "would have thought strange to have been asked to contribute towards setting up New England churches."

CHAP.  
XVII.1687  
Mar.  
25.1688.  
June  
23.

At the instance and with the special concurrence of James II., a tax of a penny in the pound, and a poll-tax of twenty pence, with a subsequent increase of duties, were laid by Andros and his council. The towns generally refused payment. Wilbore, of Taunton, was imprisoned for writing a protest. To the people of Ipswich, in town-meeting, John Wise, the minister who used to assert, "Democracy is Christ's government in church and state," advised resistance.—"We have," said he, "a good God and a good king; we shall do well to stand to our privileges."—"You have no privilege," answered one of the council, after the arraignment of Wise and the selectmen, "you have no privilege left you but not to be sold as slaves."—"Do you believe," demanded Andros, "Joe and Tom may tell the king what money he may have?" The writ of habeas corpus was withheld. The prisoners pleaded Magna Charta. "Do not think," replied one of the judges, "the laws of England follow you to the ends of the earth." And in his charge to the packed jury, Dudley spoke plainly, "Worthy gentlemen, we expect a good verdict from you." The verdict followed; and after imprisonment came heavy fines and partial disfranchisements.

1687.  
March  
3.Aug.  
23.Felt,  
123, 124.  
125.

CHAP.  
XVII.

Oppression threatened the country with ruin ; and the oppressors, quoting an opinion current among the mercantile monopolists of England, answered without disguise, " It is not for his majesty's interest you should thrive."

1687.  
1688.

The taxes, in amount not grievous, were for public purposes. But the lean wolves of tyranny were themselves hungry for spoils. In 1680, Randolph had hinted that " the Bostoneers have no right to government or land, but are usurpers." It was the intention of King James, that " their several properties, according to their ancient records," should be granted them ; the fee for the grants was the excuse for extortion.

Mather.

" All the inhabitants," wrote Randolph, exultingly, " must take new grants of their lands, which will bring in vast profits." Indeed there was not money enough in the country to have paid the exorbitant fees which were demanded.

The colonists pleaded their charter ; but grants under the charter were declared void by its forfeiture.—Lynde, of Charlestown, produced an Indian deed. It was pronounced " worth no more than the scratch of a bear's paw." Lands were held, not by a feudal tenure, but under grants from the general court to towns, and from towns to individuals. The town of Lynn produced its records ; they were slighted " as not worth a rush." Others pleaded possession and use of the land. " You take possession," it was answered, " for the king."—" The men of Massachusetts did much quote Lord Coke ;" but, defeated in argument by Andros, who was a good lawyer, John Higginson, minister of Salem, went back from the common law of England to the book of Genesis, and, remembering that God gave the earth to the sons of Adam to be subdued and

Iam-  
beth  
MSS.  
841.

Revolution in  
N E. 18,  
19.

replenished, declared, that the people of New England held their lands "by the grand charter from God." And Andros, incensed, bade him approve himself "a subject or a rebel." The lands reserved for the poor, generally all common lands, were appropriated by favorites; writs of intrusion were multiplied; and fees, amounting, in some cases, to one fourth the value of an estate, were exacted for granting a patent to its owner. A selected jury offered no relief. "Our condition," said Danforth, "is little inferior to absolute slavery;" and the people of Lynn afterwards gave thanks to God for their escape from the worst of bondage "The governor invaded liberty and property after such a manner," said the temperate Increase Mather, "as no man could say any thing was his own."

CHAP  
XVII.1688  
Oct.  
22.

The jurisdiction of Andros had, from the first, comprehended all New England. Against the charter of Rhode Island a writ of *quo warranto* had been issued. The judgment against Massachusetts left no hope of protection from the courts, submissive to the royal will; and the Quakers, acting under instructions from the towns, resolved not "to stand suit," but to appeal to the conscience of the king for the "privileges and liberties granted by Charles II., of blessed memory." Flowers were strown on the tomb of Nero; and the colony of Rhode Island had cause to bless the memory of Charles II. Soon after the arrival of Andros, he demanded the surrender of the charter. Walter Clarke, the governor, insisted on waiting for "a fitter season." Repairing to Rhode Island, Andros dissolved its government and broke its seal; five of its citizens were appointed members of his council, and a commission, irresponsible to the people, was substituted for the suspended system of freedom. That the magistrates levied moderate taxes,

1686  
May 5,  
MS.  
RecordsChal-  
mers,  
421.1687  
Jan.  
12.

CHAP. payable in wool or other produce, is evident from the  
 XVII. records. It was pretended that the people of Rhode  
 Island were satisfied, and did not so much as petition  
 for their charter again.

1687. In the autumn of the same year, Andros, attended  
 Oct. by some of his council, and by an armed guard, set  
 26. forth for Connecticut, to assume the government of  
 Sewall's MSS. that place. How unlike the march of Hooker and his  
 peaceful flock! Dongan had in vain solicited the  
 people of Connecticut to submit to his jurisdiction;  
 yet they desired, least of all, to hazard the continuance  
 of liberty on the decision of the dependent English  
 courts. On the third writ of *quo warranto*, the colony,  
 in a petition to the king, asserted its chartered rights,  
 yet desired, in any event, rather to share the fortunes  
 of Massachusetts than to be annexed to New York.

Oct. Andros found the assembly in session, and demanded  
 31. the surrender of its charter. The brave Governor

Trum-  
 bull

Treat pleaded earnestly for the cherished patent, which  
 had been purchased by sacrifices and martyrdoms, and  
 was endeared by halcyon days. The shades of evening  
 descended during the prolonged discussion; an anxious  
 crowd of farmers had gathered to witness the debate.  
 The charter lay on the table. Of a sudden, the lights  
 are extinguished; and, as they are rekindled, the charter  
 has disappeared. Joseph Wadsworth, of Hartford,  
 stealing noiselessly through the opening crowd, con-  
 cealed the precious parchment in the hollow of an oak,  
 which was older than the colony, and long remained  
 to confirm the tale. Meantime Andros assumed the  
 government, selected councillors, and, demanding the  
 records of Connecticut, to the annals of its freedom set  
 the word FINIS. Should Connecticut resist, and alone  
 declare independence? The colonists submitted; yet

Hin-  
 man,  
 172

their consciences were afterwards "troubled at their hasty surrender."

CHAP  
XVII.  
Sewall,  
MSS

If Connecticut lost its liberties, the eastern frontier was depopulated. An expedition against the French establishments, which have left a name to Castine, roused the passions of the neighboring Indians; and Andros, after a short deference to the example of Penn, made a vain pursuit of a retreating enemy, who had for their powerful allies the savage forests and the inclement winter. 1688

Not long after the first excursion to the east, the whole seaboard from Maryland to the St. Croix was united in one extensive despotism. The entire dominion, of which Boston, the largest English town in the New World, was the capital, was abandoned to Andros, its governor-general, and to Randolph, its secretary, with his needy associates. But the impoverished country disappointed avarice. The eastern part of Maine had already been pillaged by agents, who had been—it is Randolph's own statement—"as arbitrary as the Grand Turk;" and in New York also, there was, as Randolph expressed it, "little good to be done," for its people "had been squeezed dry by Dongan." But, on the arrival of the new commission, Andros hastened to the south to supersede his hated rival, and assume the government of New York and New Jersey. July. Hutch. Coll. 564 July 30. Sewall MSS.

The spirit which led forth the colonies of New England, kept their liberties alive; in the general gloom, the ministers preached sedition, and planned resistance. Once at least, to the great anger of the governor, they put by thanksgiving; and at private fasts they besought the Lord to repent himself for his servants, whose power was gone. The enlightened 1687 1688 Sewall MSS

CHAP  
XVII.

1688

Moody refused to despair, confident that God would yet "be exalted among the heathen."

On the Lord's day, which was to have been the day of thanksgiving for the queen's pregnancy, the church was much grieved at the weakness of Allen, who, from the literal version of the improved Bay Psalm Book, gave out,—

|                                   |                                |
|-----------------------------------|--------------------------------|
| "Jehovah, in thy strength         | The king shall joyful be,      |
| And joy in thy salvation,         | How vehemently shall hee!      |
| Thou granted hast to him          | That which his heart desired,  |
| And thou hast not withholden back | That which his lips required." |

But Willard, while, before prayer, he read, among many other notices, the occasion of the governor's gratitude, and, after Puritan usage, interceded largely for the king, "otherwise altered not his course one jot," and, as the crisis drew near, goaded the people with the text, "Ye have not yet resisted unto blood, warring against sin."

Yet desperate measures were postponed, that one of the ministers might make an appeal to the king; and Increase Mather, escaping the vigilance of Randolph, was already embarked on the dangerous mission for redress. But relief came from a revolution of which the influence was to pervade the European world.

1660

to  
1688.

On the restoration of Charles II., the Puritan or republican element lost all hope of gaining dominion; and the history of England, during its next period, is but the history of the struggle for a compromise between the republican and the monarchical principle. The contest for freedom was continued, yet within limits so narrow as never to endanger the existence, or even question the right, of monarchy itself. The people had attempted a democratic revolution, and had failed; it was now willing to wait and watch the



movements of the property of the country, and, no longer struggling to control events, ranged itself generally, yet without enthusiasm, on the side of the more liberal and tolerant party of the aristocracy.

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XVII.

The ministry of Clarendon, the first after the restoration, acknowledged the indefeasible sovereignty of the king, and sought in the prelates and high nobility the natural allies to the royal prerogative. Its policy, not destitute of honest nationality, nor wholly regardless of English liberties, yet renewed intolerance, and, while it respected a balance of powers, claimed the preponderance for the monarch. But twenty years of freedom had rendered the dominion of the Church of England impossible. England was dissatisfied; ceasing to desire a republic, she still demanded greater security for freedom. But as no general election for parliament was held, a change of ministry could be effected only by a faction within the palace. The royal council sustained Clarendon; the rakes about court, railing at his moroseness, echoed the popular clamor against him. His overthrow "was certainly designed in Lady Castlemaine's chamber;" and, as he retired at noonday from the audience of dismissal, she ran undressed from her bed into her aviary, to enjoy the spectacle of the fallen minister, and "bless herself, at the old man's going away." The gallants of Whitehall crowded to "talk to her in her bird-cage."—"You," said they to her, as they glanced at the retiring chancellor, "you are the bird of passage."

1660  
to  
1667

Pepys.

The administration of the king's cabal followed. England had demanded a liberal ministry; it obtained a dissolute one: it had demanded a ministry not enslaved to prelacy; it obtained one indifferent to all religion, and careless of every thing but pleasure. Buckingham, the noble buffoon at its head, debauched other men's

1668  
to  
1671

CHAP. XVII. wives, fought duels, and kept about him a train of voluptuaries; but he was not, like Clarendon, a tory by system; far from building up the exclusive Church of England, he ridiculed bishops as well as sermons; and when the Quakers went to him with their hats on, to discourse on the equal rights of every conscience, he told them, that he was at heart in favor of their principle. English honor was wrecked; English finances became bankrupt; but the progress of the nation towards internal freedom was no longer opposed with steadfast consistency; and England was better satisfied than it had been with the wise and virtuous Clarendon.

Penn.

As the tendency of the cabal became apparent, a new division necessarily followed: the king was surrounded by men who still desired to uphold the prerogative, and stay the movement of the age; while Shaftesbury, always consistent in his purpose, "unwilling to hurt the king, yet desiring to keep him tame in a cage;" averse to the bishops, because the bishops would place prerogative above liberty; averse to democracy, because democracy would substitute freedom for privilege,—in organizing a party, afterwards known as the whig party, suited himself to the spirit of the times. It was an age of progress towards liberty of conscience; Shaftesbury favored toleration: it was an age when the vast increase of commercial activity claimed for the moneyed interest an influence in the government; Shaftesbury always lent a willing ear to the merchants. Commerce and Protestant toleration were the elements of his power over the public mind. He did not so much divide dominion with the merchants and the Presbyterians, as act as their patron; having himself for his main object to keep "the bucket" of the aristocracy from sinking. The declaration of in-

1671  
to  
1673.  
North.

Locks.

1672

dulgence, an act of high prerogative, yet directed against the friends of prerogative, was his measure. Immediately freedom of conscience awakened in English industry unparalleled energies, and Shaftesbury, the skeptic chancellor, was eulogized as the savior of religion. Had the king been firm, the measure would probably have succeeded. The king wavered; for he feared the dissenters: the Presbyterians wavered also; for how could they be satisfied with relief dependent on the royal pleasure? The seal of the declaration was broken in the king's presence; and Shaftesbury, confiding no longer in the favor of his fickle sovereign, courted a popular party by securing the passage of a test act against Papists, and advocating with power a bill for the ease of Protestant dissenters. Shaftesbury fell. 1673

CHAP  
XVIIPenn,  
iii. 212,  
213.

Under the Lord Treasurer Danby, the old Cavaliers recovered power. It was the day for statues to Charles I., and new cathedrals. To win strength for his party from the favor of Protestant opinion, Danby avowed his willingness to aid in crushing Popery, and he gave his influence to the Popish plot. But Shaftesbury was already sure of the merchants and dissenters. "Let the treasurer," exclaimed the fallen chancellor, "cry as loud as he pleases; I will cry a note louder, and soon take his place at the head of the plot;" and, indifferent to perjuries and judicial murders, he was successful. In the subservient house of commons, there were many corrupt members who would never have been elected but in the first fit of loyalty at the restoration. Danby preferred the unfitness of a perpetual parliament to the hazard of a new election, and, by pensions and rewards, purchased the votes of the profligate. But knavery has a wisdom of its own; the

1673  
to  
1679

CHAP. XVII.  
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 1679. profligate members had a fixed maxim, never to grant
 Jan. so much at once that they should cease to be wanted ;
 24. and, discovering the intrigues of Danby for a permanent
 revenue from France, they were honorably true to na-
 tionality, and true also to the base instinct of selfishness,
 they impeached the minister. To save the minister,
 this longest of English parliaments was dissolved.

When, after nineteen years, the people of England
 were once more allowed to elect representatives, the
 great majority against the court compelled a reorgani-
 zation of the ministry ; and, by the force of public
 opinion, and of parliament, Shaftesbury, whom, for his
 mobility and his diminutive stature, the king called
 April Little Sincerity, compelled the reluctant monarch to
 21. appoint him lord president of the council. The event
 is an era in English history. Ministers had been im-
 peached and driven from office by the commons. It
 is the distinction of Shaftesbury, that he was the first
 statesman to attain the guidance of a ministry through
 parliament by means of an organized party, and against
 the wishes of the king. In the cabinet, the bill of ex-
 clusion of the duke of York from the succession was
 demanded ; a bill for that purpose was introduced into
 the house of commons ; and it was observed, that the
 young men cried up every measure against the duke ;
 James, “ like so many young spaniels, that run and bark at
 i. 548. every lark that springs.”—“ The axe,” wrote Charles,
 “ is laid to the root ; and monarchy must go down too,
 or bow exceeding low before the almighty power of
 parliament ;” and just after Shaftesbury, who, as
 James, chancellor, had opened the prison-doors of Bunyan,
 i. 551. now, as president of the council, had procured the
 Mackin- passage of the habeas corpus act, the commons were
 tosh. 1679. prorogued and dissolved. Shaftesbury was displaced,
 James, ii. 621. May
 27.

and henceforward the councils of the Stuarts inclined to absolutism.

CHAP.
XVII.

Immediately universal agitation roused the spirit of the nation. Under the influence of Shaftesbury's genius, on Queen Elizabeth's night, a vast procession, bearing devices and wax figures representing nuns and monks, bishops in copes and mitres, and also—it should be observed, for it proves how much the Presbyterians were courted—bishops in lawn, cardinals in red caps, and, last of all, the pope of Rome, side by side in a litter with the devil, moved through the streets of London, under the glare of thousands of flambeaux, and in the presence of two hundred thousand spectators; the disobedient Monmouth was welcomed with bonfires and peals of bells; a panic was created, as if every Protestant freeman were to be massacred, every wife and daughter to be violated; the kingdom was divided into districts among committees to procure petitions for a parliament, one of which had twenty thousand signatures, and measured three hundred feet; and at last the most cherished Anglo-Saxon institution was made to do service, when Shaftesbury, proceeding to Westminster, represented to the grand jury the mighty dangers from Popery, indicted the duke of York as a recusant, and reported the duchess of Portsmouth, the king's new mistress, as "a common neusance." The extreme agitation was successful; and in two successive parliaments, in each of which men who were at heart dissenters had the majority, the bill for excluding the duke of York was passed by triumphant votes in the house of commons, and defeated only by the lords and the king.

Penn.
III. 181
1679
Oct. 5

Dryden.

1680
June
16.

1680
Oct.
and
1681
Mar.

Penn

But the public mind, firm, even to superstition, in its respect for hereditary succession, was not ripe for

CHAP.
XVII.

1681.
March
21 to
27.

the measure of exclusion. After less than a week's session, Charles II. dissolved the last parliament of his reign, and appealed to the people against his enemies. To avoid the charge of despotism, he still hanged a Papist whom he knew to be innocent ; and his friends declared him to have no other purpose than to resist the arbitrary sway of "a republican prelacy," and the installation of the multitude in the chair of infallibility. The ferocious intolerance which had sustained the Popish plot, lost its credit ; men dreaded anarchy and civil war more than they feared the royal prerogative.

The king had already exercised the power of restricting the liberty of the press ; through judges, who held places at his pleasure, he was supreme in the courts ; omitting to convoke parliament, he made himself irresponsible to the people ; pursuing a judicial warfare against city charters and the monopolies of boroughs, he reformed many real abuses, but, at the same time, subjected the corporations to his influence. Controlling the appointment of sheriffs, he controlled the nomination of juries ; and thus, in the last three or four years of the reign of King Charles II., the government of England was administered as an absolute monarchy. An "association" against the duke of York could not succeed among a calculating aristocracy, as the Scottish covenant had done among a faithful people ; and, on its disclosure and defeat, the voluntary exile of Shaftesbury excited no plebeian regret. No deep popular indignation attended Russel to the scaffold ; and on the day on which the purest martyr to aristocratic liberty laid his head on the block, the university of Oxford decreed absolute obedience to be the character of the Church of England, while parts of the writings of Knox, Milton, and Baxter, were pronounced

“false, seditious and impious, heretical and blasphemous, infamous to the Christian religion, and destructive of all government,” and were therefore ordered to be burnt. Algernon Sidney followed to the scaffold.

CHAP.
XVII.

1688.
Dec. 7

Thus liberty, which excited loyalty, at the restoration, banished from among the people, made its way through rakes and the king's mistress into the royal councils. Driven from the palace, it appealed to parliament and the people, and won power through the fierzied antipathy to Roman Catholics. Exiled from parliament by their dissolution, from the people by the ebb of excitement, it concealed itself in an aristocratic association and a secret aristocratic council. Chased from its hiding-place by disclosures and executions, and having no hope from parliament, people, the press, the courts of justice, the king, it left the soil of England, and fled for refuge to the country of the prince of Orange.

How entirely monarchy had triumphed in England, 1685. appeared on the death of Charles II. His brother, whom the commons, in three successive parliaments, had desired to exclude, ascended the throne without opposition, continued taxes by his prerogative, easily suppressed the insurrection of Monmouth, convened a parliament, under the new system of charters, so subservient, that it bowed its back to royal chastisement; while the “Presbyterian rascals,” the troublesome Calvinists, who, from the days of Edward VI., had kept English liberty alive, were consigned to the courts of law. “Richard,” said Jefferies to Baxter, “Richard, thou art an old knave; thou hast written books enough to load a cart, every one as full of sedition as an egg is full of meat. I know thou hast a mighty party, and a great many of the brotherhood are waiting in corners

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XVII.

to see what will become of their mighty Don ; but, by the grace of Almighty God, I'll crush you all ;" and the docile jury found " the main incendiary " guilty of sedition. Faction had ebbed ; " rogues " had grown out of fashion ; there was nothing left for them but to " thrive in the plantations " of our America, and learn, said the royalists,

" How Pennsylvania's air agrees with Quakers,
And Carolina's with Associators ;
Both e'en too good for madmen and for traitors.
Truth is, the land with saints is so run o'er,
And every age produces such a store,
That now there's need of two New Englands more."

But the tide of liberty was still swelling, and soon wafted the " saints," and " rogues," and " rascals," to their deliverance.

To understand fully the revolution which followed, it must be borne in mind, that the great mass of dissenters were struggling for liberty ; but, checked by the memory of the disastrous issue of the previous revolution, they ranged themselves, with deliberate moderation, under the more liberal party of the aristocracy. Of Cromwell's army, the officers had been, " for the most part, the meanest sort of men, even brewers, cobblers, and other mechanics ;" recruits for the camp of William of Orange were led by bishops and the high nobility. There was a vast popular movement, but it was subordinate ; the proclamation of the prince took notice of the people only as " followers " of the gentry. Yet the revolution of 1688 is due to the dissenters quite as much as to the whig aristocracy ; to Baxter hardly less than to Shaftesbury. It is the consummation of the collision which, in the days of Henry VIII. and Edward, began between the Churchmen and the Puri-

tans, between those who invoked religion on the side of passive obedience, and those who esteemed religion superior to man, and held resistance to tyranny a Christian duty. If the whig aristocracy looked to the stadtholder of aristocratic Holland as the protector of their liberties, Baxter and the Presbyterians saw in William the Calvinist their tolerant avenger.

Of the two great aristocratic parties which led the politics of England, both respected the established British constitution. But the tory opposed reform, and leaned to the past; he defended his privileges against the encroachments of advancing civilization. The bishops, claiming for themselves a divine right by direct succession, were his natural allies; and to assert the indefeasible rights of the bishops, of the aristocracy, and of the king, against dissenters, republicans, and whigs, was his whole purpose.

The whigs were also a party of the aristocracy, bent on the preservation of their privileges against the encroachments of the monarch. In an age that demanded liberty, the whigs, scarce proposing new enfranchisements, gathered up every liberty, feudal or popular, known to English law, and sanctioned by the fictitious compact of prescription. In a period of progress in the enfranchisement of classes, they shared political influence with the merchants and bankers; in an age of religious sects, they embraced the more moderate and liberal of the Church of England, and those of the dissenters whose dissent was the least glaring; in an age of speculative inquiry, they favored freedom of the press. How vast was the party, is evident, since it cherished among its numbers men so opposite as Shaftesbury and Sidney, as Locke and Baxte

These two parties embraced almost all the wea.cn

CHAP.
XVII.

Penn.

and learning of England. But there was a third party of those who were pledged to "seek, and love, and chuse the best things." They insisted that all penal statutes and tests should be abolished; that, for all classes of nonconformists, whether Roman Catholics or dissenters, for the plebeian sects, "the less noble and more clownish sort of people," "the unclean kind," room should equally be made in the English ark; that the Church of England, content with its estates, should give up jails; whips, halters, and gibbets, and cease to plough the deep furrows of persecution; that the concession of equal freedom would give strength to the state, security to the prince, content to the multitude, wealth to the country, and would fit England for its office of asserting European liberty against the ambition of France; that reason, natural right, and public interest, demanded a glorious magna charta for intellectual freedom, even though the grant should be followed by "a dissolution of the great corporation of conscience." These were the views which were advocated by William Penn against what he calls "the prejudices of his times;" and which overwhelmed his name with obloquy as a friend to tyranny and a Jesuit priest in disguise.

1685,
1686.

But the easy issue of the contest grew out of a division in the monarchical party itself. James II. could not comprehend the value of freedom, or the obligation of law. The writ of habeas corpus he esteemed inconsistent with monarchy, and "a great misfortune to the people." A standing army, and the terrors of corrupt tribunals, were his dependence; the pupil of Turenne delighted in military parades; the Catholic convert, swayed by his confessor, dispensed with the laws, multiplied Catholic chapels, rejoiced in

the revocation of the edict of Nantz, and sought to intrust civil and military power to the hands of Roman Catholics. CHAP
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The bishops had unanimously voted against his exclusion; and, as the badge of the Church of England was obedience, he for a season courted the alliance of "the fairest of the spotted kind," the only tolerable Protestant sect. To win her favor for Roman Catholics, he was willing to persecute Protestant dissenters. This is the period of the influence of Rochester.

The Church of England refused the alliance. The king would now put no confidence in any zealous Protestant; he applauded the bigotry of Louis XIV., from whom he solicited money. "I hope," said he, "the king of France will aid me, and that we together shall do great things for religion;" and the established church became the object of his implacable hatred. "Her day of grace was past." The royal favor was withheld, that it might silently waste and dissolve like snows in spring. To diminish its numbers, and apparently from no other motive, he granted—what Sunderland might have done from indifference, and Penn from love of justice—equal franchises to every sect; to the powerful Calvinist and to the "puny" Quaker, to Anabaptists and Independents, and "all the wild increase" which unsatisfied inquiry could generate. The declaration of indulgence was esteemed a death-blow to the church, and a forerunner of the reconciliation of England to Rome. The established franchises of Oxford were invaded, that its rich endowments might be shared among the Catholics; the bishops were imprisoned, because they would not publish in their churches the declaration, of which the purpose was 1687
1688

their defeat; and, that the system of tyranny might be perpetuated, Heaven, as the monarch believed, blessed his pious pilgrimage to St. Winifred's Well, by the pregnancy of his wife and the birth of a son. The party of prerogative was trampled under foot; and, in their despair, they looked abroad for the liberty which they themselves had assisted to exile. The obedient Church of England set the example of rebellion. Thus are the divine counsels perfected. "What think you now of predestination?" demanded William, as he landed in England. Tories took the lead in inviting the prince of Orange to save the English church; the whigs joined to rescue the privileges of the nobility; the Presbyterians rushed eagerly into the only safe avenue to toleration; the people quietly acquiesced. King James was left alone in his palace. His terrified priests escaped to the continent; Sunderland was always false; his confidential friends betrayed him; his daughter Anne, pleading conscience, proved herself one of his worst enemies. "God help me," exclaimed the disconsolate father, bursting into tears, "my very children have forsaken me;" and his grief was increased by losing a piece of the true wood of the cross, that had belonged to Edward the Confessor. Paralyzed by the imbecility of doubt, and destitute of counsellors, the good soul fled beyond the sea, and gave up three kingdoms for a mass. Aided by falsehoods, the prince of Orange, without striking a blow, ascended the throne of his father-in-law, and Mary, by whose dishonest letters James was lulled into security, came over exultingly to occupy the throne, the palace, and the bed of her father, and sequester the inheritance of her brother.

Thus were the rights of Englishmen rescued from

danger ; thus did Protestant liberty, after a long struggle, achieve its triumph, and put an end forever to absolute power, in England, in the state and over mind.

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Nolumus leges Angliæ mutari blazed in golden letters on the standard of the rejoicing aristocracy, desiring to give immortality to their privileges. Humanity was present also, and rejoiced at the redemption of English liberties ; she reprovèd the unnatural conduct of daughters who drove their father into poverty and exile ; she sighed for the Roman Catholics who were oppressed, for the dissenters who were but tolerated ; and as, on the evening of the long struggle which had been bequeathed by Rogers and Hooper, and had lasted more than a century and a half, she selected a resting-place, it was but to gather strength, with the fixed purpose of renewing her journey on the dawn of morning.

The great news of the invasion of England, and the declaration of the prince of Orange, reached Boston on the fourth day of April, 1689. The messenger was immediately imprisoned ; but his message could not be suppressed ; and “ the preachers had already matured the evil design ” of a revolution. For the events that followed were “ not a violent passion of the rabble, but a long-contrived piece of wickedness.”

Lam
beth
MSS.
1025

“ There is a general buzzing among the people, great with expectation of their old charter, or they know not what ; ” such was the ominous message of Andros to Brockholst, with orders that the soldiers should be ready for action.

April
16.

About nine o'clock of the morning of the 18th, just as George, the commander of the *Rose* frigate, stepped on shore, Green and the Boston ship-carpenters gathered about him, and made him a prisoner. The town took the

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18.

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alarm. The royalist sheriff endeavored to quiet the multitude; and at once the multitude arrested him. They next hastened to the major of the regiment, and demanded colors and drums. He resisted; they threatened. The crowd increased; companies formed under Nelson, Foster, Waterhouse, their old officers; and already at ten they seized Bullivant, Foxcroft, and Ravenscraft. Boys ran along the streets with clubs; the drums beat: the governor, with his creatures, resisted in council, withdrew to the fort to desire a conference with the ministers and two or three more. The conference was declined. All the companies soon rallied at the town-house. Just then, the last governor of the colony, in office when the charter was abrogated, Simon Bradstreet, glorious with the dignity of fourscore years and seven, one of the early emigrants, a magistrate in 1630, whose experience connected the oldest generation with the new, drew near the town-house, and was received by a great shout from the freemen. The old magistrates were reinstated, as a council of safety; the whole town rose in arms, "with the most unanimous resolution that ever inspired a people;" and a Declaration, read from the balcony, defended the insurrection as a duty to God and the country. "We commit our enterprise," it was added, "to Him who hears the cry of the oppressed, and advise all our neighbors, for whom we have thus ventured ourselves, to join with us in prayers and all just actions for the defence of the land."

On Charlestown side, a thousand soldiers crowded together; and the multitude would have been larger if needed. The governor, vainly attempting to escape to the frigate, was, with his creatures, compelled to seek protection by submission; through

the streets where he had first displayed his scarlet coat and arbitrary commission, he and his fellows were marched to the town-house, and thence to prison.

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1689
April
19.

On the next day, the country came swarming across the Charlestown and Chelsea ferries, headed by Shepherd, a schoolmaster of Lynn. All the cry was against Andros and Randolph. The castle was taken; the frigate was mastered; the fortifications were occupied.

Lambeth
MSS
1025

How should a new government be instituted? Town-meetings, before news had arrived of the proclamation of William and Mary, were held throughout the colony. Of fifty-four towns, forty certainly, probably more, voted to reassume the old charter. Representatives were chosen; and once more Massachusetts assembled in general court.

May
22

It is but a short ride from Boston to Plymouth. Already, on the twenty-second of April, Nathaniel Clark, the agent of Andros, was in jail; Hinckley resumed the government, and the children of the Pilgrims renewed the constitution which had been unanimously signed in the Mayflower. But not one of the fathers of the old colony remained alive. John Alden, the last survivor of the signers, famed for his frugal habits, and an arm before which forests had bowed, was silent in death. The days of the Pilgrims were over, and a new generation possessed the soil.

April
22.

The royalists had pretended that "the Quaker grandees" of Rhode Island had imbibed nothing of Quakerism but its indifference to forms, and did not even desire a restoration of the charter. On May-day, their usual election-day, the inhabitants and freemen poured into Newport; and the whole "democracie" published

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to the world their gratitude "to the good providence of God, which had wonderfully supported their predecessors and themselves through more than ordinary difficulties and hardships."—"We take it to be our duty"—thus they continue—"to lay hold of our former gracious privileges, in our charter contained." And by a unanimous vote, the officers, whom Andros had displaced, were confirmed. But Walter Clarke wavered. For nine months there was no acknowledged chief magistrate. The assembly, accepting Clarke's disclaimer, elected Almy. Again excuse was made. Did no one dare to assume responsibility? All eyes turned to one of the old Antinomian exiles, the more than octogenarian, Henry Bull; and the fearless Quaker, true to the light within, employed the last glimmerings of life to restore the democratic charter of Rhode Island. Once more its free government is organized: its seal is renewed; the symbol, an anchor; the motto, HOPE.

1689.
Feb.
26.

Massachusetts rose in arms, and perfected its revolution without concert; "the amazing news did soon fly like lightning;" and the people of Connecticut spurned the government, which Andros had appointed, and which they had always feared it was a sin to obey. The charter, discolored, but not effaced, was taken from its hiding-place; an assembly was convened; and, in spite of the FINIS of Andros, new chapters were begun in the records of freedom. Suffolk county, on Long Island, rejoined Connecticut.

May 9.

New York also shared the impulse, but with less unanimity. "The Dutch plot" was matured by Jacob Leisler, a man of energy, but passionate and ill-educated, and not possessed of that happy natural sagacity which elicits a rule of action from its own instincts. But the common people among the Dutch, led by Leisler and

his son-in-law Milborne, insisted on proclaiming the stadtholder king of England. CHAP
XVII.

In New Jersey there was no insurrection. The inhabitants were unwilling to invoke the interference of the proprietaries. There is no reason to doubt, that, in the several towns, officers were chosen, as before, by the inhabitants themselves, to regulate all local affairs; while the provincial government, as established by James II., fell with Andros. We have already seen 1689 that Maryland had also perfected a revolution, in which Protestant intolerance, as well as popular liberty, had acted its part. The passions of the Mohawks, also, are kindled by the certain prospect of an ally; they chant their loudest war-song, and prepare to descend on Montreal.

Thus did a popular insurrection, beginning at Boston, extend to the Chesapeake, and to the wilderness. This New England revolution "made a great noise in the world." Its object was Protestant liberty; and William and Mary, the Protestant sovereigns, were proclaimed with rejoicings such as America had never before known in its intercourse with England.

Could it be that America was deceived in her confidence; that she had but substituted the absolute sovereignty of parliament, which to her would prove the sovereignty of a commercial aristocracy, for the despotism of the Stuarts? Boston was the centre of the revolution which now spread to the Chesapeake; in less than a century, it would commence a revolution for humanity, and rouse a spirit of power to emancipate the world.

CHAPTER XVIII.

THE RESULT THUS FAR.

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THUS have we traced, almost exclusively from contemporary documents and records, the colonization of the twelve oldest states of our Union. At the period of the great European revolution of 1688, they contained not very many beyond two hundred thousand inhabitants, of whom MASSACHUSETTS, with Plymouth and Maine, may have had forty-four thousand; NEW HAMPSHIRE and RHODE ISLAND, with Providence, each six thousand; CONNECTICUT, from seventeen to twenty thousand; that is, all New England, seventy-five thousand souls;¹ NEW YORK, not less than twenty thousand; NEW JERSEY, half as many; PENNSYLVANIA and DELAWARE, perhaps twelve thousand; MARYLAND, twenty-five thousand; VIRGINIA, fifty thousand, or more; and the two CAROLINAS, which then included the soil of Georgia, probably not less than eight thousand souls.

The emigration of the fathers of these twelve commonwealths, with the planting of the principles on which they rested, though, like the introduction of Christian-

¹ Neal, ii. 601. Sir Wm. Petty, 75, says 150,000. Brattle says, in 1708, in N. England, from 100 to 120,000. This is right, and corresponds with other data. In the account for N. E. for 1688, I have confidence. Neal blunders about Boston, which, in 1790, had not 20,000, much

less in 1720. The statements in the text are made by inductions, and are, I believe, substantially correct. The positive data in those days are half the time notoriously false; as the statements of Randolph. The account in Humphrey much underrates Virginia.

ity into Rome, but little regarded by contemporary writers, was the most momentous event of the seventeenth century. The elements of our country, such as she exists to-day, were already there.

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Of the institutions of the Old World, monarchy had no motive to emigrate, and was present only by its shadow; in the proprietary governments, by the shadow of a shadow. The feudal aristocracy had accomplished its mission in Europe; it could not gain new life among the equal hardships of the wilderness; in at least four of the twelve colonies, it did not originally exist at all, and, in the rest, had scarcely a monument except in the forms of holding property. Priestcraft did not emigrate; by the steadfast attraction of interest, it was retained in the Old World; to the forests of America, religion came as a companion; the American mind never bowed to an idolatry of forms; and there was not a prelate in the whole English part of the continent. The municipal corporations of the European commercial world, the close intrenchments of burghers against the landed aristocracy, could not be transferred to our shores, where no baronial castles demanded the concerted opposition of guilds. Nothing came from Europe but a free people. The people, separating itself from all other elements of previous civilization; the people, self-confiding and industrious; the people, wise by all traditions that favored popular happiness,—the people alone broke away from European influence, and in the New World laid the foundations of our republic,

“Plebeian, though ingenuous the stock
From which her graces and her honors sprung.”

The people alone were present in power. Like Moses, they had escaped from Egyptian bondage to the wil-

Norton's
Life of
Cotton

derness, that God might there give them the pattern of the tabernacle. Like the favored evangelist, the exiles, in their western Patmos, listened to the angel that dictated the new gospel of freedom. Overwhelmed in Europe, popular liberty, like the fabled fountain of the sacred Arethusa, gushed forth profusely in remoter fields.

Of the nations of the European world, the chief emigration was from that Germanic race most famed for the love of personal independence. The immense majority of American families were not of "the high folk of Normandie," but were of "the low men," who were Saxons. This is true of New England; it is true of the south. Shall the Virginians be described in a word? They were Anglo-Saxons in the woods again, with the inherited culture and intelligence of the seventeenth century. "The major part of the house of burgesses now consisted of Virginians that never saw a town." The Anglo-Saxon mind, in its serenest nationality, neither distorted by fanaticism, nor subdued by superstition, nor wounded by persecution, nor excited by new ideas, but fondly cherishing the active instinct for personal freedom, secure possession, and legislative power, such as belonged to it before the reformation, and existed independent of the reformation, had made its dwelling-place in the empire of Powhatan. With consistent firmness of character, the Virginians welcomed legislative power; displaced an unpopular governor; at the overthrow of monarchy, established the freest government by happy intuition; rebelled against the politics of the Stuarts; and, uneasy at the royalist principles which prevailed in its forming aristocracy, soon manifested the tendency of the age at the polls "The inclinations of the country," wrote Spotswood,

when the generation born during the period of Bacon's rebellion had grown to maturity, "are rendered mysterious by a new and unaccountable humor, which hath obtained in several counties, of excluding the gentlemen from being burgesses, and choosing only persons of mean figure and character." But Spotswood, a royalist, a High Churchman, a traveller, revered the virtues of the people. "I will do justice to this country," he writes to the bishop of London—and his evidence is without suspicion of a bias; "I have observed here less swearing and prophaneness, less drunkenness and debauchery, less uncharitable feuds and animosities, and less knaverys and villanys, than in any part of the world where my lot has been."

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1710

Of the systems of philosophy of the Old World, the colonists, including their philosophy in their religion, as the people up to that time had always done, were neither skeptics nor sensualists, but Christians. The school that bows to the senses as the sole interpreter of truth, had little share in colonizing our America. The colonists from Maine to Carolina, the adventurous companions of Smith, the Puritan felons that freighted the fleet of Winthrop, the Quaker outlaws that fled from jails with a Newgate prisoner as their sovereign,—all had faith in God and in the soul. The system which had been revealed in Judea,—the system which combines and perfects the symbolic wisdom of the Orient and the reflective genius of Greece,—the system, conforming to reason, yet kindling enthusiasm; always hastening reform, yet always conservative; proclaiming absolute equality among men, yet not suddenly abolishing the unequal institutions of society; guarantying absolute freedom, yet invoking the inexorable restrictions of duty in the highest degree theoretical, and yet in

CHAP. XVIII. the highest degree practical ; awakening the inner man to a consciousness of his destiny, and yet adapted with exact harmony to the outward world ; at once divine and humane,—this system was professed in every part of our widely-extended country, and cradled our freedom.

Our fathers were not only Christians ; they were, even in Maryland by a vast majority, elsewhere almost unanimously, Protestants. Now the Protestant reformation, considered in its largest influence on politics, was the common people awakening to freedom of mind.

During the decline of the Roman empire, the oppressed invoked the power of Christianity to resist the tyranny of brute force ; and the merciful priest assumed the office of protector. The tribunes of Rome, appointed by the people, had been declared inviolable by the popular vote ; the new tribunes of humanity, deriving their office from religion, and ordained by religion to an inviolable sanctity, defended the poor man's house against lust by the sacrament of marriage ; restrained arbitrary passion by a menace of the misery due to sin unrepented and unatoned ; and taught respect for naked humanity by sprinkling every new-born child with the water of life, confirming every youth, bearing the oil of consolation to every death-bed, and sharing freely with every human being the consecrated emblem of God present with man.

But the protection from priests became a tyranny. Expressing all moral truth by the mysteries of symbols, and reserving to itself the administration of the seven sacraments, the priesthood claimed a monopoly of thought, and exercised an absolute spiritual dominion. Human bondage was deeply riveted ; for tyranny

had fastened on the affections, the understanding, and reason. The priesthood, ordaining its own successors, ruled human destiny at birth, on entering active life, at marriage, in the hour when frailty breathed its confession, in the hour when faith aspired to communion with God, and at death.

The fortunes of the human race are embarked in a lifeboat, and cannot be wrecked. Mind refuses to rest; and active freedom is a necessary condition of intelligent existence. The instinctive love of truth could warm even the scholastic theologian; but the light which it kindled for him was oppressed by verbal erudition, and its flickering beams, scarce lighting the cell of the solitary, could not fill the colonnade of the cloister, far less reach the busy world.

Sensualism also was free to mock superstition. Scoffing infidelity put on the cardinal's hat, and made even the Vatican ring with ribaldry. But the indifference of dissoluteness has no creative power; it does but substitute the despotism of the senses for a spiritual despotism; it never brought enfranchisements to the multitude.

The feudal aristocracy resisted spiritual authority by the sword; but it was only to claim greater license for their own violence. Temporal sovereigns, jealous of a power which threatened to depose the unjust prince, were ready to set prelacy against prelacy, the national church against the Catholic church, but it was only to assert the absolute liberty of despotism.

By slow degrees the students of the humanities, as they were called, polished scholars, learned lessons of freedom from Grecian and Roman example; but they hid their patriotism in a dead language, and forfeited the claim to higher influence and enduring fame by

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suppressing truth, and yielding independence to the interests of priests and princes.

Human enfranchisement could not advance securely but through the people; for whom philosophy was included in religion, and religion veiled in symbols. There had ever been within the Catholic church men who preferred truth to forms, justice to despotic force. "Dominion," said Wickliffe, "belongs to grace;" meaning, as I believe, that the feudal government, which rested on the sword, should yield to a government resting on moral principles. And he knew the right method to hasten the coming revolution. "Truth," he asserted with wisest benevolence, "truth shines more brightly the more widely it is diffused;" and, catching the plebeian language that lived on the lips of the multitude, he gave England the Bible in the vulgar tongue. A timely death could alone place him beyond persecution; his bones were disinterred and burnt, and his ashes thrown on the waters of the Avon. But his fame brightens as time advances; when America traces the lineage of her intellectual freedom, she acknowledges the benefactions of Wickliffe.

In the next century, a kindred spirit emerged in Bohemia, and tyranny, quickened by the nearer approach of danger, summoned John Huss to its tribunal, set on his head a paper cap, begrimmed with hobgoblins, permitted the bishops to strip him and curse him, and consigned one of the gentlest and purest of our race to the flames. "Holy simplicity!" exclaimed he, as a peasant piled fagots on the fire; still preserving faith in humanity, (the Quakers afterwards treasured up the example,) though its noblest instincts could be so perverted; and, perceiving the only mode through which reform could prevail, he gave as a last counsel to his

multitude of followers—"Put not your trust in princes." Of the descendants of his Bohemian disciples, a few certainly came to us by way of Holland; his example was for all. CHAP
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Years are as days in the providence of God and in the progress of the race. After long waiting, an Augustine monk at Wittenberg, who had seen the lewd corruptions of the Roman court, and who loathed the deceptions of a coarse superstition, brooded in his cell over the sins of his age, and the method of rescuing conscience from the dominion of forms, till he discovered a cure for its vices in the simple idea of justification by faith alone. With this principle, easily intelligible to the universal mind, and spreading, like an epidemic, widely and rapidly,—a principle strong enough to dislodge every superstition, to overturn every tyranny, to enfranchise, convert, and save the world,—he broke the wand of papal supremacy, scattered the lazars of the monasteries, and drove the penance of fasts, and the terrors of purgatory, masses for the dead, and indulgences for the living, into the paradise of fools. That his principle contained a democratic revolution, Luther saw clearly; he acknowledged that "the rulers and the lawyers needed a reformer;" but he "could not hope that they would soon get a wise one," and in a stormy age, leaving to futurity its office, accepted shelter from feudal sovereigns. "It is a heathenish doctrine"—such was his compromise with princes—"that a wicked ruler may be deposed."—"Do not pipe to the populace, for it any how delights in running mad."—"God lets rogues rule for the people's sin."—"A crazy populace is a desperate, cursed thing; a tyrant is the right clog to tie on that dog's neck."—And yet, adds Luther, "I have no word of comfort for the usurers

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and scoundrels among the aristocracy, whose vices make the common people esteem the whole aristocracy to be out and out worthless." And he praised the printing-press, as the noblest gift of human genius. He forbade priests and bishops to make laws how men shall believe; for, said he, "man's authority stretches neither to heaven nor to the soul." Nor did he leave Truth to droop in a cloister or wither in a palace, but carried her forth in her freedom to the multitude; and when tyrants ordered the German peasantry to deliver up their Saxon New Testament, "No," cried Luther, "not a single leaf." He pointed out the path in which civilization should travel, though he could not go on to the end of the journey. In him, freedom of mind was like the morning sun, as it still struggles with the sickly dews and vanishing spectres of darkness.

In pursuing the history of our country, we shall hereafter meet in the largest Lutheran state, at one time an active ally, at another a neutral friend. The direct influence of Lutheranism on America was inconsiderable. New Sweden had the faith and the politics of the German reformer; no democratic ideas distracted its single-minded loyalty.

The Anglican church in Virginia may, in one sense, be traced through Cranmer to Luther. But as the New World sheltered neither bishops nor princes, in respect to political opinion, the English church was there but an enfranchisement from Popery, favoring humanity and freedom. The inhabitants of Virginia were conformists after the pattern of Bacon¹ and of

¹ Lord Bacon was a Church-of-England man; his tracts on the church appear to me to be in accord with the natural feeling of Virginia. Its people did not hate

the Puritans, though the English governor did. Every one has his faults, and to the Virginians the Puritans seemed too peevish about prayer. Jefferson, in his benevo-

Shakspeare, rather than of Whitgift and Laud. Of themselves they asked no questions about the surplice, and never wore the badge of non-resisting obedience. CHAP
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The meaner and more ignoble the party, the more general and comprehensive are its principles; for none but principles of universal freedom can reach the meanest condition. The serf defends the widest philanthropy; for that alone can break his bondage. The plebeian sect of Anabaptists, "the scum of the reformation," with greater consistency than Luther, applied the doctrine of the reformation to the social relations of life, and threatened an end to kingcraft, spiritual dominion, tithes, and vassalage. The party was trodden under foot, with foul reproaches and most arrogant scorn; and its history is written in the blood of myriads of the German peasantry; but its principles, safe in their immortality, escaped with Roger Williams to Providence; and his colony is the witness that, naturally, the paths of the Baptists were paths of freedom, pleasantness, and peace.

Luther finished his mission in the heart of Germany, under the safeguard of princes. In Geneva, a republic on the confines of France, Italy, and Germany, Calvin, appealing to the people for support, continued the career of enfranchisement by planting the institutions which nursed the minds of Rousseau, Necker, and De Stael.

The political character of Calvinism, which, with one consent and with instinctive judgment, the mon-

lence, palliating New England cruelties, does not ascribe the clemency of Virginia "to the moderation of the church or spirit of the legislature." A careful consideration of the laws and other evidence, has left me no option but to form a different opinion. I know of no act of cruel persecution that origin-

ated among men who were settlers in Virginia. When left to themselves, from the days of John Smith, I think the Virginians were always tolerant. I have already quoted the important testimony of Whitaker, a man sincere and charitable like Eliot and Brainard.

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archs of that day feared as republicanism, and which Charles II. declared a religion unfit for a gentleman, is expressed in a single word—*predestination*. Did a proud aristocracy trace its lineage through generations of a high-born ancestry, the republican reformer, with a loftier pride, invaded the invisible world, and from the book of life brought down the record of the noblest enfranchisement, decreed from all eternity by the King of kings. His few converts defied the opposing world as a world of reprobates, whom God had despised and rejected. To them the senses were a totally-depraved foundation, on which neither truth nor goodness could rest. They went forth in confidence that men who were kindling with the same exalted instincts, would listen to their voice, and be effectually “called into the brunt of the battle” by their side. And, standing serenely amidst the crumbling fabrics of centuries of superstitions, they had faith in one another: and the martyrdoms of Cambray, the fires of Smithfield, the surrender of benefices by two thousand non-conforming Presbyterians, attest their perseverance.

Such was the system, which, for a century and a half, assumed the guardianship of liberty for the English world. “A wicked tyrant is better than a wicked war,” said Luther, preaching non-resistance; and Cranmer echoed back, “God’s people are called to render obedience to governors, altho’ they be wicked or wrong-doers, and in no case to resist.”—“Civil magistrates,” replied English Calvinism,—I quote the very words, in which, under an extravagant form, its champion asserted the paramount power of general principles, and the inalienable rights of freedom,—“civil magistrates must be servants unto the church; they must remember to submit their sceptres, to throw down

their crowns before the church, yea, as the prophet speaketh, to lick the dust of the feet of the church.”

To advance intellectual freedom, Calvinism denied, absolutely denied, the sacrament of ordination; thus breaking up the great monopoly of priestcraft, and scattering the ranks of superstition. “Kindle the fire before my face,” said Jerome meekly, as he resigned himself to his fate; to quench the fires of persecution forever, Calvinism resisted with fire and blood, and, shouldering the musket, proved, as a foot-soldier, that, on the field of battle, the invention of gunpowder had levelled the plebeian and the knight. To restrain absolute monarchy in France, in Scotland, in England, it allied itself with the party of the past, the decaying feudal aristocracy, which it was sure to outlive; to protect itself against feudal aristocracy, it infused itself into the mercantile class, and the inferior gentry; to secure a life in the public mind, in Geneva, in Scotland, wherever it gained dominion, it invoked intelligence for the people, and in every parish planted the common school.

In an age of commerce, to stamp its influence on the New World, it went on board the fleet of Winthrop, and was wafted to the Bay of Massachusetts. Is it denied that events follow principles, that mind rules the world? The institutions of Massachusetts were the exact counterpart of its religious system. Calvinism claimed heaven for the elect: Massachusetts gave franchises to the members of the visible church. Calvinism rejected the herd of reprobates: Massachusetts inexorably disfranchised Churchmen, royalists, and all world's people. Calvinism overthrew priestcraft: in Massachusetts, none but the magistrate could marry; the brethren could ordain. Calvinism saw in

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goodness infinite joy, in evil infinite woe, and, recognizing no other abiding distinctions, opposed secretly, but surely, hereditary monarchy, aristocracy, and bondage: Massachusetts owned no king but the King of heaven; no aristocracy, but of the redeemed; no bondage, but the hopeless, infinite and eternal bondage of sin. Calvinism invoked intelligence against Satan, the great enemy of the human race; and the farmers and seamen of Massachusetts nourished its college with corn and strings of wampum, and in every village built the free school. Calvinism, in its zeal against Rome, revered the Bible even to idolatry; and in Massachusetts, the songs of Deborah and David were sung without change; hostile Algonquins, like the Canaanites, were exterminated or enslaved; and a peevish woman was hanged, because it was written, "the witch shall die."

"Do not stand still with Luther and Calvin," said the father of the Pilgrims, confident in human advancement. From Luther to Calvin, there was progress; from Geneva to New England, there was more. Calvinism,—I speak of its political character, in an age when politics were controlled by religious sects; I pass no judgment on opinions which relate to an unseen world,—Calvinism, such as it existed, in opposition to prelacy and feudalism, could not continue in a world where there was no prelacy to combat, no aristocracy to overthrow. It therefore received developments which were imprinted on institutions. It migrated to the Connecticut; and there, forgetting its foes, it put off its armor of religious pride. "You go to receive your reward," was said to Hooker on his death-bed. "I go to receive mercy," was his reply. For predestination Connecticut substituted benevolence. It hanged no

quakers, it mutilated no heretics. Its early legislation is the breath of reason and charity; and Jonathan Edwards did but sum up the political history of his native commonwealth for a century, when, anticipating, and in his consistency excelling, Godwin and Bentham, he gave Calvinism its political euthanasia, by declaring virtue to consist in universal love.

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In Boston, with Henry Vane and Anne Hutchinson, "Calvinism ran to seed;" and the seed was "incorruptible." Election implies faith, and faith freedom. Claiming the Spirit of God as the companion of man, the Antinomians asserted absolute freedom of mind. For predestination they substituted consciousness. "If the ordinances be all taken away, Christ cannot be;" the forms of truth may perish; truth itself is immortal. "God will be ordinances to us." The exiled doctrine, which established conscience as the highest court of appeal, fled to the island gift of Miantonómoh; and the records of Rhode Island, like the beautiful career of Henry Vane, are the commentary on the true import of the creed.

Wheel-
wright.

Faith in predestination alone divided the Antinomians from the Quakers. Both revered and obeyed the voice of conscience in its freedom. The near resemblance was perceived so soon as the fame of George Fox reached America; and the principal followers of Anne Hutchinson, Coddington, Mary Dyer, Henry Bull, and a majority of the people, avowed themselves to be Quakers.

Thus had the principle of freedom of mind, first asserted for the common people, under a religious form, by Wickliffe, been pursued by a series of plebeian sects, till it at last reached a perfect development, coinciding with the highest attainment of European philosophy.

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By giving a welcome to every sect, America was safe against narrow bigotry. At the same time, the moral unity of the forming nation was not impaired. Of the various parties into which the reformation divided the people, each, from the proudest to the most puny sect, rallied round a truth. But as truth never contradicts itself, the collision of sects could but eliminate error; and the American mind, in the largest sense eclectic, struggled for universality, while it asserted freedom. How had the world been governed by despotism and bigotry; by superstition and the sword; by the ambition of conquest and the pride of privilege! And now the happy age gave birth to a people which was to own no authority as the highest, but the free conviction of the public mind.

Thus had Europe given to America her sons and her culture. She was the mother of our men, and of the ideas which guided them to greatness. The relations of our country to humanity were already wider. The three races, the Caucasian, the Ethiopian and the American, were in presence of one another on our soil. Would the red man disappear entirely from the forests, which, for thousands of years, had sheltered him safely? Would the black man, in the end, be benefited by the crimes of mercantile avarice? At the close of the middle age, the Caucasian race was in nearly exclusive possession of the elements of civilization, while the Ethiopian remained in insulated barbarism. No commerce connected it with Europe; no intercourse existed by travel, by letters, or by war; it was too feeble to attempt an invasion of a Christian prince or an Arab dynasty. The slave-trade united the races by an indissoluble bond; the first ship that brought Africans to America, was a sure pledge, that,

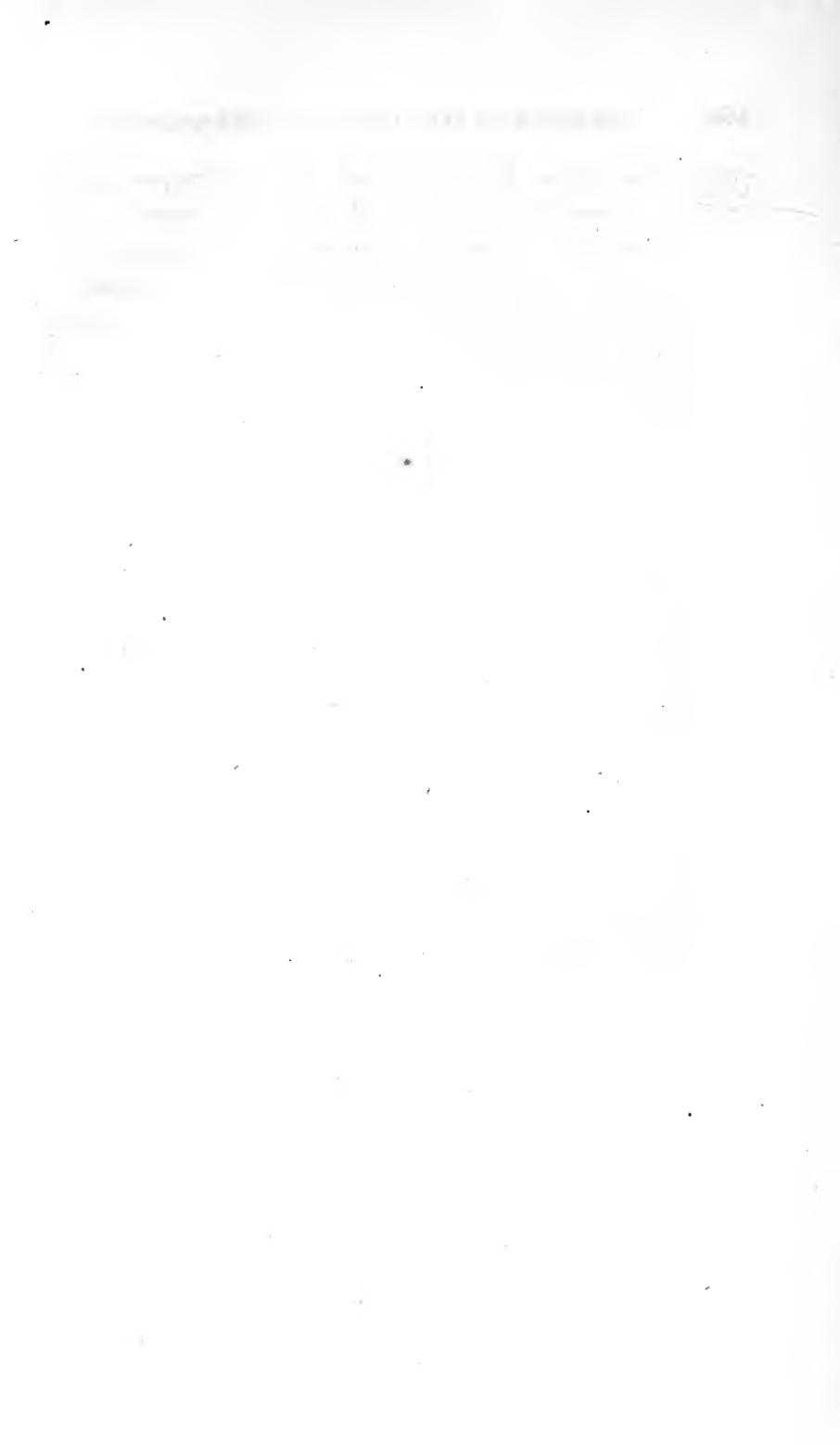
in due time, ships from the New World would carry the equal blessings of Christianity to the burning plains of Nigritia, that descendants of Africans would toil for the benefits of European civilization.

That America should benefit the African, was always the excuse for the slave-trade. Would America benefit Europe? The probable influence of the New World on the Old became a prize question at Paris; but not one of the writers divined the true answer. They looked for it in commerce, in mines, in natural productions; and they should have looked for revolutions, as a consequence of moral power. The Greek colonists planted free and prosperous cities; and in a following century, each metropolis, envying the happiness of its daughters, imitated its institutions, and rejected kings. Rome, a nation of soldiers, planted colonies by the sword; and retributive justice merged its liberties in absolute despotism. The American colonists founded their institutions on popular freedom, and "set an example to the nations." Already the plebeian outcasts, the Anglo-Saxon emigrants, were the hope of the world. We are like the Parthians, said Norton in Boston; our arrows wound the more for our flight. "Jotham upon Mount Gerizim is bold to utter his apologue."

We have written the origin of our country; we are now to pursue the history of its wardship. The relations of the rising colonies, the representatives of democratic freedom, are chiefly with France and England;—with the monarchy of France, which was the representative of absolute despotism, having subjected the three estates of the realm, the clergy by a treaty with the pope, feudalism by standing armies, the communal institutions by executive patronage and a vigorous police; with the

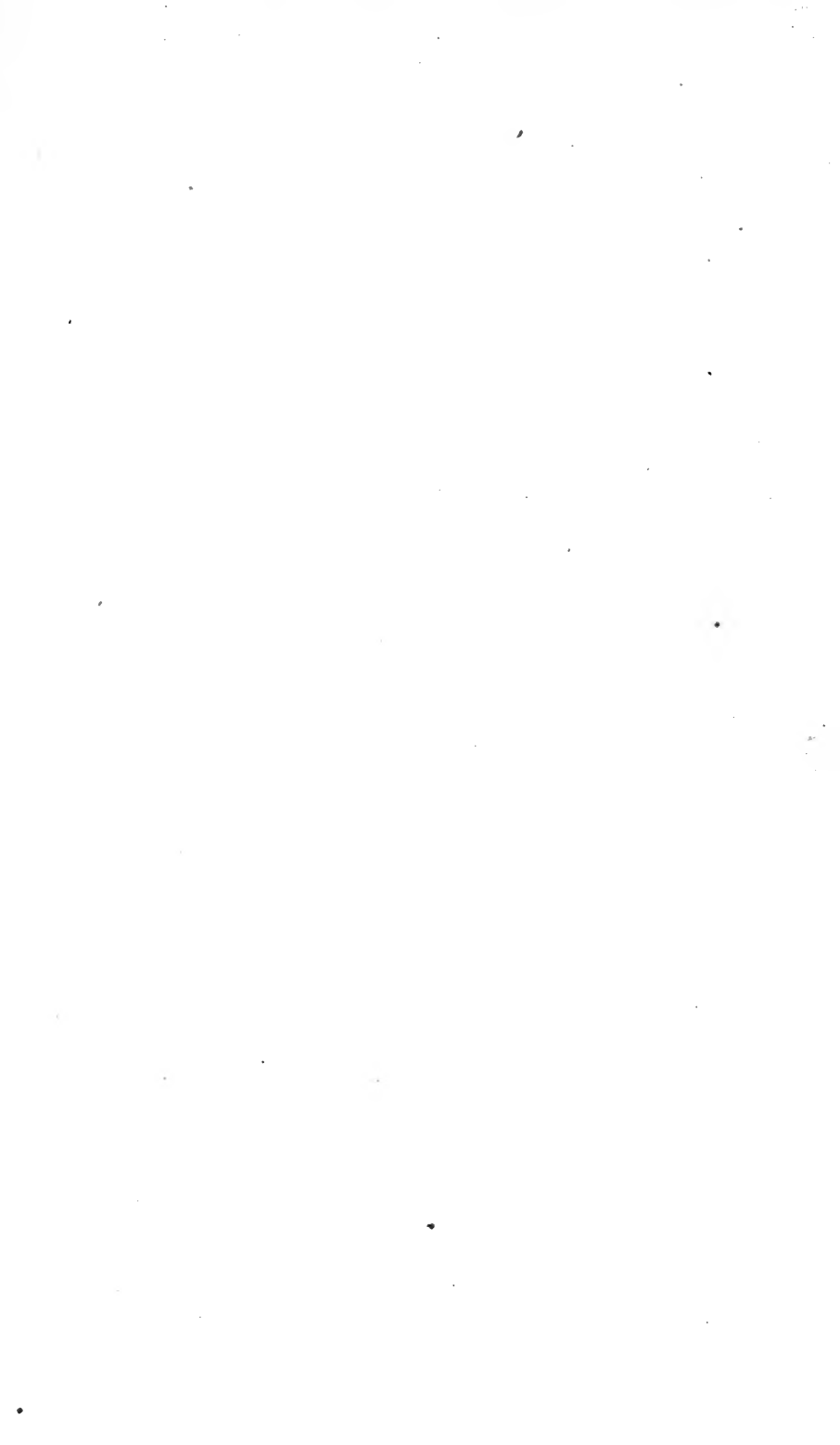
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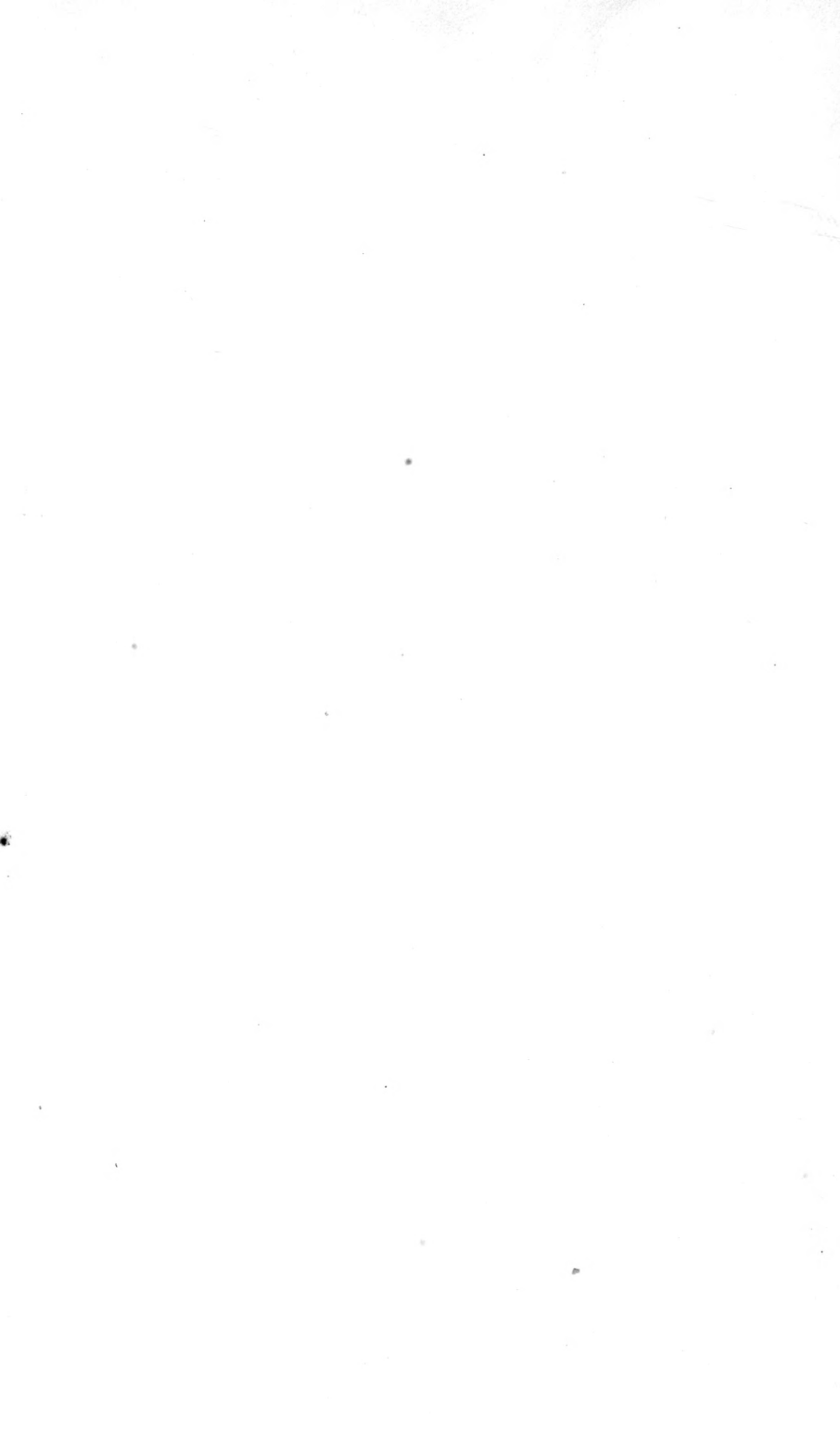
parliament of England, which was the representative of aristocratic liberties, and had ratified royalty, primogeniture, corporate charters, the peerage, tithes, prelates, prescriptive franchises, and every established immunity and privilege. The three nations and the three systems were, by the revolution of 1688, brought into direct contrast with one another. At the same time, the English world was lifted out of theological forms, and entered upon the career of commerce, which had been prepared by the navigation acts and by the mutual treaties for colonial monopoly with France and Spain. The period through which we have passed shows why we are a free people; the coming period will show why we are a united people. We shall meet no scenes of more adventure than the early scenes in Virginia, none of more sublimity than the Pilgrims at Plymouth. But we are about to enter on a wider theatre; and, as we trace the progress of commercial ambition through events which shook the globe from the wilds beyond the Alleghanies to the ancient abodes of civilization in Hindostan, we shall still see that the selfishness of evil defeats itself, and God rules in the affairs of men.











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