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REMARKS

ON THE

POPHAM CELEBRATION

OF THE

Maine Historical Society.

READ BEFORE THE AMERICAN ANTIQUARIAN SOCIETY,

APRIL 26, 1865.

By S. F. HAVEN.

BOSTON:

PRESS OF JOHN WILSON AND SON.

1865.

34513



POPHAM CELEBRATION.

AMONG the books recently received is a volume of five hundred and twelve pages, bearing this title. "Memorial Volume of the Popham Celebration, August 29, 1862, commemorative of the Planting of the Popham Colony on the Peninsula of Sabino, August 19, O.S., 1607, establishing the Title of England to the Continent."

It is the record of an effort on the part of the Historical Society of Maine to substantiate certain new views relating to the possession and settlement of this continent; and to perpetuate their recognition by the most formal and solemn proceedings, and by durable monuments and inscriptions.

It may be expected that other Historical Societies, and especially the American Antiquarian Society, will give to these claims so much attention as shall be necessary to determine how far they are entitled to general acceptance.

The ceremonies described in the "Memorial Volume" were of the most elaborate and impressive

" In Memory of
 GEORGE POPHAM,
 Who first, from the shores of England,
 Founded a Colony in New England,
 August, 1607.
 He brought into these wilds
 English laws and learning,
 And the faith and the Church of Christ."

"This fort," declares the orator, "so conspicuously placed, bearing these appropriate testimonials, thus becomes a fitting monument to perpetuate the events of the early history of New England, and transmit to future times the memory of those illustrious men who laid the foundation of English colonies in America."

These statements, as may be supposed, were repeated in various forms, and enlarged upon, in the course of the proceedings recorded in the "Memorial Volume."

At the time appointed for the celebration, the marshal of the day announced the purpose and plan of the ceremonies, as intended to recall and illustrate the events of the past, and to assign to Maine her true historic position.

The Bishop of the Diocese then proceeded to the religious duties of the occasion: using, we are told, as nearly as the changed circumstances of the case would allow, "the same services as were employed by the colonists in their solemnities on the day commemorated, under the guidance of their chaplain, the Rev. Richard Seymour."

These services, from the Episcopal Prayer-book, were followed by a narrative of historical events by the President of the Historical Society.

The "Memorial Stone" was then rolled forward into view, — a mass of granite weighing six tons, and showing a front of six feet by four; and the President of Bowdoin College solicited the consent of the State and General Government to its being placed in the wall of the fort, "in memory of the colony which was established there two hundred and fifty-five years ago," — "that noble company of one hundred and twenty colonists who established themselves at the mouth of the Sagadahoc."

Hon. Abner Coburn responded on behalf of the Governor of the State; and Captain Casey, of the United-States Bureau of Engineers, gave the assent of the President, acting through the Secretary of War. The President of the College next called upon the Freemasons to cause the stone to be erected according to the ancient rites of their Order.

After these solemnities, the orator of the day delivered his address; which was followed by a series of sentiments and speeches, and the reading of letters, at the table.

The toasts had been previously printed, and were published and circulated beforehand, with the programme of the exercises; having been framed with deliberation, and carefully adjusted to the purposes of the occasion. Among the earliest were these: —

“The 19th of August (O.S.), 1607, — ever memorable as the day that witnessed the consummation of the title of England to the New World.”

“The memory of George Popham, who led hither the first English Colony, became the head of its government, &c., and left his bones to mingle with the soil,” &c.

“Sir John Popham, — under the shadow of whose great name was laid the foundation of the colossal Empire of the New World.”

Far down, below the salt, we find [the twenty-seventh toast] —

“Plymouth Plantation, — founded by men of strong faith, of earnest piety. Educated under the teachings of Robinson and Brewster at Leyden, they were fitted to become pioneers in the new movement towards civil and religious liberty.”

Two steps farther down, we have —

“The Colony of Massachusetts Bay, — founded, in 1629, by men of the same unconquerable will as those that brought royalty to the block, and discarded prescription as heresy. Their descendants have ever shown a faithful adherence to the doctrine of ‘*Uniformity.*’” *

The address of the orator of the day is an endeavor to maintain, argumentatively and rhetorically, the points assumed in the preceding quotations. It contains many quite extraordinary historical statements, which are not necessary to be reproduced here, as

* Ex-Governor Washburn, of Massachusetts, was called upon to respond to this toast: and, after good-naturedly intimating his surprise at some of the points which had been assumed, confessed that he had been utterly disarmed by the courtesies he had shared, and would no longer protest against any thing: and if anybody were to insist that Noah's Ark landed on one of those hills, and would get up a celebration like that to commemorate it, he would volunteer to come and take a part in it, without doubting it was true.

they have but a remote bearing on the principal questions. It begins thus: —

“We commemorate to-day the great event of American history. We are assembled on the spot that witnessed the first formal act of possession of New England by a British colony, under the authority of a Royal Charter. We have come here, on the two hundred and fifty-fifth anniversary of that event, to rejoice in the manifold blessings that have flowed to us from that act; to place on record a testimonial of our appreciation of that day’s work; and to transmit to future generations an expression of our regard for the illustrious men who laid the foundation of England’s title to the Continent, and gave a new direction to the history of the world.”

The argument is, in brief, as follows: —

“The question Europeans were called upon to solve at the commencement of the seventeenth century was, who should hereafter occupy and possess the temperate zone of the New World? All previous explorations were preliminary efforts to this object; but the question remained open and undecided.

“England, practically abandoning all claims from the discoveries of Cabot on the Atlantic, and Drake on the Pacific, laid down, in 1580, the broad doctrine, that prescription without occupation was of no avail; that possession of the country was essential to the maintenance of title.

“The possession of Newfoundland by Sir Humphrey Gilbert was abandoned on his loss at sea.

“Of the two colonies sent out by Sir Walter Raleigh, one returned; the other perished in the country, leaving no trace of its history.

“Thus, at the period of Elizabeth’s death in 1603, England had not a colonial possession on the globe.

“Champlain accompanied Pont Gravé to the St. Lawrence in 1603. On his return to France, he found Acadia granted by the French monarch to De Mouts, under date of Nov. 8, 1603, ex-

tending across the continent between the fortieth and forty-sixth degrees of north latitude. To make sure of the country, Champlain, Champdore, and L'Escarbot remained three and a half years. Returning to France in 1607, they found the charter of De Mouts revoked.

“ This short-sightedness of Henry of Navarre cost France the dominion of the New World.

“ For, in 1605, Gorges, associating with himself the Earl of Southampton, petitioned the king for a charter, which he obtained April 10, 1606, granting to George Popham and seven others” (it should be Sir Thomas Gates and seven others; Popham is the last named) “ the Continent of North America, from the thirty-fourth to the forty-fifth degrees of north latitude.

“ This charter is the basis on which rests the title of our race to the New World.

“ The venerable Sir John Popham became the patron of the company, . . . though his name was not in the charter, or included among the council.

“ Two unsuccessful attempts at planting a colony were made in 1606. On the 31st of May, 1607, the first colony to New England sailed from Plymouth for the Sagadahoe, in two ships, the ‘ Gift of God,’ George Popham commander, and the ‘ Mary and John,’ commanded by Raleigh Gilbert, on board which ships were one hundred and twenty persons for planters. On the 19th of August, all went on shore at the mouth of the river, where they had a sermon from their preacher; the President’s commission was read, with the patent, and the laws to be observed; and George Popham was nominated President, &c.

“ Thus commenced the first occupation and settlement of New England. From August 10 (O.S.), 1607, the title of England to the New World was maintained.

“ It is well known, that the Popham Colony, or a portion of them, returned to England in 1608; but this possession proved sufficient to establish the title. The revocation of the charter of De Mouts gave priority to the grant of King James, covering the same territory; and this formal act of possession was ever after upheld by an assertion of the title by Gorges.”

The orator repeats, that England stoutly maintained, that, without possession, there was no valid title to a newly-discovered country. "This view," he says, "is overlooked by Puritan writers, and those who follow their authority." He does not tell us how it happened, if priority of discovery by the Cabots, and formal acts of possession by Gilbert, Gosnold, and others, established no rights, the British Government could convey any title, by charter, to a country already occupied by the subjects of other powers.

The only allusions to the colony of Gosnold and the settlement of Jamestown are where he claims that Gorges was concerned in the voyage of Gosnold, and in the following passages:—

"It may be said, that, in giving this prominence to the occupation of the country by the colony of Popham, we overlook other events of importance in establishing the English title,—the possession of the Elisabeth Isles by Gosnold in 1602, and the settlement of Jamestown, May 13, 1607, prior to the landing of the Popham colony at Sagadahoc.

"In reference to the occupation of Elizabeth Isles by Gosnold, it is sufficient to say, that it was prior to the date of the Royal Charter, and consequently of no legal effect in establishing a title. As to the settlement of Jamestown, it was south of the fortieth parallel of latitude, and therefore did not come in conflict with the French king's prior charter to De Monts.

"Had there been no English settlement or occupancy north of the fortieth parallel of latitude prior to 1610, when Poutrineourt obtained a new grant of Acadia, the whole country north of that line must have fallen into the hands of the French."*

* It is understood, that these paragraphs, referring to the colony of Gosnold and the settlement of Jamestown, were inserted after the address was delivered.

There is no sufficient opportunity here for a discussion of these propositions; but it may be instructive to place beside them, in the briefest terms, a different statement, believed to be at least equally well sanctioned by the best historical evidence.

It is due to the venerable and learned President of the Maine Historical Society to quote from his excellent remarks a passage which is overshadowed by the great mass of opposite sentiment expressed in the "Memorial Volume." Speaking of the Popham settlement, he says, "But, sir, the enterprise failed: death and the stars seemed against it; and there were 'no more speeches' by the Northern Company, says Gorges, 'of settling any other plantation in those parts for a long time after.' They were in search of gain, and found it not in peopling a rude continent. It was essentially a commercial company: the principle that moved it was adverse to generous action; it required another sentiment, the religious element, to give patient endurance, indomitable resolution, and final success, as was signally vindicated in the renowned colony of the Pilgrims. The Northern Company made no other attempt at colonization, until they obtained their charter of 1620. We must not claim too much for this unsuccessful attempt to people a continent, but regard it as *one* of the steps in the grand march of colonization."

It could hardly be expected, that the learned President would enter a more emphatic protest against

the extravagant claims which persons of less accurate information were disposed to advance, or that he would dwell upon circumstances not in harmony with the general spirit of the occasion ; but it may be permitted to others to say, in the cause of historical truth, and in accordance with the most authentic recorded testimony, —

First, That the official act of possession, by Sir Humphrey Gilbert in 1583, made in virtue of the original discovery by the Cabots, was of the most formal and perfect character. It was conducted with all prescribed ceremonies for such procedures, in the presence of representatives of every prominent antagonistic power, — the numerous merchants and masters of vessels engaged in the fisheries, — whose assent was signified by loud acclamations, by the acceptance of grants of land, and by consent to taxation ; for the English had, before that time, been regarded as “ lords of the harbors,” and had exacted a tribute for protection afforded to the ships of other nations. So far from being abandoned on the death of Gilbert, the British sovereignty was enforced, two years later, by the seizure of Portuguese vessels, which had collected cargoes without a license ; and it is stated, that, about the year 1600, the English employed at Newfoundland, on land and water, quite ten thousand men and boys.*

* Sabine's Report.

Second, That De Monts took possession of Acadia, not in his own name, but as lieutenant-general of the French king, on whose behalf he set up the arms and insignia of France. The revocation, alleged to be an abandonment or invalidation of the French title, was merely the withdrawal of certain exclusive privileges which had been granted to De Monts for ten years; while the acts of possession and colonization were continued and enlarged by the French monarch. The respective rights of the English and French to the possession of New England or of Canada were not settled by a comparison of dates, or the construction of charters, but by the valor of the Massachusetts colony, the force of arms, and subsequent treaties.

Third, That the revival of plans of colonization, and their direction to New England, were the results of the voyage of Gosnold in 1602; when he came with a colony for settlement, and, having traversed the coast of Maine, built a fort, and planted grain at Cuttyhunk, on the south shore of Massachusetts. From the fear of inadequate supplies, on the part of his men, he subsequently carried them back to England, where, by his glowing description of the country and his personal exertions, he was instrumental in the procurement of the great Virginia patent of 1606.

Fourth, That the scheme of a plantation at Sagadahoc originated with the kidnapping of Indians

from that neighborhood by Weymouth in 1605 ; three of whom came into the possession of Sir Ferdinando Gorges, the projector of the plan, who says it was suggested by information derived from these natives. Chief-Justice Popham, the patron of the undertaking, was reported to be “the first person who invented the plan of sending convicts to the plantations,”—which is not precisely true, for the French colonists, under La Roche and De Monts, had been chiefly composed of convicts from the prisons. But it is said of Popham, that “he not only punished malefactors, but provided for them ; and first set up the discovery of *New England* to maintain and employ those that could not live honestly in the *Old.*” Sir William Alexander, a contemporary witness, testifies that Sir John Popham “sent out the first company that went of purpose to inhabit there, near to Sagadahoc : but those that went thither being pressed to that enterprize as endangered by the law, or for their own necessities,—no enforced thing being pleasant,—they, after a winter’s stay, dreaming to themselves of new hopes at home, returned back with the first occasion ; and, to justify the suddenesse of their returne, they did coyne many excuses, burdening the bounds where they had beene with all the aspersions they could possibly devise ; seeking by that meanes to discourage all others.”*

* The orator at the Maine celebration quotes from Sir William Alexander the statement, that “Sir John Popham sent out the first company that went

Fifth, That this company, of *one hundred* landmen or colonists according to Gorges, so constituted, had with them several men of standing, as leaders. Indeed, such was the case with every similar enterprise at that period; and especially just then, when the termination of war with Spain threw large numbers of land and sea-officers out of employment. They selected a place near the mouth of the Kennebec or Sagadahoc, as it was then called, where they built a fort or stockade, and storehouses and habitations. More than half of the company are said to have gone back with the ships in December. The residue, forty-five in number, remained till spring; when, having lost their leader, having quarrelled with the Indians, and had their storehouses burned, they took the first opportunity to leave the country, and gave it so bad a name as to discourage all further attempts at settlement. The business of fishing and traffic with the natives, which had existed on the coasts for nearly a century, was continued, with only such casual occupation of the land as that business re-

of purpose to inhabit there, near to Sagadahoc," but carefully suppresses the remainder of the passage.

Another remarkable suppression in the "Memorial Volume" is that of the speech of our associate, J. W. Thornton, Esq., made by invitation in reply to a toast at the table. Mr. Thornton's views of the Maine Colony, and the characters of Gorges and Chief-Justice Popham, were not satisfactory to the Committee having charge of the celebration, and were therefore omitted from their narrative of the proceedings. The speech has since been published by the author, with copious and learned notes, sustaining his positions, and full of minute and curious information relating to colonial history.

quired.* Captain John Smith relates, that, when (about 1614) he went first to the part of the country where this colony had been planted, there was not one Christian in all the land; and yet Newfoundland at that time freighted annually near eight hundred ships with fish. The very place where Popham's company passed the winter was forgotten, and was a subject of conjecture and controversy until 1849, when the Hakluyt Society of England published, from a newly discovered manuscript, "The Historie of Travaile into Virginia Britannia," by William Strachey, who had been employed as Secretary in the Southern Colony.

That history contains the only particular account of the expedition of Popham's company, and fixes the spot where they passed the winter. It has not a word about any ceremonies used to signify taking possession of the country; not a word about Episcopal services, or the reading of prayers, or liturgy, or any ritual of the Church, even at the burial of their chief. The writer was led to speak of the enterprise, "since it had its end so untimely," and since the order and method of a full history did claim of him "the remembrance of the most material points at least, as well of this late Northern Colony, as of the first planted more south." He closes his narrative by saying,

* There is an effort in the "Memorial Volume" to make it appear probable that a portion of Popham's men remained in the country. It would not have been strange, if some of them had found employment among the fishing vessels; but Strachey says they *all* embarked for home.

“And this was the end of that Northern Colony upon the river Sagadahoc.”

If the discovery by the Cabots, and the elaborate acts of occupation and jurisdiction by Sir Humphrey Gilbert, as the direct representative of his sovereign, — subsequently enforced and sustained, — created no permanent rights; if the colonies of Raleigh, the last of which, if it perished, at least left its bones on the soil, planted no durable claims; if Gosnold, who was not only the first Englishman, but the first European, who is known to have set up a dwelling on the soil of New England; who had been sent by the Earl of Southampton for the purpose of continuing Raleigh's plans of colonization; who gave names to islands and capes on our coast, which they still retain; whose particular narratives, thrice told, revived the sinking hopes of the friends of colonization, and whose personal efforts brought about the great revival of such enterprises in 1606, — if all these gave no valid possession to the British crown, how can this evanescent company of Sagadahoc, with all its failures and all its injurious influence, be said to have “established the title of England to the continent”? It did not even establish itself, or leave a distinguishable memorial behind it. What could there be in the charter of 1606 to give to feebler demonstrations an efficiency which equally solemn grants from the same source did not impart to greater and more persistent procedures?

The orator of the day, towards the close of his address, thought proper to allude to Massachusetts in a manner that explains the somewhat ambiguous toast which has already been quoted. He says,—

“We must not forget our obligations to Massachusetts and the early settlers of Plymouth for their share in conquering the continent for our race, though dealing harshly with Maine. Those Massachusetts Puritans of the Saxon type, inheriting all the gloomy errors of a cruel and bloody period under the iron rule of the Tudors, were ready to demand of Elizabeth the enforcement of the Act of Uniformity against the Papists, but refused obedience to it themselves.”

Among similar passages, he declares, “They mistook their hatred of others for hatred of sin. They set up their own morbid convictions as the standard of right.”—“Once planted on the shores of New England, the Puritans of Massachusetts Bay endeavored to exterminate every thing that stood in the way of their ambition,” &c., &c.

Accompanying the records of the Popham celebration is a lecture, by the author of the address, on the claims of Sir Ferdinando Gorges as the Father of English Colonization in America. This had previously been delivered before the Historical Societies of Maine and New York, and now makes a part of the “Memorial Volume.”

A large portion of the lecture is in a strain

resembling that of the extracts taken from the address, but more acrid and bitter.

“It is time,” the author thinks, “to vindicate the truth of history; to do justice to the claims of Gorges, and to repel the calumnious charges of the men who founded the theocracy of New-England; who persecuted alike Quakers, Baptists, and Churchmen.” “Within the boundaries of the Colony of Massachusetts Bay, from the time they first landed till the arrival of Sir Edmund Andros, as Governor, in 1686, the Government of Massachusetts Bay was more arbitrary and intolerant than any despotism from which they fled from England.” — “The modern popular history of New England has sought to conceal the exact truth, and to throw apology over the greatest offences.” — “We find the Massachusetts Puritans persecutors from the outset of their career; denying the rights of citizenship to all but actual church members, and refusing others protection even against the Indians.” Mr. Webster’s great speech at Plymouth, in 1820, he calls an Epic Poem, in which the truth of severe history has been overlooked in admiration of the creations of his genius. Mr. Everett follows the authority of Mr. Webster; and “modern historians have since then taken these flights of poetic fancy for historic verities, and sought to elevate them into the dignity of history. They might as well insist, that a modern Fourth-of-July oration was the cause of the Revolutionary War, though

uttered some years after that event had taken place. Regarded as a political event, the Plymouth settlement was not of the slightest consequence or importance. It neither aided nor retarded the settlement of the country."

These are all the specimens for which time or space can now be afforded, though they inadequately represent the tone and spirit of the lecture. We may be permitted to present, by way of rejoinder, a few "historic verities," which could easily be sustained by proof.

First, It is fortunate for Maine, and for the country, that New England was not peopled by the convict and mercenary gangs of Gorges. It would have been well, also, perhaps, if the Pilgrims had remained a year or two longer in Holland. For the colony at Jamestown, composed of like unsound materials, was apparently near its end, perishing from its inherent vices, and might have been re-established by better men, under better auspices. Gorges himself discloses the fact of his own utter discouragement. But the proposed embarkation of the Pilgrims changed all that, and infused new life into the dying hopes of speculators in the anticipated resources of the New World. Gorges eagerly seized the opportunity of planting permanent occupants on the soil; which, he tells us, all his efforts had failed to accomplish. He favored the plans of the emigrants to Plymouth, and

of the company of Massachusetts Bay, until he found that they would not be made to subserve his private and selfish purposes, when he turned against them, and sought to deprive them of their rights and privileges.

Second, The arrival of the Pilgrims at Plymouth was the transfer to this country of an actual community, possessing all the important relations of domestic life. It was like transplanting a tree with roots already formed, and tendrils already grown, to take hold of the new soil, and maintain vitality, even if all above them perished. Hence neither suffering nor death could break up the colony, because here was its home, and it had no other.

The Massachusetts Company was a body politic. Having brought its charter, it became a State or Commonwealth, dependent on no corporation or council on the other side of the ocean, but sufficient of itself for all the purposes of human society. It proceeded immediately to build up towns and municipalities after the hereditary patterns of the mother-country; to organize government and the administration of law and justice in all the customary branches; to establish commerce; to found seats of learning, and create an army of drilled and disciplined soldiers. It was an integral portion of England that was thus removed to America, comprising some of its most learned scholars and ablest divines; some of its wisest and shrewdest politicians; some of its most sagacious

merchants; and some well skilled in the arts of war. So rapid and substantial was the progress in the first seven years of occupation, that the jealousy of England was excited, and emigration was restrained. For, says Gorges, "it was doubted that they would in a short time wholly shake off the royal jurisdiction of the sovereign magistrate." It was at this period that the General Court of Massachusetts passed an order, that none should be received to inhabit within its jurisdiction, without liberty from one of the standing council, or two other assistants. "They were of opinion," says Holmes, "that their Commonwealth was established by free consent; that the place of their habitation was their own; that no man had a right to enter their society without their permission; that they had the full and absolute power of governing all people by men chosen from among themselves, and according to such laws as they should see fit to make, not repugnant to the laws of England." They were able, a very few years later, to furnish statesmen, warriors, and preachers, who contributed materially to the conversion of the English Government into a Commonwealth.

Thus were first fulfilled, beyond the chances of controversy, the conditions of the doctrine laid down in the "Memorial Volume," that prescription without occupation was of no avail, and that possession of the country was essential to the maintenance of title. The success of Massachusetts made possible

the possession and settlement of other portions of the northern continent. Her vigor encouraged, and her commercial intercourse animated, every other colony. Without her protection, even in later times, every plantation in Maine would probably have been destroyed by the Indians, certainly would have been overwhelmed by the French; and even the older settlements of Virginia apparently owed their continued existence to the prosperity of New England. Nor would the stronger company of Massachusetts Bay have come into existence except for the pioneer enterprise of the Pilgrims.

Third, No sooner had Plymouth and Massachusetts established the practicability of living and thriving in New England, than, in addition to the lawless adventurers who already frequented the coasts, the country began to swarm with outcasts of every description. They were not unlike the miscellaneous characters which, in our own time, first poured into California; persons who, if not actually vicious, were of roving and restless natures, and impatient of the restraints of society. The religious agitations of the period had also set afloat other classes equally dangerous to the peace of a community: visionaries and fanatics of every genus, — Familists, Fifth-monarchy men, Antinomians, Anabaptists, Quakers; some of them under respectable names, which then covered entirely different pretensions and practices. There were men who disdained obedience to laws, or con-

formity to the ordinary rules of social life; and women who thought it their duty to prophesy in public, to vilify the magistrates, and to parade the streets in a state of nudity. A nation strengthened by the growth of centuries might possibly withstand the influence of such disorganizing elements; but, without restraints almost as rigorous as martial law, they would seem to be necessarily fatal to the safety of an infant colony.

The Puritans were not fanatics, of the visionary kind at least, but with earnest piety mingled worldly wisdom. They asserted the broad distinction between imposing restrictions upon the liberties of established communities inheriting the soil from a common ancestry, and defining the conditions of admission to their own religious and political fellowship, in a new land, bought with their money, planted by their toil, and watered with their tears. A candid and philosophical discussion of the whole subject, between Winthrop and Vane, has fortunately been preserved to us, and shows the solemn deliberation with which their policy was adopted.*

Fourth, Those practices and municipal regulations which are so much decried as novel persecutions, or as evidences of bigotry and narrow-mindedness peculiar to New England, did not originate here. They were not even of Puritan origin. They were trans-

* Hutchinson's "Collection of Original Papers."

ferred from the local statute-books of their English homes, where they had been familiar to the people for generations. In many of the ancient towns of England, precisely similar enactments were in force. Persons were carted about town, and then "expulsed," simply for eaves-dropping. If a man spoke evil of the magistrates, he was to be grievously punished in his body; and, if he struck the Mayor, was to lose the offending hand. At Leicester, one person from every house was required to be at every sermon. At Boston, in 1616, all the street-doors were to be kept closed during divine service; and in 1662 the council ordered, that every person in the borough above twenty-one years of age should "diligently and faithfully attend divine service upon every Sunday, or other days of thanksgiving and humiliation appointed by law." The Wardens of Childwal, in 1635, presented individuals who absented themselves from the parish church, or who slept during service. At Liverpool, people were punished for lodging guests who did not go to church. At the same place, a minister was threatened with punishment for not cutting his hair to a seemly length; and it was declared illegal for a bachelor to be out in the street after nine o'clock, P.M. At Hartlepool, any member of the corporation was fined for sitting out of his regular place at church. At Lancaster, strangers were prohibited from coming into town until they had permission from the Mayor, his brethren, and fifteen commons. At

Banbury, the people could not receive an inmate or under-tenant without license from the Mayor. If, without license, they kept a visitor thirteen days, they were fined forty shillings, and lost the freedom of the town. At Leicester, in 1564, no townsmen could sit and tiddle at an alehouse, but must take the beer to their own houses.

The Puritans of New England, to meet the exigencies of their colony, simply continued a class of municipal rules to which they were habituated in the mother-country. Perhaps they should have been wiser than their fathers in this respect, as they were in some others. Perhaps their policy was required by the circumstances in which they were placed. It would be presumptuous in us to pronounce, that a different course would have produced more favorable results. They were men of remarkable common sense and practical ability: as Bishop Warburton said, they *had a genius for government*. They also believed in the necessity of law.

One of the toasts at the Maine celebration was framed to compliment the "tolerant spirit" of the Dutch of Manhattan, as contrasted with the *intolerant* spirit of New England; and the New-York gentleman who responded in advance by letter indulged in a similar tone of remark. Among statements, not so well founded as they should be, coming from so respectable a source, two contiguous passages are selected for illustration:—

“If the pioneer settlement at New Plymouth was distinguished from the later colony of Massachusetts Bay by more tolerant ideas in civil as well as religious affairs, it may be not unjustly inferred, that some, at least, of that larger liberality was derived from the lessons of Holland.”

“Meanwhile, the Dutch colonists at Manhattan, and its neighborhood, had been calmly practising those liberal principles which they learned in their fatherland. There the Jesuit Father Jogues met Protestant exiles from the persecutions of Massachusetts, Lutherans from Germany, Roman Catholics and Anabaptists, all actually enjoying, in an equal degree with the original Calvinistic settlers, the blessings of religious liberty.”

The first book we happen to take up for light on this subject is Mr. Onderdonk’s “Queen’s County in Olden Times;” and it does not appear from his minutes, that Baptists, or Quakers, or other schismatics, were treated more leniently by the Dutch, under similar circumstances, than they were by the Puritans of Massachusetts and Connecticut.

“1656. Wm. Wickendam, a cobbler from Rhode Island, came to Flushing and began to preach, and went with the people into the river, and dipped them. For this he was fined £100, and ordered to be banished. As he was poor and had a family, the fine was remitted. Hallet, the sheriff, had dared to collect conventicles in his house, and had permitted Wickendam to preach and administer the sacraments, though not called thereto by any ecclesiastical authority. For this he was removed from office, and fined £50.”

The next year, Wickendam began to preach and baptize again.

“This becoming known to the Governor, the Fiscaal proceeded to Flushing, and brought him along. He was banished the Province.”

“1661, July 4. Thos. Terry and Saml. Dearing petition for leave to settle seven families at Hempstead, [and] ten at Matinecook. Granted; but they are to bring in no Quakers, or such like *opinionists*”!!

“1670. The people of Jamaica petition the Governor against a certain witch, Katherine Harison’s settling there. Petition granted.” She had been sent away from Connecticut.

“1674, April 18. Samuel Furman, of Oysterbay, went about the streets of New York making a great noise and uproar, and presumed to come into the Church and abuse the word of God, and blaspheme his holy name; for which he is sentenced to be severely whipped with rods, banished the Province, and pay the costs.”

Perhaps some who have since borne the respectable name of Furman on Long Island could have told us whether the blasphemy in this case differed from that generally charged upon religious enthusiasts of the ranting order, then so common and troublesome.

“1674, Nov. 24. Daniel Patrick and Francis Coley, of Flushing, for contemptuously working on Thanksgiving Day, and giving reproachful language to the magistrates that questioned them for it, are sent to the New York Sessions by Justice Cornell and Mr. Hinchman.”

“1675. Thomas Case, while preaching at Matinecook, is arrested by the constable of Oysterbay.”

“1675, Oct. Mary Case is fined £5 for interrupting Mr. Leverich while preaching, and saying to him, ‘Come down, thou whited wall, thou that feedest thyself, and starvest the people!’ The constable led her out of the meeting. Samuel Scudder is fined £5, or go to jail, for sending a long and scandalous letter to Mr. Leverich. Francis Coely submits, and is dismissed. Elizabeth Appleby disturbed the Court of Sessions, and is committed. Thomas Case is fined £20 for preaching and making a disturbance before John Brown’s door at Flushing.”

Thomas Case was a Quaker, who had some peculiar notions on the subject of marriage. Under date of Jan. 12, 1676, it is said, "Too many persons visit Thomas Case in prison. None hereafter to be admitted." He was a pestilent fellow, no doubt, yet seems to have been popular.

But where are we? Among the "tolerant" Knickerbockers, or the bigoted Puritans? Do practices change their nature and their name according to the localities in which they occur? It has been the misfortune of the Maine celebration to involve, not only its managers, but some of its invited guests, in a singular confusion of ideas respecting "historic verities."

The sneers at Puritanism, so common in the Southern States, may have arisen partly from jealousy, and partly from a natural incapacity to conceive of habits of life and conduct, restrained or impelled by abstract principles of right and duty. But the imitative echo, sometimes heard from the great commercial metropolis, when repeated in Maine, has the derogatory elements of ingratitude and questionable taste. For the people of that State are not descended from Popham's *cavaliers*, nor from the remains of a subjected colony, but are indebted to Massachusetts for the being of their commonwealth, and the guardianship of its defenceless years.

In passing judgment upon the authors of great movements in the world's history, it is not customary

to dwell on their minor traits, even if these are faults, but on those characteristics which overcame obstacles and secured success; and never, before or since, has the conquest of a country been effected with so little of public wrong or private injustice as that of the land which we inhabit, whether we regard the people who were dispossessed, or the invading masses who were to be guided and controlled.

If in this achievement there has clearly been a dominant influence, it is that of the Puritans of New England and their descendants. Their livelier faculties have kept the phlegmatic Hollanders from dozing over their pipes; the precocious West owes its substantial vitality to their earnestness of purpose and practical wisdom; and the boastful South has yielded to the force of their principles and their energies.

The true Puritan may be described as "a just man, tenacious of his opinions, whose steadfast mind neither the depraved impulses of disorderly citizens, nor the frown of a threatening tyrant, nor Southern bluster, could shake from its purposes."

You recognize, Mr. President, in this portrait, a translation, nearly literal, of the words of Horace, —

*"Justum et tenacem propositi virum
Non civium ardor prava jubentium,
Non vultus instantis tyranni,
Mente quatit solida: neque Auster."*

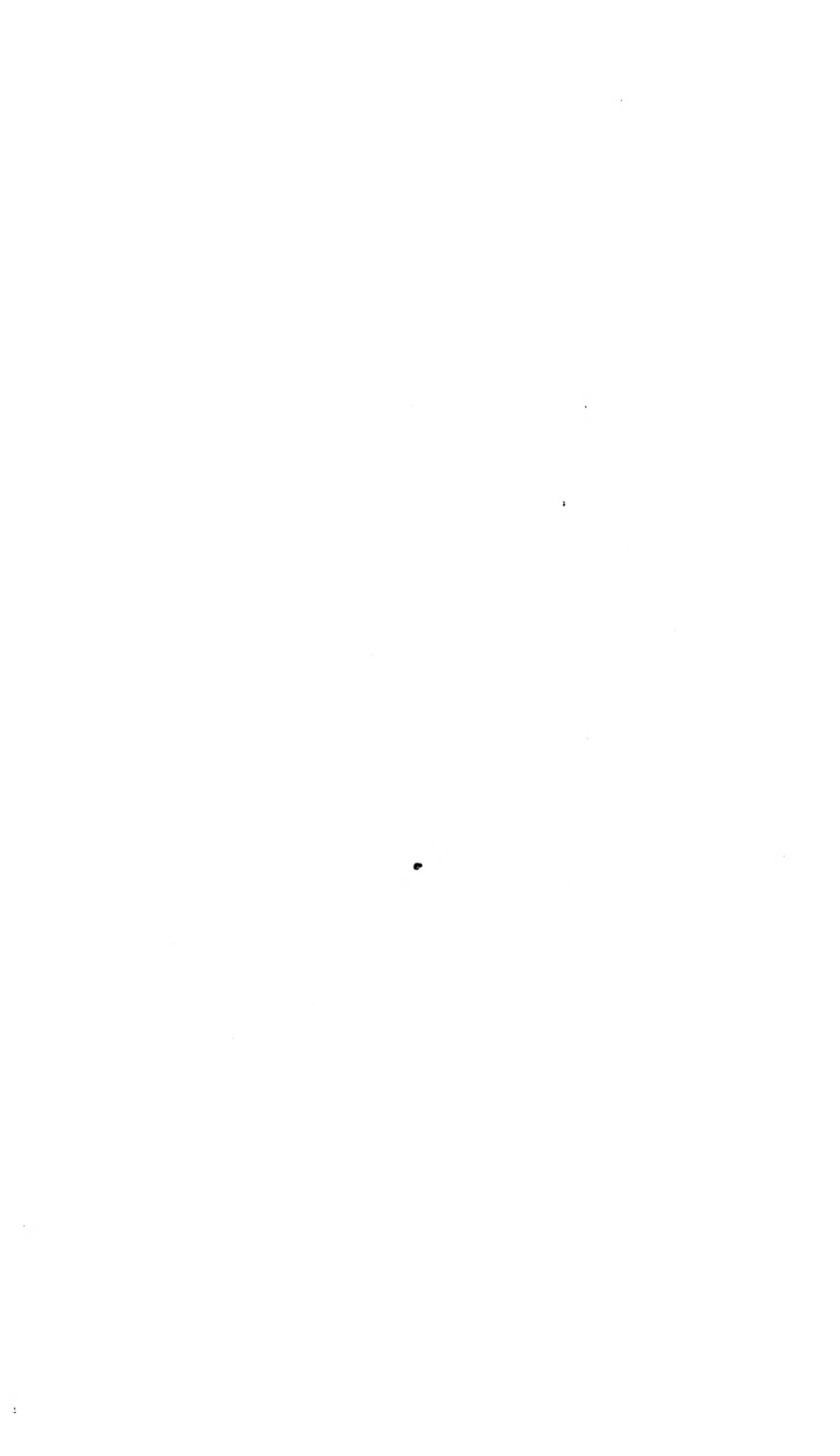
The lines are almost prophetic; and the words "neque Auster," which appear to have little meaning

in their original use, have, in this application, a striking significance.

In the presence of such realities as Plymouth and Massachusetts, how worse than extravagant it seems to dignify the ineffectual operations of an adventurer like Gorges, or the ephemeral and futile visit of a band of outlawed men like the company of Popham, with such appellations as "The source of title to the continent;" "The foundation of the colossal empire of the New World;" "The great event of American history, giving a new direction to the history of the world"!*

* These comments on the proceedings at the Popham Celebration were already in type before the writer had seen the "Address of Mr. E. C. Benedict to the New-York Historical Society, Nov. 17, 1863." In that excellent paper, full justice is accorded to the Puritans of New England, and *no less* to the remarkable assumptions contained in the two productions of the Maine orator.









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