

RESPONSE TO CRISIS: AN ANALYSIS OF
NEW HAVEN, 1638 - 1665

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ABSTRACT

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By

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This study examines the town of New Haven, Connecticut between 1638 and 1665. There are three general parts to the dissertation. The first, encompassing Chapters I and II, deals with the motivation of settlement, the failure of the leadership to construct a viable port city, and the nature of authority that governed the every day lives of the people in New Haven. Chapters III and IV focus on dissidents within the town and the repressive measures taken by the civil and religious leaders to quiet their challenges to authority. The last two chapters analyze the impact of that repression on the political structure within the town. Special attention is given to the office of townsmen and the growth of its political power.

The thesis of this dissertation suggests that the initial impetus for settlement was a combination of an intense religiosity and a strong interest in

mercantile activities. Each depended upon the other for the success of the settlement. When, by the mid-1640's, New Haven faced the possibility of total economic collapse, the leadership, dominated by a merchant group and supported by spiritual leaders, attempted to rectify the problems by purging society of those who deviated from the social-political norms. This resulted in a half a decade of repressive action taken against any whose actions were considered dangerous to the well-being of the larger society. But repressive measures did not end the economic problems faced by the town. Between 1651 and 1665, the townspeople, reacting to the continued inability of the leadership to bring prosperity to New Haven, rejected those whose ideas had initially guided the community, and turned to men whose commitments were not centered on merchant activity.

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PREFACE

The subject of this thesis is a New England town, a much debated topic that has maintained the interest of historians to the present day. Some writers have exalted the town as the embodiment of nascent democratic impulses that became fully developed only in the early nineteenth-century. Others have emphasized the origins and institutional aspects of the town, suggesting how and why changes occurred because of the environment of the new world.

Two recent studies of individual communities have provided the most exciting analysis of the town in New England and deserve special attention.

The first is Darrett Rutman's Winthrop's Boston: Portrait of a Puritan Town, 1636-1649.

Boston, according to this study, was intended to be a true "city on a hill," one compact community governed by the ethics of Christian love. Here would be molded a society where man would eschew individual worldly goals for the good of the entire community. The religious impulse, the author argues, represented more than just a community of visible saints. It

reflected a broad social utopianism that involved the reformation of the entire community of which the church was but one factor. Thus the initial reason for Boston involved an idealism that necessitated the full devotion of every citizen to succeed.

This utopian dream, based on Winthrop's famous Model of Christian Charity, would ultimately fail. Physical factors prevented the settlement from remaining as one city and soon small towns dotted the countryside around Boston. This diversity resulted in a congregational polity that intensified disparate ideas reflected through economic and political privileges given to those dubbed as visible saints. As the church became entrenched in the social-political structure that finally resulted in a self-sustaining "tribalism," it lost contact with society and soon found itself floundering in a sea of unbelievers who in ever increasing numbers shirked the discipline of the church to pursue economic gain so available in Boston. By the time of John Winthrop's death in 1649, the town had been fundamentally altered by the forces of the secular world.

Whereas Boston's utopianism never in fact existed, in Dedham, Massachusetts such ideals provided the basis for at least fifty years of social tranquility.

In his provocative study, A New England Town: The First Hundred Years, 1636-1736, Kenneth Lockridge examines the rhetoric of the founders, the church, and the political structure, and suggests that those ideas and institutions, subordinated to the covenant and tempered by Christian love and forbearance, created the framework and stimulus for the utopia. In support of their utopian goal, officials established mechanisms to exclude obvious dissidents from settling and provided mediators to settle disputes between individuals that prevented ruptures in the social fabric. The town leaders governed by consensus, but a consensus that readily accepted a hierarchical social structure while adopting deferential political attitudes. But as a whole the ideals and practices provided the means for the Dedham society to enjoy fifty years of relative tranquility. Not until the 1680's, when a combination of forces including a generation gap, a shrinking land supply, and problems with admission policy, did the communal ideal begin to disintegrate.

Both studies ask similar questions of their sources and suggest that similar forces worked to provide cohesive elements to the respective towns. A utopian drive operating through the auspices of theology provided the initial thrust to the new world.

In one town it worked but in the other it failed. But by careful examination of the various aspects of society in relationship to expectations, the authors conclude that case studies best illustrate the way society acted upon man, and in turn, the way man responded to the institutions governing his life. The authors concur, however, that each town is unique and what is true for one community may not necessarily be true for another.

This study focuses on a narrow subject, the town of New Haven, Connecticut between 1638 and 1665. Several ideas guided the development of the thesis. Important to any such study is the question of what motivated the initial settlement. Lockridge and Rutman suggest utopian goals were quite influential in at least two New England towns. Although New Haven was in part the result of religious zeal, utopianism was blunted by a powerful mercantile group that gave a unique character to the town. When the merchants, who saw themselves guided by the powerful hand of God, failed to erect a viable port city on Long Island Sound, the leadership became rigidly orthodox and ruthlessly sought to destroy all heresy within the town.

The latter part of the study is an analysis of the impact that dissenters, and their repression,

had on the internal structure of the town. Although the religious and political ideals that provided a framework for New Haven were never totally rejected, modifications did occur. Those changes suggest how a community, united by a consensus of values, reacted when leadership failed to provide economic security for the town.

New Haven may have been a unique experience in seventeenth-century New England. It was a sea port town, relatively large in comparison to many inland settlements. But before broad generalizations can be made about the New England town, each community must be similarly studied.

I would like to thank those who have provided help with this work. The library staffs of the Michigan State University Library, the Connecticut State Library in Hartford, Connecticut, and the Beinecke Library at Yale University, were extremely helpful. I am very appreciative of the guidance provided by the director of this study, Robert E. Wall. Every graduate student would benefit by having such a mentor. Robert E. Brown taught me a great deal about historical writing and analysis and offered thoughtful criticism of this manuscript. The efforts of Charles Gibson, teacher and friend, can only be appreciated by this writer.

David Bailey agreed to read the final draft of this dissertation. And a special thanks to Jeanette and Beth.

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CHAPTER I

GOD AND MAMMON

The great exodus from England had nearly ended in June of 1639 when a group of men led by Theophilus Eaton, Thomas Gregson, and John Davenport gathered in a crude building on the shores of Quinnipiac Bay on Long Island Sound to organize a town. Two forces were dominant in the settlement that, when combined, created the necessary stability to organize a community in the "howling wilderness." The first force concerned the intense piety of the men which acted not only to bolster their spirit of adventure but also convinced them that they were truly on God's errand to redeem the Christian world. The second factor involved their plan to erect a viable trading center on the Sound to counter the Dutch and Swedish influence in that area. These two ideas were inseparable in their minds, but more importantly, each depended on the other for the success of the venture and provided in the early years a unity that insured the successful establishment of New Haven. At best this unity was weak, for it offered few options for the eventuality of

failure which, by the middle of the first decade, became a reality for New Haven.

Economic motives were undoubtedly important factors in the decision to come to the new world, but the constant references to God's mission, Christian love and piety, and the concept of a "city on a hill" indicate that the men were strongly influenced by religion. John Davenport, the spiritual leader of New Haven, consistently spoke to this point. In 1634 he complained that he suffered from both the "persecution of the tongue" as well as "of the hand" but did so unflinchingly because it was "for thy names sake, Lord."¹ Writing to a close friend shortly after his arrival in 1639, Davenport praised the Almighty for having "bestowed upon us the greatest outward privileges under the sun, to have and enjoy all his ordinances purely dispensed in a church gathered and constituted according to his mind in all things." When he and others of the Eaton group were in Boston seeking a suitable place to settle, they depended upon the "eye of God's providence (to whom we have committed our ways especially in so important an enterprise as this. . .)" to guide them to a "place convenient for our families and friends." They were convinced that even though worldly adventures were necessary to sustain them

physically, their true "errand" lay in advancing "the kingdom of our Lord Jesus Christ, and to enjoy the liberties of the Gospel in purity with peace."²

Such an emphasis on the ideal of Christian love also served as a cohesive element to unit the community by expressing common goals. Such a consensus was necessary to insure that certain problems did not destroy the town. One such problem concerned the land title. Unlike Massachusetts, the New Haven group had not been granted a charter and their claim depended solely on a deed purchased from "Momagugin ye sachem of Quinipiocke . . . and other of his council" for twelve coats of "English trucking cloth, twelve alcumy spoons, twelve hatchetts, twelve hoes, two dozen knives, twelve porengers & foure cases of French knives and sizrs."³ Archbishop Laud had been threatening the Bay colony's charter and the Eaton group reasoned that only a well established, unified community could withstand such an assault on their land claim. The spector of dissenters also became a constant fear. John Davenport knew full well the explosive impact of a heretic such as Anne Hutchinson and the threats she posed to Godly New England.⁴ In order, then, to insure that the settlers agreed with the nature of proposed society, the leadership waited nearly an entire year before formalizing their

relationship to filter out the unwanted. When Eaton and Davenport finally moved to organize the government, the latter formulated six questions for the group to consider that served to warn off those that did not choose to participate in a mercantile community governed by the ideals of moral purity.

Since most men believed they were fulfilling God's mission, it followed that the group should consider, in Davenport's words, "whether the scriptures doe holde forth a perfect rule for the directions and government of all men." This proposition was surely expected to be approved by the settlers but it is important to note that none believed that all should automatically agree. Eaton and Davenport elicited open debate on the question, encouraging all to speak to the idea so if there were doubts among some, the doubts could be dispelled. After the debate ended the men voted and even though the proposition was unanimously approved, the article was written, read aloud a second time and another vote taken in order "that they might see in what words their vote was expressed."⁵ Such a deliberate policy insured the founders that at least the initial settlers were not misled in the task at hand and served warning to those seeking less than a community of visible saints.

Seeking consent to the first question was important, but the second dealt with a more fundamental axiom: that the community bind itself to God through a covenant. Carefully distinguishing between a church covenant and a plantation covenant (the church had not yet been organized) Davenport "demanded whether all free planters doe holde themselves bound by that covenant in all business." This would include the necessary foundations of any government, "choosing magistrates and officers, making and repealing lawes, dividing allottments of inheritance and all things of like nature."⁶ Since nine men had been absent in the initial meeting, the leaders, probably at Eaton's and Davenport's suggestion, carefully explained this to the men so none could say his opinion had not been asked.

Yet specifying the convenantal relationship failed to satisfy the search for purity and Davenport formulated a third query asking all men wanting to become free planters or those who wished to settle "in the plantation with a purpose" to acknowledge their intention of joining the church. Few men denied the cohesive force of God's word and all agreed that the ideal community would encompass only the visibly elect. Unlike other New England towns, however, the New Haven settlers never aspired to

utopian goals, realizing that, particularly in a seafaring town, sinners would always be among them and to ferret out every reprobate was indeed an impossible task.⁷

But if the town could not be pure, then at least those who ran the government could. Responding to Davenport's fourth and fifth questions, the settlers first agreed that all were duty bound to "establish such civil order as might best conduce to the securing of purity and peace of the ordinances to themselves and their posterity according to God." Basing his argument on scriptures, the Divine then testified that such a government could be run only by men of God because such leadership alone could procure the "peaceable injoyment" of a holy society. After a brief meditative silence Theophilus Eaton asked the men to consider "whither Free Burgesses shall be chosed out of church members" and whether they alone should have the power and responsibility to choose magistrates from among themselves.⁸

Here the leaders who sought a consensus met some opposition and although those disagreeing were eventually brought into line, the arguments they posed would reflect the basic dissatisfaction that existed in the town in the first decade. The dissenters granted that "magistrates should be God fearing men"

and that such men could be found most easily within the visible church, but questioned whether civil powers should be taken from the hands of the free burgesses and given to the magistrates.⁹ This in fact meant relinquishing power. Those who raised the question regarding this matter seemed somewhat convinced by a group member who explained that the consent of the governed would still be necessary to select such men. But they still had misgivings about the proposed system and apparently felt that it could easily develop into authoritarian rule. In order to prevent this from happening, they suggested that power should return to the hands of the free burgesses if the magistrates failed to respond to constituent demands.

In the ensuing debate Theophilus Eaton defined the working relationship between the governors and the governed which dispelled the apprehensions of the small group of dissenters and created, at least for the first several years, the basis for conceptual unity within the town. Committees composed of free planters, explained the soon-to-be governor, would be appointed to implement governmental decisions and function as a working arm of the town. In this manner all could, and presumedly would participate, if not initially then ultimately, for "the rest are

not wronged because they expect in time to be on the livery themselves, and to have the same power."¹⁰ Fears allayed, the group unanimously approved the proposition.

The last matter the group attended to in their search for a consensus concerned the gathering of a church. Upon Davenport's suggestion the men organized small groups of men to give their accounts of conversion to one another in order to determine who among them were truly of the elect. Each man in each group had the right to question the moral righteousness of every other nominee and give cause why certain figures should be excluded. At least one man stood accused of "takeing excessive rate for meal which he solde to one . . . in his need" but after humble confession he was exonerated.¹¹ This careful process pruned the number acceptable to eleven, Headed by John Davenport and Theophilus Eaton, the group also included Robert Newman, Mathew Gilbert, Richard Malbon, Nathaniel Turner, Ezekial Cheever, Thomas Fugill, John Ponderson, William Andrewes and Jeremiah Dixon. All would become active in the town but in the initial meeting seven were designated as "pillars" and assumed the responsibility of acting as an interim government as well as organizing the First Church of Christ.¹²

Religious piety, then, provided the ideological framework for the settlers but numbers of men were driven by an equally important drive, the hope of establishing a trading center. This did not contradict their religious convictions for they could easily argue that the friendly hand of God had intervened in history to make their settlement possible. With His help the colonials had smashed the warlike Pequot tribe in the southwestern part of Connecticut and had opened the area for colonization. Reports from soldiers and mariners filtered into Boston describing the excellent port facilities on Long Island Sound¹³ and it seemed only logical that this propitious moment should not be overlooked to expand the influence of Christian faith by establishing a port city that would also serve to rival the Swedish and the Dutch in that area.¹⁴ Writing some years later, a seventeenth-century historian described the economic motive as being so strong among the New Haven group that "trade and merchandize had been as inseparably annexed to them as the shadow is to the body in the shining of the sun."¹⁵

The origins of the early settlers provides further evidence of their strong mercantile interests. Obviously not all men were involved with the sea and the various genealogical references reveal that

the early residents, although sharing common racial and cultural characteristics, were nonetheless a diverse lot. Residents from York, Hertfordshire, and Kent joined individual families from the New England towns of Boston, Watertown, Charlestown, Wethersfield, and Hartford to ply their skills as husbandmen, carpenters, thatchers, coopers, cordwainers, bricklayers, plasterers and shipbuilders in the new town.¹⁶ But the largest single group were the Londoners who in one way or another depended upon world trade for their livelihood. The origins of only sixty-two of the original 125 settlers who signed the oath of fidelity in 1639 have been identified, but of that group at least thirty-five were from London.¹⁷ This by itself may mean little but it is significant to note that the merchant group provided the leadership in the town during the first years of the settlement. Political power resided in a chief magistrate and four deputies who were charged with maintaining the "peace and welfare of the town." Until his death in the mid-1650's, Theophilus Eaton, a wealthy London merchant, acted as the chief magistrate while maintaining a strong interest in intercolonial trade.¹⁸ In the first decade fourteen men shared power as town deputies, twelve of whom were Londoners and at least seven were

active merchants whose activities suggest that they were desperately striving to create a second Boston.¹⁹

One of the most revealing documents regarding the economic influence of settlement is a letter written by John Davenport and Theophilus Eaton to the General Court of Massachusetts explaining why they chose to leave the colony. The missive is long and carefully written, designed to justify why they could not accept a very generous offer of land granted to them just beyond Watertown. Both men acknowledged that they had hoped to stay within the province but felt that God had not delivered them to an area where they could establish a settlement "convenient for family and friends." They graciously declined the offer because they had concluded that the upland areas did not meet the quality of the meadows in "goodness and desirableness" even though it is questionable they had visited the area. Moreover, they suggested it would be too great a distance from Boston "wherein we must be compelled to have our dwelling houses so farr distant from our farms. . . and few of our friends could bear the charge." Nor were they convinced, the letter continued, that such an arrangement (the separation of families) was even legal.²⁰

This may well have been an honest evaluation by Eaton and Davenport but a single sentence falling

between the other arguments succinctly and clearly states their dissatisfaction with the proposed site in Massachusetts. They were traders and it seemed unwise to plant a colony where a "boat cannot pass from thither, nearer than 8 or 10 miles distance, and that it is so remote from the Bay, and from any towne, we could not see how dwelling there would be advantageous to these plantations."²¹ Given their merchant background it indeed would have been unusual for the group to accept a landlocked community that would force many men to become farmers who had not background for such a task. Then, careful not to offend those in the Bay Colony "whose words have the power of law with us," they assured the General Court that the decision had been reached only after careful deliberation and by "god's appointment and direction." So this merchant-led venture convinced themselves as well as Massachusetts that divine providence led them to Quinnipiac Bay and early in the spring of 1638 the first permanent settlers arrived in the area.²²

During the first several years mercantile interests were secondary to the normal problems of establishing a town, but amidst the many activities merchants were establishing the basis for trade. A Mr. Johnson, who unfortunately remains anonymous, received the right to modify a cellar for a warehouse,

apparently as a depot for goods to be shipped to and from the town.²³ George Lamberton, a London merchant who had expressed a strong interest in Boston and who owned land there, became the most active trader in the new community. His vessel frequently sailed from the harbor on voyages to Boston, Saybrook, the Barbadoes, and Virginia, carrying cargoes that included peas, grains, salt, and wine. Perhaps on a voyage to Virginia or perhaps through contacts in Boston, he became interested in the Delaware Bay region as a site for another trading post. Upon returning to New Haven, he convinced the leadership of the town, particularly Theophilus Eaton, Thomas Gregson, Nathaniel Turner, Stephen Goodyear, a London merchant soon to become an official of the colony, and Richard Malbon, another London merchant and cousin to Eaton, to consider sending men to that region.²⁴

By the summer of 1641 a company of merchants had been organized in the town with the idea of expanding the influence of New Haven. At a July meeting of the General Court, a session attended by freemen and non-freemen alike so all men could speak to the issue, Theophilus Eaton explained that a group of merchants had purchased land at Delaware Bay.²⁴ The enterprise of settling the area would be privately undertaken but still under the tutelage of New Haven,

for it would serve "for the advancement of the publique good, as in the way of trade," as well as "for the settling of churches and plantations in those parts." Receiving the town's approval, Nathaniel Turner left the town to go to the area to arrange "the affayres thereof."²⁵ Shortly thereafter families of settlers followed to begin a futile attempt to rival the Swedish and Dutch in the lucrative fur trade on the Delaware River.²⁶

The reaction by the two competitors, who may have collaborated to oust the New Englanders, was immediate and intense. In the summer of 1642 the Dutch passed resolutions to "prevent the injury done to the Indian trade within Dutch territory at the South-river, . . . principally by one George Lamberton, residing at the Red Mountain, notwithstanding we have most expressly protested against him." They charged that he violated their sovereignty by illegally entering their territory to buy land and to trade with the Indians, declaring that they would "not permit it" unless the merchant agreed to pay stringent duties levied on his goods.²⁷ When he continued the intrusion the Dutch began harrassing Lamberton by burning buildings, imprisoning trading agents, confiscating goods, and exacting high tolls on all furs taken from the area.²⁸

New Haven's dream of colonizing the Delaware Bay region reached a critical point in the summer of 1643 when the Swedish governor successfully implemented a plan for Lamberton's arrest. As his ship lay anchored near a Swedish fort while the men bartered with the Indians for furs, a messenger from the Governor came aboard the Cock to ask for Lamberton's help in securing the arrest of an Indian who had supposedly stolen a necklace belonging to the Governor's wife. The New Haven merchant agreed and took several of his seamen with him to the fort to pursue the matter but upon reaching shore they were arrested. After separating the group the captors attempted to bribe John Woolen, a companion of Lamberton's, with "strong beer and wine" and promises of gold, silver, a hourse, and a large tract of land if he would but confess that Lamberton had hired some Indians "to cutt off the Swedes." Even after being thrown into irons, cast into a dark cell, then cajoled with more spirits, Woolen refused to acknowledge any treasonous activities of his master against either the Dutch or the Swedish settlements in the area.²⁹ At his trial in July, Lamberton defended the New Haven settlement on the basis of an Indian deed but it was found suspect and the court returned a verdict of guilty, punishing the New Havener by warning him from the area and forcing him to pay

double duty on beaver skins. During the next year the settlement, defeated legally, tormented by both physical sickness and their trade rivals, returned to New Haven, thus ending serious interest in the region for nearly a decade.³⁰

The religious and economic influences involved in the founding of the town were never as categorically separated as they have been in the preceding pages. In fact the two sustained one another in a delicate balance that demanded a conforming religiosity to insure God's help to succeed in acquiring material wealth. But this had to be tempered by severe self-discipline to prevent men from accumulating wealth beyond what was spiritually acceptable. If by chance, or undue temptation, greater emphasis was given to storing earthly riches, ministers constantly reminded the people that divine wrath punished wayward societies. Few men had qualms about achieving wealth for wealth was a sign of diligence in one's calling and necessary for a successful society. However, they balked at those, like Mrs. Stolion, who stood accused of selling material to a man for twenty shillings a yard when the same "mohejre" could be purchased in England for only three shillings per yard. This was considered to be a usurious price and the court called her to answer to the charge.³¹ Thus, an equilibrium was

achieved between the two forces that offered a rationale to keep each in check. The problem lay in the failure of one of the ideals, a problem that became a reality by the mid-1640's as the dream of developing a trade empire came to nought.

The prosperity that New Haven hoped would emerge from the Delaware venture failed to materialize and the town, once thriving because of the capital of the initial founders, now felt the pangs of economic deprivation. Trade patterns continued but they were usually small operations that dealt with limited quantities of goods that were shipped to nearby ports of Connecticut. Total volume was probably insufficient to effect anymore than a few of the townspeople.³² Money became scarce and the General Court reminded all men to accept "Spanish money, called peeces of eight" at five shillings per coin while declaring that wampum, probably the most common currency in the town, had to be accepted for any debt under twenty shillings if it was "half white and half black." Such measures, the court believed, would stimulate commerce so that it "may be better carried betwixt man and man in these parts."³³ Others suggested new means to procure food for consumption or trade. In May of 1647 Robert Seely, Lieutenant of the local militia unit, suggested to the General Court "that the planters in the town

whose minds were industrious in that way, might have libertye to set up wares to catch fish for the relief of their families and the good of the town."³⁴ The request was granted, allowing some apparent relief for those in need.

Unfortunately there are no records of the quantity of goods shipped either by the town as a whole or individual merchants but scant references suggest that officials made a concerted effort to meet the economic crisis by improving port facilities. Three leading merchants of the town, Richard Malbon, George Lamberton, and John Evance, after "considering the great damage this town doth suffer many wayes by reason fo the flatts wch hinders vessells and boates from coming neare the towne when the tyde is anything low," asked the General Court in August of 1644 to give them permission to dig a channel and construct a warehouse and a wharf. Since this would undoubtedly benefit the entire town the men asked that every man between sixteen and sixty be forced to contribute four days work on the project. Agreeing with the request, the Court appointed a seven man committee to decide upon the exact terms.³⁵ But the work languished and just a year later Lamberton again requested permission to build facilities for ships, although this request did not include asking for a work force nor any town aid

beyond the privilege to buy the land "or if the towne not be willinge to sell it, if I have it for the present."³⁶

By the middle of the decade the financial crisis became so acute that the town began experiencing difficulty paying its debts. Late in 1645 Richard Malbon, who had just relinquished the post of town treasurer, informed the town that "the court was much indebted to himselfe and others" for expenses used for the "publique safety and about things of common publique use." Part of the problem lay with some people who the court said enjoyed all of the benefits of the town without paying any rates and in response ordered that an equitable system be established so "as those that have borne the whole burden hitherto may be eased." In order to increase treasury funds all rates that had been due in the past and remained unpaid, as well as the spring rates due that April, were to be paid "within a month after the date hereof."³⁷ A year and a half later the problem forced the General Court to levy a new rate that increased the annual tax fifty percent for each householder. Although undoubtedly an unpopular assessment, the officials explained that the "towne was indebte and sundry things were to be paid to several men & the treasurer had it not to hand to pay."³⁸ The financial pinch also

raised fears that the town could not meet its obligation to support the scholars at Harvard which would be a "reproach that it shall be said New Haven is fallen from this service."³⁹

Merchants in New Haven gambled on one desperate attempt to revive the lagging economy but failure dashed the last hopes of building a viable trading center. A group consisting of Theophilus Eaton, Stephen Goodyear, Richard Malbon, and Thomas Gregson ordered the construction of a large vessel. Its first trans-Atlantic voyage would be doubly significant for two reasons: First, Thomas Gregson bore the responsibility of convincing Parliament that New Haven should receive a charter and the colony intrusted him with the L200 to complete the mission. Secondly and equally important, the maiden voyage would serve as the initial impetus for a thriving trade with England.⁴⁰ The "Great Ship," laden with a cargo of wooden planks, corn, peas and skins valued by some at nearly one-seventh of the total wealth of the community, sailed in January of 1646.⁴¹ However, the vessel succumbed to the stormy waters of the north Atlantic, destroying not only the vision of a prosperous mercantile community, but the hope of receiving a legal patent to the land as well.

The sequel to the mercantile failure in New Haven is interesting, for it reveals that those who provided the incentive and leadership were unwilling to openly acknowledge their role and thus accept any responsibility for the economic crisis. Two men, George Ward and Luke Atkinson, were charged with and ultimately fined in separate cases for "defaming" John Davenport. Ward, one of the brothers contracted to build the "blocks" for the Great Ship, had accused the minister of having an interest in the Delaware scheme but Davenport "said he did not meddle in the managing of any trade." Luke Atkinson, an original settler in 1639, also claimed that Davenport had taken part in the Delaware project but refused to admit it. According to the testimony of John Speede, "Mr. Davenport had said that wch afterward he denied," implying that the New Haven minister was being less than honest when talking about his association with those who wished to go to the Delaware. Richard Osborne added that Atkinson claimed that "Mr. Davenport's name had bin very pretious but now it was darkened."⁴² It may be, as the verdicts in the cases indicate, that the Divine did not have any direct connection with the Delaware project but he had apparently sanctioned the idea of settlement in that area in order to spread the influence of the church, and the fact that the

minister and the Court reacted so defensively suggests that neither could tolerate the taint of failure on community leaders.⁴³

As isolated cases the slander charges prosecuted for John Davenport may be unimportant but a similar case developed after the Great Ship failed to reach England in 1646. George and Lawrence Ward, brothers who had come in 1639 but subsequently moved to Branford, charged that Theophilus Eaton, Stephen Goodyear, Richard Malbon, and Thomas Gregson were members of a company of merchants who had contracted them to provide "blocks" for the ship. The brothers had dealt with George Lamberton, captain of the ill-fated ship and George Hart, agent for the company, regarding the specifications and the money involved. But after the work had been completed and the vessel lost, the company would neither pay for the blocks nor even admit that they had ordered them. The merchants testified that they knew nothing of the order nor even considered themselves members of a company. According to them, every man had acted independently so if Lamberton had placed the order for the blocks, it had been his decision alone and they were not responsible for the debt. Finally after a great deal of testimony, Eaton, although refusing to acknowledge his role, stated that he would rather pay

a share than to see the Ward brothers receive nothing. The court action finally ended when town officials agreed that the brothers must be paid and suggested both sides appoint arbitrators to settle the matter.⁴⁴

This reluctance on the part of the leaders to admit failure signifies the importance attached to the necessity of succeeding in the secular nature of their mission. Defeat did not simply mean that trade was not a viable option; it meant that a shadow of doubt had been cast on the sanctity of the community itself. Such failure could be interpreted only one way: New Haven had fallen short of God's expectations and although no one spoke directly to this issue, the actions of leading town officials suggests that they were frantically searching for answers to this perplexing problem. The delicate balance between piety and secular interests had been upset, suggesting to them that the covenantal relationship had been destroyed. The only solution lay in their theology and in order to renew the covenant and re-establish the prosperity that seemed so distant by 1645, the community leaders had to rid the town of those who vilated God's will. Failure, then, would force a rigid orthodoxy upon the town that many people would find reprehensible and in the process of purification

of society, the leadership alienated people to the extent that the image of authority would become tainted in New Haven.

CHAPTER I--FOOTNOTES

¹John Davenport to Lady Vere, Mach 18, 1634 found in Isabel M. Calder (ed.), Letters of John Davenport, Puritan Divine (New Haven: Published for the First Church of Christ in New Haven by Yale University Press, 1937), 39. Hereafter cited as Davenport Papers.

²See John Davenport and Theophilus Eaton to the Massachusetts General Court, April 12, 1638 in the Massachusetts Historical Society, Winthrop Papers (5 vols., Boston, 1929-1947), IV, 18-20. Hereafter cited as Winthrop Papers. John Davenport to Lady Mary Vere, August 28, 1639 found in the New England Historical and Genealogical Register, IX, (1855), 149-50; Charles Hoadly (ed.), Records of the Colony and Plantation of New Haven, 1638-1649 (Hartford: Case, Tiffany and Company, 1857), 58. Hereafter cited as New Haven Records.

³Ibid., 1-7.

⁴Davenport arrived in Boston during the Anne Hutchinson affair and took part in the proceedings against her. John Fiske, The Beginnings of New England (Boston: Houghton, Mifflin & Co., 1889), 146; Winthrop's Journal: "History of New England," ed. James K. Hosmer (2 vols., New York, 1908), I, 231; New Haven Records, 12; David Hall (ed.), The Antinomian Controversy, 1636-1638: A Documentary History (Wesleyan University Press, 1967), 358-364; For references to the Charter Crisis see Edmund S. Morgan, The Puritan Dilemma (Boston: Little Brown and Company, 1958), 195-196 and Richard S. Dunn, Puritan and Yankee (New York: W. W. Norton and Company, Inc., 1962), 31-32.

⁵New Haven Records, I, 12.

⁶Ibid.

⁷Kenneth Lockridge in A New England Town: The First Hundred Years (New York: W. W. Norton & Company Inc., 1970) 31, suggests that the utopian influence can be illustrated by the fact that in the first twenty years of Dedham settlement the church congregation and the town members were substantially the same. But a simple tabulation of those who signed the plantation covenant in New Haven reveals that only sixty-nine of the 125 men were or became church members in the first years. The head count was taken from the New Haven Records, I, 17-18, and compared to those who became church members according to Franklin Dexter's Historical Catalogue of the Members of the First Church of Christ in New Haven, Connecticut, 1639-1914 (New Haven, 1919), 1-7.

⁸New Haven Records, 14-15.

⁹The Reverend Samuel Eaton, brother to Theophilus, may have been the first man to challenge the idea but the records show that after his initial dissent others came forward to relate how similar doubts had been overcome. Ibid.; Edward Atwater, History of the Colony of New Haven to its Absorption into Connecticut (New Haven, 1881), 99.

¹⁰New Haven Records, 14.

¹¹Ibid., 15.

¹²The seven men were Theophilus Eaton, John Davenport, Robert Newman, Mathew Gilbert, Thomas Fugill, John Ponderson and Jeremiah Dixon, Atwater, History., 101.

¹³Isreal Stoughton to John Winthrop, August 9, 1637 and Isreal Stoughton to the Governor and Council of Massachusetts, August 14, 1637, describes the area as "excellent" and "too good for any but friends." Winthrop Papers, III, 479, 483.

¹⁴For Boston's interest in the area see Hugh Peter to John Winthrop, January, 1637-8, Winthrop Papers, IV, 3-4. Lois Mathew's The Expansion of New England (New York: Russell & Russell, Inc., 1909), 245, James T. Adams, The Founding of New England (Boston: Atlantic Monthly Press, 1920), 206, Isabel Calder, The New Haven Colony (New Haven: Yale University

Press, 1934), 48 and Atwater, History, 101-105 all discuss the impact of the Pequot war on opening the area for settlement.

¹⁵William Hubbard, A General History of New England from the Discovery to 1680 (Cambridge, 1815), 334.

¹⁶James Savage, A Genealogical Dictionary of the First Settlers of New England (4 vols., Boston: Little Brown and Company, 1860) is the single best reference.

¹⁷Ibid.

¹⁸Simon Baldwin, "Theophilus Eaton: First Governor of the Colony of New Haven," Papers of the New Haven Historical Society, 15 vols. (New Haven, 1908), II, 1-33. Hereafter cited as New Haven Papers. Savage, Genealogical Dictionary, II, 80; Allen Johnson and Dumas Malone, eds., Dictionary of American Biography (20 vols., New York: Charles Scribners's Sons, 1928-36), V, 612.

¹⁹Compiled from the New Haven Records.

²⁰Winthrop Papers, IV, 18-20.

²¹Ibid.

²²Calder, New Haven Colony, 48.

²³New Haven Records, 31.

²⁴Apparently Lamberton was a well respected merchant for a Boston resident complained that he "did us much wrong; I expected him to come to the Bay, but it seems he sits down at Quillpiack Bay." Ezekial Rogers to John Winthrop, November 3, 1639. Winthrop Papers, IV, 151; Savage, Genealogical Dictionary, III, 48-9.

²⁵New Haven Records, 56-57.

²⁶Charles Levermore, The Republic of New Haven: A History of Municipal Evolution (Port Washington, New York: Kennikat Press, 1866) 9-96.

²⁷E. B. O'Callaghan, (ed.), Documents Relative to the Colonial History of New York (14 vols., Albany, 1856-1883), XII, 24, 69.

²⁸Levermore, The Republic, 93.

²⁹For the best description of the episode see the sworn statement of John Thickpenny, a seaman aboard the Cock, in New Haven Records, I, 106-108.

³⁰Ibid., 147; Levermore, The Republic, 94-95.

³¹She died before the trial could be held. New Haven Records, 81-91. For the best analysis of usury in the seventeenth-century see Bernard Bailyn (ed.), The Apologia of Robert Keayne: The Self Portrait of a Puritan Merchant (New York: Harper and Row, 1964), as well as The New England Merchants in the Seventeenth-Century (New York: Harper and Row, 1955), 41-44.

³²For an example of the goods traded see the court case against John Charles in the New Haven Records, I, 81-91.

³³Ibid., 211, 426.

³⁴Ibid., 311-312.

³⁵Ibid., 143.

³⁶Ibid., 172.

³⁷Ibid., 181-182.

³⁸Ibid., 310.

³⁹Ibid., 111-112.

⁴⁰Cotton Mather, Magnalia Christi Americana (2 vols., Russell and Russell, Inc., reproduced from the 1852 edition and published in 1967), I, 84.

⁴¹Thomas Trobridge Jr., "History of the Ancient Maritime Interests of New Haven," New Haven Papers, III, 97.

⁴²New Haven Records, 184, 279-280.

⁴³Ibid., 56-7; Levermore, Republic, 95, suggests that the Delaware project brought economic disaster to the community but pursues this analysis no further.

⁴⁴New Haven Records, 331-333.

CHAPTER II

"YOU MUST SUBMIT TO AUTHORITY"

Reflecting on over thirty years in New England, John Davenport told a Boston audience in 1669 that the key to success for any political system rested on the citizens' submission to authority. Few in New Haven or any other New England town would have questioned that assertion, for all agreed that the passions of man had to be controlled in order to construct an orderly society. Two institutions were vital in pursuing that end. The church provided for the spiritual needs of the people while the secular state legitimized political power. The two interacted in such a way that a man in New Haven faced a variety of controls over most aspects of his life. But strict demands made upon all did not preclude men from coming to the town and building up modest estates. Nor did the town suffer from the hands of a harsh theocracy, but rather the town reflected a political system that allowed most men a means of expression.

The covenant formed the general framework for the institutional development of New Haven, providing

the means to rationalize and implement the control of man's behavior. There were several covenants that men had to agree to upon entering. The most important was the anterior, or covenant of grace, that assured an individual of salvation. This became the intellectual basis for two other agreements. Once a gathering of saints had assured themselves of the sanctity of their mission, they "joyned in a Civil-society, that union being made the power of Civil Government, and of making law." This was an association undertaken to insure a man and his family against "violence and wrong, and is a consequence of pure Nature," although the thoughtful decision to "devolve our power into the hands of civil rulers" was considered to be "positively moral." An expressly spiritual action concerned the covenant that the elect entered into with one another to organize a "christian communion, by free confession of faith," a church to facilitate the worship of God to insure the moral strength of a society. These contracts demanded that man submit to authority, be it represented by a minister or a magistrate, because the power had been granted by God. If man violated the special covenantal relationship by acting in ways offensive to the Almighty (or more realistically the visible church), then he stood in danger of not only personal ruin but bringing the wrath of God down upon the entire community.¹

Such a system also relegated to each individual a special role to play within the societal framework. Theorists viewed society as an organic unit which remained stable only as long as each member willfully accepted his role. The status of that role depended upon a person's particular "calling." Some men were to be farmers or cordwainers while others, the Godly and learned, were destined to provide the necessary political leadership to establish a community of visible saints. One seventeenth-century writer commented that "every man is to serve his generation by moving in his own job; and his discharging those offices that belong to that order that the government of heaven has assigned to him." If man failed to acknowledge his station in life, or refuted the power of those above him, the organic unity of the whole would be upset.²

The heart of the matter concerned the responsibility man had to the legal or spiritual authority that guided his life. In 1645 John Winthrop admonished the people that elected officials should not be questioned "since it is yourselves who have called us to this office and being called by you, we have the authority from God, . . . [for] the covenant between you and us is the oath you have taken of us, which is to this purpose, that we shall govern you and judge your causes by the rules of God's laws and your own,

according to our best skill."³ New Haven's oath of fidelity, signed by all free burgesses and admitted inhabitants, stated that all men owed obedience to the town and should accept the burden of protecting the well being of the community. It was expected that every man "shall give due honor to the lawfull magistrates and shall be obedient and subject to all the wholesome lawes and orders allready made or which shall be hereafter made by lawfull authority aforesaid."⁴ Writers cautioned that political power should not be given to the undeserving and reminded the people that magistrates should not only be "wise and learned in the matters of religion, but also able to reduce that knowledge into practice. But if by chance unholy men were chosen, their authority still must be obeyed because of the relationship stood as "wives to their husbands though unbelievers, . . . and servants to their masters though forward."⁵

Deferential attitudes were not unique to theorists like Davenport but were held in common by most men in New Haven. More importantly, officials acted on those assumptions in determining important decisions within the town. Land was guaranteed to all permanent settlers in the town but wealth and social position often determined the amount of land an individual would receive. Men whose estates were

valued at over 500 pounds received an average of slightly over 300 acres while adult males who were struggling on estates that averaged below 100 pounds received a total of fifty acres in the first two divisions. The middle group of men who could boast of an estate between 100 to 300 pounds were awarded roughly seventy-eight acres of land and the individuals whose estates were above 300 but less than 500 received approximately 115 acres of land.⁶ Of less real importance but socially significant to the residents, was seating in the meeting house. The wealthy and socially prominent were given choice seating near the front while those of lesser importance sat either on the side aisles or in the rear of the building.⁷

Similar attitudes were important in determining who possessed leadership qualities within the town. For example, in the mid-1650's the deputies issued a special call to Samuel Eaton, the son of the governor, asking him to consider leaving his home in Boston to accept a "place of a magistrate in this jurisdiction" because the Court felt that few qualified men remained in New Haven who could fill such a position.⁸ John Nash, an original settler of moderate wealth, who had become active in local affairs, resisted an offer in 1660 to become the captain of the New Haven Colony militia. It may well be that he simply did not want the

responsibility, yet he justified his refusal by stating "that he hoped the rules of God in scripture would be considered and attended in this matter, whereby it appeares that such as were chosen were men of courage and valour, chief men, men of estates, such as rendered the place to be a place of respect." In his mind he failed to qualify for the position and pleaded with the Court to realize that God knew the "uprighteousness of his heart in what he said."⁹ Two years before the incorporation of New Haven into Connecticut the deputy governor expressed a fear that elected offices could not be filled by qualified men.¹⁰

Such ideas were reflected through the two institutions designed to create an orderly society. The first was the church, the dominant spiritual power that effected the lives of most people either directly or indirectly. John Davenport defined it as "a company of faithfull and holy people, or persons called out of the world to fellowship with Jesus Christ, and united in one congregation to him as members to their head, and with one another, by a holy covenant for mutuall fellowship in all wayes of holy worship of God."¹¹ The elect, described as those "reconciled to God and saved not of themselves, neither by their own workes, but onely by the mighty power of God," were obligated to form congregational bodies duly manned by

ordained officers who could dispense the sacraments (baptism and communion) to the visible saints.¹² Man existed in a tenuous state and the church alone could provide the strength and stability for a society to survive.

Though essential to the social-political structure of New Haven, the church, contrary to the patterns found in some towns such as Dedham, Massachusetts, never encompassed the entirety of the population. In the twenty-six year period between 1639 and 1665, the First Church of Christ admitted only a total of 177 male members or an average of only about seven a year. In the middle of the first decade when church membership reached its zenith, roughly half of the adult males were also members of the church.¹³ In the next twenty years New Haven, as most other New England communities, faced the crisis of declining church membership in a society that was gradually increasing in size. By 1665 eighty-one of the 177 members had either or were dismissed, leaving approximately ninety-six members within the spiritual body. Whereas the total adult male population had been 145 in the mid-1640's, it has now risen to 218. Thus, forty-four percent of the adult males now stood as church members, a drop of approximately six percent. Although not as apparent as

the same trend in the rival port of Boston, the church in New Haven became more isolated as the secular world grew around it.

Whatever the percentage of men within the church, it played an instrumental role in the town, exercising its authority in several ways. The First Church of Christ restricted membership through severe "tests of saving grace," and demanded from its elect rigid conformity to standards established by the judicious Bible study of its minister and teacher. Many infractions could result in disciplinary measures against the accused but the kind of punishment depended upon the nature of the violation. Drunkedness may have been sinful but unless a person was habitually inebriated he could expect little more than a severe warning. Other charges were serious. Heresy represented the greatest danger to the community and the church liberally interpreted it to include any attempt to "subvert or destroy the Christian faith or religion by broaching, publishing or maintaining any dangerous error."¹⁴ This meant that those who flirted with the felonious doctrine of anabaptism ran the risk of severe punishment but it could also be applied to those described as having an "obstinate carriage."¹⁵ If the "heretics" failed to properly repent and acknowledge the error of their ways, the congregation could,

and usually did, use the ultimate spiritual weapon, excommunication.¹⁶

Disciplinary action could affect members in other ways as well. Although the church could not legally prevent marriages, it could refuse to sanction the union when one partner had been expelled from the congregation or was deemed morally unfit of the other. Since town officials were always church members, it stands that an unfavorable word from the minister may have been enough to prevent the governor from carrying out the marriage ceremony.¹⁷ Suffrage was considered both a privilege and a responsibility, a privilege delegated only to the visible saints because they were godly and a responsibility on their part to carry out the God's moral plan for society. But loss of membership in the church meant the loss of this right. Some in New Haven found that being cast from the church carried with it such a social liability that leaving the town was more acceptable. So Thomas Fugill, excommunicated for his behavior as town clerk, returned to England with only bitter memories of life in the unfriendly wilderness. An acquaintance stated that he was in a "melancholoy frame," and that he was so embittered against the "waye and worke of Christ, that he cares not how many be made like him, in his ruinous state and condition."¹⁸

The First Church of Christ had no claims to the souls of non-members, but the close relationship of the church and state, combined with the belief of the leaders that they had constructed a working theocracy, allowed it to touch the lives of many of the non-elect. The codified laws of 1656 demanded compulsory attendance for everyone to the Sunday church service and reminded the town that "the days of public fasting, or thanksgiving" were to be kept and observed. Violators could expect a fine of five pounds.¹⁹ There were also countless rules intended to prevent man's sinful nature from dominating his life. The court carefully controlled the sale of alcohol, prohibited card playing in town, cautioned men not to smoke in public, and warned that severe punishments would be meted out to those dared to participate in such immoral acts.²⁰

Despite the many laws, man erred and the court punished. For failing to "attend the public ordinances upon the saboth dayes nor attend the order of the towne in bringinge his armes . . . but . . . stayeth at home and sleepeth away his time," Samuel Hodgkins was hauled into court and warned that if this continued he could expect serious punishment. George King, charged with "blaspheming the name of God by cursing," received the whip; Richard Smoalt, servant to Mrs. Turner,

received the same for "scoffing" at the word of God; Jeremiah Johnson, "speaking in a jesting manner and mocking way of the holy word of God," was freed only after a lecture that threatened corporal punishment.²¹ These are but a few examples that reflect an important characteristic: spiritual authority, channeled through the auspices of the civil government, played a dominant role within the town to check the behavior of those who seemed to deny the sanctity of the community.

The civil government was the second institution that helped mold society in New Haven. It joined with the church in the quest for creating a system pure enough to withstand the rigorous challenge of the godless, secular world. But its powers were far broader. Once chosen by free burgesses, elected officials assumed the responsibility of protecting the well-being of all. This included not only defending against alien religious doctrine but providing for, and controlling, the material aspects of life in the town.

New Haven was not a theocracy. Spiritual and lay leaders alike agreed with John Cotton when he warned that "if any magistrate should presume to thrust himself, by his authority . . . into a work which properly belongs to a church officer, let him remember what befell Saul." He continued by reminding New

Englanders that church officers "are called to attend only spiritual matters and the things of God and therefore may not be distracted from them by secular entanglements."²² Even though they accepted a strict division of power between the spiritual and secular, church members still dominated the political structure. Yearly a group of five men, legally chosen by the voting populace, conducted the business of government through the General Court, a modified town meeting, and the Court, the judicial arm of civil authority. The same men comprised both courts, thus restricting authority to a small group of men.

One of the most important powers the elected officials had was the right to decide the amount of land each adult male would receive. Since land usually meant wealth, all men closely read the 1639 order that stated:

Every planter in the town shall have a proportion of land according to the proportion of estate which he hath given in, and number of heads in his family, (viz) in the first division of upland & meadow 5 acres for every hundred pound, and 5 acres for every two heads, of upland butt halfe an acre of land to a head and in the neck an acre to every hundred pound and halfe an acre to every head.²³

At various times individuals petitioned the Court for more land not granted in the usual division or asked for special consideration regarding land distribution. Throughout the period this power remained exclusively

in the hands of the elected officials and it would appear from the records that they handled the power well and no dissatisfaction arose from this policy.

The power of land distribution also had a social-political function; it could be used as a tool to exclude undesirable men from settling in the town. In 1639 a Court granted a committee consisting of some of the leading men of the town the authority to dispose "all the house lotts yett undisposed . . . aboute this town to such persons as they shall judge meete for the good fo the plantation and none shall come to dwell as planters without their consent and allowance whither they come by purchase or otherwise."

Not only did the officials have the power to decide who might receive land, they could also at least partially determine how the land could be used. Since timber was a commodity vital for a variety of reasons, it serves to illustrate this point. A General Court ordered that no trees be cut on any land except the cutters private property and appointed men to search for illegally cut wood and claim it for the town. For their effort they could keep half of the confiscated property. Special restrictions were placed on cutting wood in the area "where the tree masts grow" and fines were levied against those who violated the order.²⁵ Town officials even designated, at

times, the kind of corn to be grown in certain parts of the town and attempted to insure the protection of all crops by enforcing fence construction around every field.²⁶

Economic pressures also forced the Court to pay strict attention to matters concerning money. Exchange rates were established for Spanish money as well as the most commonly used specie, wampum. During the financially depressed decade of the 1640's local officials constantly admonished sellers that usury offended God's dictum of a just price and ordered that "all commodities well bought in England for ready money" could be sold at a profit not to exceed three pence per shilling or "when bought from ships or other vessels here, not a penny a shilling wholesale." Although only one case warranted court action, and then the accused died before the court could complete its action, laws remained on the books reminding citizens that obedience was expected.²⁷

Equally important was the power to determine and regulate the rates of workmen and laborers in the town. Maximum day wages for "carpenters, joiners, plasterers, bricklayers, mowers, coopers, thatchers, ryvers of clapboards, pailles, shingles and lathers and like callings which require strength and skill" averaged two shillings in the summer and twenty pence

daily in the winter.²⁸ Those who performed the same tasks but who failed to qualify as masters could realize wages of eighteen pence in the summer and fourteen pence in the winter while "unskillful, negligent laborers and boyes," were paid according to their services in both seasons. Price regulations also affected those who mastered small vessels, cut and sold timber, mowed salt marsh grass or rented rooms to boarders. The actual money transaction, said the court, had to be in "corne, as the price goeth in the plantation, or in worke as the rates settled . . . or in cattell of any sort" ²⁹

Rates, however, meant something quite as important as wage-price controls; it referred to the tax all were expected to pay on their land. At a General Court in October of 1643 the deputies ordered "that rates be paid on upland and meadow from the first division at four pence per acre and all second division land to be taxed at two pence."³⁰ The tax was to be paid in two installments, one in April and the other in October, and the town would accept beaver skins, corn, wheat, rye, pease, and wampum in lieu of English or Spanish coins. Although rating remained a constant problem in New Haven, it was somewhat stabilized by the end of the decade when a committee that had been studying the problem submitted, and the town accepted,

a report that based New Haven's tax structure on that of Massachusetts.³¹

While such control was felt by all to be essential, the court also had to face the larger problem of protecting the settlement from the dangers that always lurked in the wilderness. They had been commissioned to enjoy Gods peaceable kingdom but only watchful diligence could insure this. Thus, shortly after the town had been established a series of laws were passed establishing the ever necessary and important watch. Each town quarter provided a watchmaster who directed six men to patrol the area in pairs each night from March first through October. The orders were simple yet vital: patrol the inhabited section of town "and bring to the court of guard any person or persons whom they shall finde disorderly or in a suspicious manner, within doors or without, whether English or Indian or any other stranger."³² There were certain common cries for fire or enemy attack, regulations regarding arms, and fines for being late, absent, or negligent while on duty.

A second phase of town security lay in the organization of the local militia and more directly affected the male citizenry of New Haven. Each man (or a servant acting as a substitute) between sixteen and sixty was obligated to train in local squadrons once

or twice a month and in a larger town company six to eight times a year. Having a defective weapon, or being late or absent, were violations punishable by fines and sufficient evidence exists to suggest that militia training, as with the watch, was less than popular with the average man in New Haven.³³ True, both duties were essential to such a frontier community and few if any men would argue that they were unnecessary, but rare was the man who could avoid a court fine for such infractions.

Acting in its judicial capacity, the magistrate and deputies sat monthly to hear civil cases involving less than twenty pounds and criminal cases not warranting capital punishment. Most legal matters in the town fell under their jurisdiction, although a second court system emerged after 1643 composed of magistrates from the towns in the colony of New Haven which handled problems of a more serious nature.³⁴ Generally speaking, the local courts were confronted with questions involving virtually every aspect of man's life in a New England community. They ranged from acts judged immoral to simple violations of town law. Since this study does not intend to provide a catalog of such cases, several examples will illustrate the kind of control extended through the judicial process.

The most intimate relationships between men and women posed some of the most perplexing problems for the Court. Sexual offenses were usually described as "sinful dalliance" between couples, often young servants, and usually punished by a public whipping.³⁵ Occasionally a more serious breach of morality would be noted that in turn called for a private meeting with the chief magistrate who, after studying the problem, could dismiss the accused or ask for a public trial. If the participants were young with no background of delinquency, officials usually admonished them to abstain from such behavior and allowed the family, or if they were servants the master, to mete out the punishment.³⁶ In some cases the court followed the dictates of the law and "punished" by forcing the couple to marry. There were cases, such as bestiality, however, so heinous that the Court followed Biblical dictates and awarded the death penalty. While one such incident did occur in New Haven, a case of a servant, notorious for his "prophane lying" and "scoffing" was accused of fathering a monstrous pig, such incidents were rare and excessive punishment was the exception.³⁷

Drunkenness serves as another example of the way the Court dealt with problems that seemed to plague the town. Laws were passed or more technically orders were issued, granting monopolies to a select

few to sell beer, wine, and spirits.³⁸ Although never formally law, restrictions were enforced against night meetings in private homes where drinking had occurred or would likely to occur in the future. The most common deterrent, however, involved severe discipline of the violators. Those who had been arrested for such infractions usually met privately with the chief magistrate or the Court to determine whether they were disposed to drunkenness or whether it was "an act only."³⁹ If the case warranted further action, judicial proceedings were initiated. Theoretically an offender could be subject to capital punishment and the Court generously warned men of this, particularly if they were a backsliding saint, but penance seldom went beyond the usual means unless the person's actions seemed injurious to the community. Then discipline could result in the loss of his house lot and even exile from the town.⁴⁰

The two most time-consuming tasks the Court faced dealt with the numerous actions taken against petty offenses and rendering decisions between private citizens. Violations of town ordinances became a norm in the first decade and the monthly Court must have maintained a frenzied pace deciding who stood guilty of having a faulty weapon or who could not justify a missed watch or being late for a training day.

Penalties were slight but they certainly must have been considered a nuisance by the relatively large percentage of adult males who found it difficult to maintain the diligence that could prevent such court action. Even leading town figures such as Nathaniel Turner, Mathew Gilbert and Francis Newman were fined for petty violations.⁴¹ In addition the citizens of the town brought numerous private problems to the same officials that ranged from personal slander to breach of contract. A variety of such charges were handled in one of two ways: the court could appoint mediators to the case or conduct the hearing themselves.⁴²

Some in New Haven were unable to care for themselves and in such cases the Court assumed the role of a social agency, providing food, shelter, or perhaps a small stipend until the indigent could again function as a responsible citizen. In extreme cases the town officials moved to separate entire families if the traditional structure could no longer provide guidance for the children. Thus Thomas Trowbridge, an early settler of New Haven but heavily in debt, saw the Court declare his goods attached, and since he had no visible means of support, his family was "dissolved." The children became charges of the town sergeant who received a small portion of the attached goods to help provide an education for the wards as well as "nurture them in the feare of God."⁴³

The local court, then, acted as a means to control man's deviant behavior but the records suggest that officials attempted to judge the cases in an even handed manner. Litigants in civil cases were encouraged to speak freely or if they wished, to hire a representative to plea the action. If the Court appointed arbitrators to settle the matter, the litigant could respond by challenging the suitability of the appointee, even if it involved respected members of the community. For example, Henry Bishop, tenant on John Davenport's farm, became involved in a bitter dispute with the Divine and challenged an appointed arbitrator on the grounds that he could not impartially weigh the evidence.⁴⁴ Perhaps the best example concerns servants, for they were the single group that posed the greatest challenge to the town's moral standards. Even so, they could expect fair court proceedings. If the responsibilities expected of the master-servant relationship were not fulfilled, the court could, and did, intercede to revoke the written or unwritten contractual relationships.⁴⁵ If a servant could prove physical abuse or mistreatment he could expect to be removed from the household. When the court was convinced that the "ulcers, chillblanes and sores" on the servant of Samuel Andrews were the result of negligence on the part of his master, he was removed

from the home.⁴⁶ Sometimes this power was used to extend a legal contract or decide to whom servants legally belonged. At any rate the proceedings were always cautious and deliberate as the Court attempted to deal justly with even those who presented threats.

To assume, however, that men bore unbearable burdens under the strict regulations of a New England town, would be erroneous. For the most part these men and women had voluntarily chosen to come to New Haven and fully realized that they would have to abide by strict moral codes. In a day of intense religiosity, particularly when leading spokesmen were espousing building "the city on a hill," this did not seem unusual. Furthermore, secular institutions provided a means for most adult males to speak to the critical issues.

Although no one in New Haven would have suggested that their political system revolved around the ideal of "democracy," town officials did govern by a consensus of the people. John Davenport argued that magisterial authority represented God's power but saw no discrepancy in the logic when he stated that such power is "by the people's free choice, at least the suffrages of the major part of them."⁴⁷ The "voice" of the people was the General Court, the legislative body that sat monthly to conclude the major business for the town.

It provided a means for men to speak to pressing issues of the day. By law all free burgesses (the term free planter was used interchangeably and designated the same legal distinction) were required to attend such meetings and probably all planters, those who were inhabitants of the town but not church members, also accepted the obligation. At times when the matters were relatively unimportant, the officials of the town asked the "whole town" to express their feelings by a show of hands.⁴⁸ When major questions or problems faced the town, such as asking for new taxes or measures to be taken against seemingly hostile Indians, all men of the town were expected to attend to insure that whatever decisions were made reflected the broad agreement of adult males.

A major criticism of seventeenth-century New Haven involves the limited franchise that, according to some historians, successfully precluded a majority of men from voting, thus insuring the near totalitarian control by a spiritual oligarchy.⁴⁹ To be sure, not all men were awarded the right to vote but the percentage of eligible males remained relatively high throughout the 1639-1664 period. In 1643, the date of the first complete list of adult men recorded in the town, approximately fifty percent of the adult male planters could qualify as voting freemen. But

only forty-two percent chose to be declared voters by the General Court, suggesting perhaps that many simply did not feel compelled to participate actively because they were satisfied with the general tenor of the system. By the mid 1660's, the percentage eligible to vote had dropped to approximately forty-four percent while the actual legal freemen had remained at the 1643 level. These figures are not large in terms of twentieth-century standards, but they are significantly higher than the oft-quoted twenty-five percent. And the fact that suffrage never became a topic of criticism, even during the years of intense dissatisfaction, suggests that perhaps most men were relatively satisfied with the franchise and fully accepted the political deference so apparent in that century.⁵⁰

There is little doubt, however, that an elite group of men dominated the political system. Each year the freemen were charged with electing a chief magistrate or "governor," and four deputies to conduct local affairs. The magistracy was dominated throughout the period by only three men, one of whom, Theophilus Eaton, held the position nineteen years. During the same period New Haven voters chose twenty-one different men to fill 114 seats as town deputies. Five dominated that position by being chosen forty-seven percent of the time while the next seven most

frequently elected men captured twenty-four percent of the seats. The same general pattern is true of the townsmen, elected officials whose power slowly replaced that of the deputies after 1651.⁵¹ In the fourteen years after that date there were 105 seats open for election. Thirty-one men filled those vacancies. Of that number eight held over forty-five percent of the seats while the other twenty-three men shared the remaining positions.⁵² These facts are not meant to condemn the system but only suggest that for whatever reasons, voters relied heavily on a small group who they decided were best qualified to provide leadership for the town.

Town officials delegated many of the duties of government to committees composed of citizens whose responsibility it was to study various problems and report back to the General Court with proposed solutions. Such groups sat as screening agents for proposed settlers, studied sites for bridges and mills, established the procedure for land divisions, determined the best areas for open grazing, and handled a myriad of other tasks. Whatever the matter under consideration, familiar town names dominated the list. With few exceptions the men were church members and if the problem being considered was extremely sensitive the town minister joined with the elders to examine the

aspects of the case. Many who were committee appointees also held or had held elected positions.⁵³

The relatively small group of men who dominated the political offices in New Haven were for the most part the financially successful of the community. The average tax rate paid in 1643 by those who were or became town deputies amounted to three pounds ten shillings. The average 1643 estate amounted to nearly 498 pounds but wealth at death of these men slipped to roughly 445 pounds (nearly half of the men left probated estates). Thirty percent of the men who eventually became townsmen had estates in 1643 averaging 108 pounds. The probated wealth of the same men reveals an estate that had jumped to 332 pounds per individual. Generally speaking, these men were being chosen by an electorate whose general wealth, based on the 1643 list of estates as well as the available probated material, averaged 345 pounds per adult male or slightly above that of the townsmen and slightly less than that of the deputies.⁵⁴

When compared with available statistics regarding the non-freemen of the town, the wealth patterns of both the elected officials and the freemen suggests that there was a disparity between the groups. The general wealth of the planters who signed the initial pledge of loyalty to the town government averaged

approximately 150 pounds in 1643 and 262 pounds at the death of the men. But of the men who came to New Haven after 1643, and left some record of their estate, only a few could match the latter figure. On the average the planter estates approximated 100 pounds between 1639-1664.⁵⁵ Obviously such figures could be in error because many men did not bother with a will. But it does suggest that the relatively successful man was more often than not a freeman and that elected officials were usually chosen from those whose material acquisition afforded them the luxury of civic responsibility.

This is not to say that those who were not freemen or office holders were entirely excluded from participating in town matters but the positions open to such men were usually appointive and of secondary importance. Beginning early in the 1640's town deputies appointed fence viewers for each quarter whose duty involved checking all fences on a regular basis to insure that crops were protected from wandering swine. Although the average wealth of these men at their death amounts to 242 pounds, most were appointed at a time when their financial fortunes were minimal. For example Roger Alling, John Moss, Jeremiah Whitnell, and John Clark all served in 1645 when it is doubtful that their average wealth amounted

to much more than twenty-five pounds (it would average 210 pounds at their death). In addition, nearly forty-two percent of the positions during this period were held by non-church members.⁵⁶

The ideals of an organic, static, deferential society did not mean that men shunned economic mobility or saw material success as contradictory to the governing theories. To be sure not all men found the demanding New England countryside willing to yield the fruits of hard labor, but continuous effort combined with shrewd land transactions could result in an individual laying up substantial worldly goods. For example, many must have aspired to follow the patterns of John Cooper who came to New Haven with an estate of only 30 pounds but probated an estate of nearly 225 pounds. Thomas Munson's worth as tenant farmer in 1643 was apparently so insignificant that officials did not list it, but in a life of over thirty years in the town he developed wealth of nearly 280 pounds. And there were many others. Roger Allings estate grew from an estimated 40 pounds in 1643 to 394 pounds at his death in 1674; John Nash was listed as a tenant in 1643 with no visible estate but his probated wealth amounted to 1664 pounds, and Samuel Whitehead, who started with 60 pounds in 1643 accumulated 370 pounds by the time of his death.⁵⁷

Success was not guaranteed, however. William Peck, a Deacon of the church as well as an active participant in local offices, could not develop his 12 pound estate much beyond 55 pounds during his life in New Haven. Others began with healthy sums that ranged from 100-200 pounds but never saw them grow much beyond that. Because of the emphasis on trade in the initial years and the subsequent failure of the venture, some men of wealth, including Thomas Gregson, Richard Miles, Stephen Goodyear, Theophilus Eaton, and Nathaniel Turner, suffered losses in total wealth that ranged from 110 pounds to over 325 pounds.⁵⁸ The evidence would suggest, however, that after the chaos of the first decade the town and the general around it offered men a chance to succeed economically.

The authority patterns described in the proceeding pages cannot be stereotyped or explained only in negative or positive terms. By twentieth-century standards New Haven did not express tolerant social goals and although some in the town would find strong controls repugnant, most men and women accepted such authority as an unalterable fact of life. Those who came to settle but who found the rigors of such a life untenable had but two alternatives: either to leave the community or challenge the system of controls that governed society. The majority of citizens were

satisfied or at least they did not voice strong disapproval of the system. Those that did pose challenges to existing order could expect that local leaders would do all in their power to withstand the threat and reassert the ideals of conformity.

CHAPTER II--FOOTNOTES

¹Loren Baritz, City on a Hill: A History of Ideas and Myths in America (New York: John Wiley and Sons, 1964), 22-23, has a concise analysis of covenant theology. But no understanding of the matter is complete without consulting Perry Miller's Errand Into the Wilderness (New York: Harper and Row, 1956, 5-6, 38-44, and The New England Mind: From Colony to Province (Boston: Beacon Press, 1954), 11-12, 21-26, 68-76. John Davenport's "A Sermon Preached at the Election of the Governor at Boston in New England, May 19, 1669," in the Publications of the Colonial Society of Massachusetts, Transactions, 1904-1906 (vol., X, 1907), 4-6, provides a good discussion of how an important New England minister viewed authority.

²Perry Miller and Thomas Johnson (eds.), The Puritans: A Sourcebook of Their Writings (2 vols., New York: Harper and Row, 1963), I, 19; Edmund Morgan (ed.), Puritan Political Ideas, 1558-1794 (New York: Bobbs Merrill Company, 1965), 49; Miller, Errand, 43.

³Miller, The Puritans, I, 205-207.

⁴New Haven Records, 19.

⁵Davenport, A Sermon, 11; John Cotton, A Discourse About Civil Government in a New Plantation Whose Design is Religion (Cambridge: Samuel Green and M. Johnson, 1663), 7-11.

⁶The figures were taken from the New Haven Records, 91-93.

⁷Ibid., 302-304; Franklin B. Dexter and Zara Jones Powers (eds.), Ancient Town Records: New Haven Town Records, 1649-1769 (3 vols., New Haven 1917-1962), I, 219-221.

⁸Ibid., 205-207.

⁹Ibid., 458.

¹⁰Ibid., II, 40-41.

¹¹John Davenport's Profession of Faith, found in the Davenport Papers, 73.

¹²Ibid., 70.

¹³The data was taken from Dexter, Historical Catalogue, 1-7, New Haven Records, 91-93, The New England Historical and Genealogical Register, IX, 1855, 357-363, and the four volumes of Savage, A Genealogical Dictionary. All population figures were tabulated by centering on a specific date, 1643 for example, then finding as many names as possible before and after that date and tracing them through genealogical sources to find birthdates and dates of death to determine if the individual lived in the town at the reference year.

¹⁴J. Hammond Trumbull (ed.), The True-Blue Laws of Connecticut and New Haven and the False Blue Laws Forged by Peters (Hartford: American Publishing Company, 1876), 224.

¹⁵Concerning the charge of anabaptism see the case of Anne Eaton in Newman Smyth, D. D., "Mrs. Eaton's trial (1644) from the Records of the First Church of Christ," New Haven Papers, V, (1894), 134-135. Also see "concerning Glover, His Seeking Reaffirmation to the Church, August 11, 1644," First Church of Christ Records, Connecticut State Library, Microfilm.

¹⁶Ibid.

¹⁷New Haven Records, 246.

¹⁸Thomas Harrison to John Winthrop, February 14, 1647/8 in the Winthrop Papers, V, 87.

¹⁹Trumbull, True Blue Laws, 220.

²⁰Ibid., 224, 233.

²¹Ibid., 258, 293, 308; Ancient Town Records, I, 327.

²²Cotton, A Discourse, 7. For examples of the historians who argue that New Haven represented an established theocracy, see Calder, The New Haven Colony, Adams, The Founding, Charles M. Andrews, The Colonial Period of American History (4 vols., New Haven: Yale University Press, 1936), II, Henry Bronson, "Early Government of Connecticut," New Haven Papers, IV, and Robert C. Black III, The Younger John Winthrop (New York: Columbia University Press, 1966).

²³New Haven Records, 192.

²⁴Ibid., 25.

²⁵Ibid., 47-48.

²⁶Ibid., 83, 126, 150.

²⁷Ibid., 26, 35, 150, 154-155, 405.

²⁸Ibid., 52-55.

²⁹Ibid.

³⁰Ibid., 30.

³¹Ibid., 494.

³²Orders for the watch were reviewed and restated periodically, particularly when an Indian attack seemed likely. Ibid., 33-34, 40, 204-205, 481-483; Trumbull, True Blue Laws, 245-250.

³³Ibid. ; New Haven Records, 74, 76, 166, 187.

³⁴Unlike Massachusetts and Connecticut, New Haven did not adopt the jury system. One historian, though, states that the functions of the deputies acted as such for no matter what the decisions were, they were never the opinion of a single man. See, Calder, New Haven Colony, 125-126; New Haven Records, 113-114.

³⁵For the best analysis of servants in the seventeenth-century see Edmund Morgan's The Puritan Family: Religion and Domestic Relations in Seventeenth-Century New England (New York: Harper and Row, 1966), 106-132 and John Demos, A Little Commonwealth: Family Life in Plymouth Colony (New York: Oxford University Press, 1970), 107-130. Cases in New Haven are found in the New Haven Records, 38, 77, 81. 84.

³⁶Ibid., 62, 295, 469.

³⁷Just four years later another servant, Thomas Hogg, also stood accused of the same act but received only a severe whipping, imprisonment, and a "mean dyet of hard labour," Ibid., 62-73, 295-296.

³⁸Ibid., 273; Trumbull, True Blue Laws, 228.

³⁹New Haven Records, 306, 449; Ancient Town Records, I, 55-56.

⁴⁰New Haven Records, 46.

⁴¹Ibid., 26, 27, 52-53, 449-450, 478, 419.

⁴²Ibid., 268, 281-282, 329-333, 449-450.

⁴³Ibid., 29, 46, 59, 61, 80, 133, 178-179, 365.

⁴⁴Ibid., 392-393, 401.

⁴⁵See the following examples: Ibid., 135; Ancient Town Records, I, 437.

⁴⁶New Haven Records, 162-165.

⁴⁷Davenport, A Sermon, 11, For the arguments concerning the question of democracy in New England see the following studies: B. Katharine Brown, "Freemanship in Puritan Massachusetts," American Historical Review, LIX, no. 4, (1954), "Puritan Democracy: A Case Study," Mississippi Valley Historical Review, L, (1963-1964), 377-396, "Puritan Democracy in Dedham, Massachusetts: Another Case Study," William and Mary Quarterly, 3rd series, XIX (1962), 422-428, and "A Note on the Puritan Concept of Aristocracy," The Mississippi Valley Historical Review, XLI, (1964), 105-112. Lockridge, A New England Town, 37-56 and 139-165. Kenneth Lockridge and Alan Kreider, "The Evolution of Massachusetts Town Government, 1640-1740," William and Mary Quarterly, 3rd series, XXIII (1966), 549-574. Robert E. Wall Jr., "A New Look at Cambridge," Journal of American History, LII, (1965-1966), 599-605, and The Massachusetts Bay Colony Franchise in 1647. William and Mary Quarterly, 3rd Series, XXVII (1970), 136-144.

⁴⁸Trumbull, True Blue Laws, 230.

⁴⁹See footnote 22.

⁵⁰The figures were tabulated from the New Haven Records and the Ancient Town Records, I.

⁵¹The office of the townsmen, a topic to be discussed in chapter six, was introduced in 1651 and gradually assumed the power of the General Court. See Lockridge and Kreider, "The Evolution" for the best general assessment of the relationship between the townsmen and the general town meeting.

⁵²Tabulations were made from the New Haven Records and the Ancient Town Records, I.

⁵³Ibid.

⁵⁴Ibid. ; Town of New Haven Connecticut: Register of Probate Records, Vol. I, 1647-1687 (Filmed by the Genealogical Society, Salt Lake City, Utah). Hereafter cited as Probate Records.

⁵⁵Ibid.; New Haven Records and the Ancient Town Records, I.

⁵⁶Ibid.; Probate Records. The data on church membership was taken from Dexter's Historical Catalogue, 107, the New England Historical and Genealogical Register, IX, 357-363 and Savage, A Genealogical Dictionary, I-V.

⁵⁷New Haven Records; Ancient Town Records, I, and Probate Records.

⁵⁸Ibid.; New Haven Records; and Ancient Town Records, I. Atwater's History, 120, suggests that so many of the wealthy lost money because they over-extended their initial investments in trade while at the same time constructing extravagant dwellings.

CHAPTER III

CHALLENGE: PHASE I

In his lengthy Magnalia Christi Americana, Cotton Mather described New Haven as a happy, unified community. The reason, Mather stated, lay with the church and its refusal to allow anyone to join who had not been subjected to a rigorous test of saving grace. Such policies, the author concluded, created an atmosphere where "the God of Love and Peace . . . remarkably dwelt" among the people.¹ This idyllic picture of the town would undoubtedly have surprised contemporaries who witnessed the rancorous quarrels of a people who sought, but could never find, the right combination for harmonious living. In their search for heavenly principles, town and church leaders created a rigid orthodoxy that left little room for dissenting voices. A number of people refused to accept this, however, and their probing criticism erupted into bitter challenges to the symbol of all authority, the church.

There is little to suggest that the principles of authority represented by the ideals and practices

of church and state were not accepted during the first several years. Between 1639 and 1644 the Court dealt with many problems, but for the most part they were of minor importance and resembled the problems faced by every other New England community. Men and women were accused of immoral behavior that ranged from drunkenness to sexual violations and although at least two people, an Indian and a male servant, were executed for more serious crimes, the town officials were more concerned with gates being attended, fence rails laying unrepaired, or men missing the monthly training session.² The dissatisfaction, if it existed, was minor and there is no indication that the citizens of New Haven were unhappy with the nature of society.

By the middle of the decade, however, a subtle change appears. The Court began trying more cases involving men who questioned the fundamental assumptions about the nature of authority, while the church responded to internal threats by lengthy hearings with the accused or by excommunicating those who posed the greatest danger of destroying the unity of the spiritual body. In the summer of 1644 Henry Glover, one of the initial founders of the town who was admitted to the church in 1641, stood before the congregation guilty of "scandalous" behavior. The exact charge is unknown but it apparently involved

his contemptuous attitude that the church found repugnant and since he refused to repent, he was excommunicated. Such a breach, though, could destroy that body and the Elders moved quickly to readmit him before irreparable damage had been done. But Glover seemed unwilling to acknowledge his faults and only after long hours of counseling did he overcome his "pride and passion" that allowed him to reaffirm his membership in the church.³ The following year a certain Bamfield Bell, known only as a relative of Francis Brewster, a prosperous citizen of the town, was arrested and charged with "singing profane songs." He reportedly told his accuser William Paine, another of the original settlers and a visible saint, that he represented "one of the holy brethern that will lye for advantage." Others offered the condemning evidence that Bell constantly denounced those who "walke in the wayes of God." For his blatant contempt of the Godly he received a severe whipping.⁴

By themselves such cases may be relatively insignificant and could possibly be explained away as exceptional incidents that one could expect to find in a society that demanded strict conformity to social mores. But the challenge to order and orthodoxy became obvious to all when the actions of four women, Anne Eaton, Lucy Brewster, Mrs. Leach, and Mrs. Moore, became a public scandal.

Unfortunately little is known of the personal lives of the women. Anne Eaton, daughter of George Lloyd, Bishop of Chester, married Thomas Yale and bore him one son, David. Upon her husband's death she married the wealthy merchant, Theophilus Eaton, governor of the colony of New Haven until his death in 1657. As the governor's wife she enjoyed a prestigious social role in the community. She cared for a large household, owned land in the town and probably assumed the social role of a woman respected by all.⁵ Lucy Brewster married Francis, a moderately wealthy citizen of New Haven who apparently depended upon trade for his livelihood. He signed the oath of fidelity but was neither a church member or a freeman. Upon his death his widow married Thomas Pell, an intriguing character to be discussed in the subsequent chapter. As practicing doctor, he was known by all and probably held the respect of most men even though he never joined the church nor signed the freeman's oath. More importantly, he openly defied the town court, refusing to acknowledge contempt charges leveled against him or even appearing personally to hear the accusations.⁶ Mrs. Leach had wed Edmund Leach, a man whose name appears in the records as active in selling goods to traders bound for Virginia and the Barbadoes. Her daughter, Mrs. Moore, was the

last of the quartet who, except for the trial, remains entirely unknown.⁷

The women were all friends of one another who apparently met frequently. It is not known whether the meetings were merely social or whether they were intended as private gatherings to discuss theological considerations, but it is known that several times they fervently criticized respected authority figures in New Haven.

Certainly the most shocking case involved Mrs. Eaton, who, according to the church, had fallen under the influence of Anabaptist principles. She had apparently been converted by the arguments of Andrew Ritor, an English theologian whose works were being published in London. She had been given the books by Lady Deborah Moody who had apparently visited with Anne on her way to Long Island Sound.⁸ The first visible sign of her heresy appeared only when she refused to remain in the church during communion and baptisimal services. The problem did not stop there and soon, according to John Davenport, she "was absenting herselfe from the sermon and from all public worship in the congregation, though she knoweth that it is an offense to the whole church."⁹

Since the charge reflected such a dangerous tendency for the community, the minister and Elders

desperately sought to convince Mrs. Eaton of her error. Numerous private meetings were called and the accused testified that indeed she had rejected the orthodox position on baptism, admitting that the treatise by Ritor had changed her mind. Whereas she had formerly believed that baptism was akin to circumcision and should be administered to all infants, she now acknowledged that it could only be considered a matter of spiritual preparedness. Administering it to an infant, she explained, violated scripture. Davenport, undoubtedly assisted by others, read the book in an attempt to destroy the arguments and convince her that according to Colossians 2:11 all infants should be baptized. But she remained adamant, telling them that they were laboring in "vain and should have no other answer." Then in a very curious manner she asked why they hesitated with initiating the proceedings against her, suggesting perhaps she understood the significance of her act and even enjoyed placing the church in such an embarrassing situation.¹⁰ After Davenport and the Elders were convinced they had failed, only one option remained open: "to bring sundry particulars of which she was privately admonished into the public notice of the Church, because she refuseth to hear us in a private way, according to the rule in Matt. xviii, 17."¹¹

Seventeen charges were filed against her, but the Elders told the congregation that "there were almost as many more which we leave out (nor did privately admonish her of) because they are not sufficiently proved by two witnesses." The accusations were specifically stated in the trial but rested on the assumption that her deviant behavior testified to the violation of the third, fifth, sixth and ninth commandments.¹² She had failed to pay proper respect to her family, her servants, and most important of all, to the church.

The Eaton household was large, numbering by one account at least thirty people.¹³ Among them lived "old Mrs. Eaton, the Governor's mother, who became the target of Anne's seemingly erratic behavior. At the dinner table one evening she slapped her mother-in-law's face with such force that according to testimony it could be felt "three days later." Theophilus grabbed his wife to prevent the assault and all the while he held her she screamed "I am afflicted, I am afflicted." The church judged this to be a violation of the fifth commandment because it broke the "rules of her relation to her mother; and also the sixth commandment is broken in her sinful rage and passion in her striking her mother."¹⁴

Mary Eaton, daughter of Anne, also experienced many difficulties with her mother and testified about her strange behavior. The two had disagreed about the amount of knitting Mary had done on a pair of gloves and the mother "grew outrageous" and physically punished the daughter by striking her, pinching her, and knocking her head against a dresser causing a nose bleed. On another occasion Mrs. Eaton had charged that her daughter looked and acted as if she were pregnant, "saying her belly was great and her breasts big almost to meet and she looked blue under the eyes and that she vomited and . . . looked very ill."¹⁵ Mary denied this and witnesses confirmed that there had been little evidence in her personal behavior that would lead one to predicate such charges. Pressed by the minister and the Elders on this point, Mrs. Eaton confessed that her accusations were aimed at preventing her daughter from committing such a sin because "she observed her temper and carriage (saying her carriage was wanton.)"¹⁶ At one point the mother's charges became ominous when she accused her daughter of "ruining souls, especially of Mary Launce," maintaining that Mary was "wrought with the devil." The Elders informed Mrs. Eaton that such behavior violated the fifth, sixth and ninth commandments as well as the general doctrines of Christ's love laid down in the New Testament.¹⁷

In a general sense servants were part of the family and custom as well as law demanded that they be treated fairly.¹⁸ But Mrs. Eaton did not. Mary Launce, the servant that Mary Eaton had supposedly corrupted, complained that her mistress pinched her, "saying she had too much blood in her face," then hit her in the eye with a barrel tap, "pinched her by the arms, and pulled her by the nose, so that it made her nose bleed." When Mary Launce asked why she should be treated in such a manner, Mrs. Eaton only answered "my dear, my dear, near twenty times but yet she continued pinching her, but gave no reason . . . but followed her into the buttery and there pinched her also."¹⁹ Not content with singling out individuals for specific faults, Mrs. Eaton summed up her feelings about all of her female servants whe she called them wicked wretches and assured them that "God would send their souls to hell."²⁰ Members of the church pleaded with her to modify her actions, asking only that she "live in love and peace." Acquaintances of Mrs. Eaton said they sympathized with the servants because they observed that Anne's emotional state had deteriorated.²¹

According to the two best accounts of family life in New England, the husband-wife relationship lay at the heart of the social structure. A woman

had few legal rights and should, according to the writers of the day, submit herself to the authority of her husband, for he "stood before her in the place of God: he exercised the authority of God over her and he furnished her with the fruits of the earth that God had provided."²² Thus, a breach of the marriage covenant and the relationships within it violated not just moral standards but the explicit law of God. According to the church, Mrs. Eaton had done just that.

Her contempt of the traditional concept of marital submission was obvious, but more than that, she had the audacity to display her attitudes before the very men who would decide her future in the church. One evening as Davenport, Thomas Gregson, an elder, and William Hooke, the teacher of the First Church of Christ, sat in the Eaton home discussing the case, they asked for a candle and sent a servant to Mrs. Eaton to get one. This request precipitated the following exchange between husband and wife:

she bid her ask her Master for a candle, saying she had none; he said you have, she said again I have none; he said you have. Mrs. Eaton answered which you gave me last night, Mr. Eaton said I gave you nine, he said you took them yourself, and then went out and fetched one.²³

In the same insolent spirit she had asked her husband to reprimand one of the male servants because he failed to bring her water one morning but Theophilus

Eaton found no just cause and let the matter pass. Upon hearing of this Mrs. Eaton in a fit of temper told her husband that "you and this man may go together, for the man well out of this house I can get my bread and cost you nothing." The church declared that her impudent behavior had violated the marriage covenant "contrary to I Cor. 7.10" as well as the fifth and sixth commandments.²⁴

Mrs. Eaton's most serious threat, however, concerned her attitude toward the Church and particularly her refusal to accept the orthodox position on infant baptism. Here her arrogance and heresy became apparent to all as she refused to attend Sunday afternoon baptismal services. And when John Davenport ascended the pulpit to lash out at such "false" doctrine that threatened New England from time to time, she openly showed her contempt by walking from the Church or, when Davenport promised only a brief discourse on Sunday morning she was heard to whisper, "I wish he would" or "I pray be so."²⁵ This kind of breach could not be tolerated by any Church for who knew how many others she could influence. Orthodoxy seemed in peril and men reasoned that the entire community might be destroyed unless the heresy was checked. So in spite of the fact that Anne Eaton was the wife of the chief magistrate and undoubtedly enjoyed a prestigious

role in New Haven, the Church held that she had broken the covenant and had to suffer the consequences.

Despite the serious threat she posed, John Davenport and the Elders moved very cautiously, giving her every chance to renew her covenant with God and the church, and it seems rather obvious that Anne was considered a special case. Whereas most cases as serious as contempt of authority were dealt with quickly to prevent the influence from spreading, Davenport argued that Mrs. Eaton's errors were "not of that nature that they called for a present cutting off, but he rather inclined to give a public admonition." He believed that despite her odd behavior patterns, she still owned the covenant but when she stood before the congregation and asked the Church not to issue a decree of censure he realized he could go no further. Since her errors had been made public, a censure was necessary and he proceeded by warning that she must "attend unto the several rules you have broken, and to judge yourself by them, and to hold forth your repentance according to God, as you will answer at the great day of Jesus Christ."²⁶

Such blatant violations of orthodox doctrine demanded stern disciplinary measures, but the First Church of Christ seemed reluctant to pursue this course. Patiently the accusers waited to see the "fruits" of

the censure, expecting that Anne would confess and repent. During that time she busied herself writing several letters to the Elders, but she failed to convince them that she was truly repentant. Rather than reforming her activities, she continued in her errors, remaining offensive to her family and church.²⁷ By this time much of New England gossiped about the heresy of Mrs. Eaton and finally nearly a year after the initial proceedings, friendly churches from the Connecticut River Valley gently pressured the New Haven church to deal with the matter at hand. Informing her that she had offered no convincing proof of personal change, the leaders now moved for excommunication.²⁸

But still the leaders gave her one last chance to show evidence of change and asked what hindered her from acknowledging her faults. She deftly answered that it had to be due to one of two reasons: either she had been falsely charged with something she did not do or the Elders had incorrectly applied a rule to her case. She refused to admit to any sin and thus in fact maintained her contempt for the authorities who insisted she must understand the danger of her position on baptism. When the Elders pressed for a specific example of what rules were incorrectly applied to her case she replied that she did not violate the fifth

commandment in her behavior toward old Mrs. Eaton because Mrs. Eaton was not her mother. There must have been feelings of frustration on the part of Davenport and the Elders since they realized she refused to accept a charge clearly proven by witnesses that included her husband and now, feeling the uncomfortable pressure from sister Churches who perhaps felt they had been negligent, they "parted from her with these expressions, that we must give an account to the Church of what we found and did bewail the hardness of her heart."²⁹ In the latter part of May, Anne Eaton stood before the congregation for the last time, heard a damning review of her faults, and was formally cast from the Church.³⁰

Scant information remains on the aftermath of the Eaton trial but it would be reasonable to assume that it remained a popular topic of conversation for a long time. Although there were no written criticisms made against Davenport and the Elders, it again is logical to assume that vocal criticism did exist, particularly since visiting ministers from up the river had vocally noted their displeasure with the way New Haven had handled the case, and some citizens probably doubted the judgment of their Church leaders in allowing the heresy to remain so long untouched. Moreover, the number of cases on record after 1645

suggests that perhaps people were more willing to challenge traditional voices of authority and this in turn may suggest that authority itself, represented by town and Church leaders and deemed necessary for the town to survive, had lost its preeminent position before the people.³¹ The Court now became the center stage as town officials moved against those that raised the same ominous threats as Anne Eaton and officials devoted their energies to rooting out ideas injurious to society to insure the longevity of their Godly experiment. Just a year after the Eaton crisis three women, Mrs. Francis Brewster, Mrs. Edmund Leach, and Mrs. Moore, were called before the Court to answer "several miscarriages of a publique nature."

There were specific charges that the Court leveled against Mrs. Brewster but underlying all of the accusations lay her scorn for the First Church of Christ. Elizabeth Smith and Job Hall, two servants in the Edmund Leach household, testified that they heard the three women talking and during the course of the conversation Lucy Brewster criticized John Davenport. She complained that his prayers and sermons led people to believe that "to come into the church is as much as the receiving of Christ."³² In the same conversation she stated that the services

made her "sermon sick" and confessed that when the minister said "that if a man lived where he might joyne the church and did not, it would prove to be a delusion to him" her "stomacke wobbled as when she bred child." She was so upset, the servants said, that she ordered her son to burn her sermon notes.³³

Her disdain of John Davenport's ministry merely represented her disgust with the power and authority the Church seemed to have within the town. She spoke of contributions given to the Church as "going to mass or going up to the high alter," an apparent reference to the Catholic Church, the symbol of repressive heresy for nearly all New England Puritans. She also criticized the manner of gathering evidence against people by going "two and two together, and writt down what scandalous Persons say, and soe hurry them, and compare their wrighteings," and she prayed that such men might stay away from her. At one point, according to the witnesses, she compared the Church Elders to the Turks because two people had been severely whipped a month before and said her son stated that he would rather "be hanged than to fall into their hands."³⁴

Much of the criticism of Mrs. Brewster centered on her arrogant manners and her compulsion to demean those she held in contempt. For example, witnesses

told of a meeting with Mrs. Charles, a Church member who apparently with some emotion told Mrs. Brewster of the charges against another member, William Preston, who was subsequently excommunicated. Mrs. Brewster feigned sympathy "to draw from the sister what she could" and then related the whole matter to Mrs. Moore "in a scoffing manner."³⁵ At another time she spoke to Mrs. Eaton concerning her problems and suggested that if the court decided to banish her, she should come to Mrs. Brewster and "acquaint her with her judgment and grownds about baptizing, & then she, the said Mrs. Brewster would complain to the court" that Mrs. Eaton was the cause of all the unrest and all of the women could be banished to Rhode Island together.³⁶

The latter idea may have been made in jest as Lucy Brewster insisted but it became apparent to the Court that she was indeed thwarting their rightful role when she interfered with the lives of Widow Potter and Edward Parker. Mrs. Potter had apparently been cast from the Church for her "obstinate carriage" but by 1646 wanted to return in order to marry Edward Parker, a planter of the town who had alienated himself by accusing Richard Malbon, a magistrate, of being derelict in his official duties. Perhaps because of this or other incidents that reflected badly upon his character, the Church judged Parker to

be unfit and refused to allow the marriage or even consider the widow's request for readmission until she negated the marriage plans. Mrs. Brewster, upon hearing of this, counseled the couple and suggested that they force the hand of the Church by gathering two of three witnesses who would simply be the matter of confronting the Church, demanding permission be given and if this was denied, the couple could vow fidelity before their witnesses "and goe together." Even though Parker and the widow refused to agree to such an insolent plan, Lucy "pressed the . . . advice upon them two of three times."³⁷ And although the accused denied the charges during the Court proceedings, the magistrates accepted the evidence against her as true, declaring that this "gave much offence to the Court."³⁸

There were two other charges brought against Lucy Brewster. The first concerned the two servants who had provided the bulk of the testimony. Job Hall had been called before the three women and subjected to oral abuse. Lucy had accused him of lying to the Court and suggested that if she had her way, he and Elizabeth Smith, "his slutt and harlot," would be given the whipping post. The latter, being accosted on the street, was told that she lied to "keep her whores back from whipping," adding that she would not

call her by her rightful name "until she had been whipped and married." The Court said such behavior was "uncomely and sinful" and that even Michael the Archangel did not carry on so with the devil.³⁹ The second charge stated that Mrs. Brewster had retailed wine to others against the expressed orders of the General Court and that, in sum, she used her house as a tavern. Richard Malbon had been one who had made the latter accusation and she reacted by saying he had lied. This only reaffirmed the Court's belief that she had no respect for officials called by God to Govern their fellow man.⁴⁰

Although she refuted each point at the time of the accusation, Mrs. Brewster was called upon at the end of the examination to summarize her defense. She challenged the most damning charges, specifically those dealing with the Church, by denying that she had never questioned Davenport's sermons or found his theological positions untenable. Nor had she, Mrs. Brewster continued, ever said she was sermon sick or referred to any respect of Church worship as representing the high mass or altar.⁴¹ Her second line of defense was an attempt to deny the validity of the witnesses Elizabeth Smith and Job Hall, by proving them to be less than honorable people. Witnesses were called who revealed that Job had had second

thoughts about his testimony after it had been given, while another reviled the character of Elizabeth, but all to no avail: the Court declared that Mrs. Brewster "had proved nothing to disable any of the witnesses" and their remarks were to stand as evidence.⁴²

If Mrs. Brewster signaled a danger to the future of the New Haven community by her actions, the second of the accused, Mrs. Moore, must have been viewed as the devil incarnate as she began her ordeal before the Court. The primary witnesses were the same two that had spoken against Lucy Brewster and the facts they presented were condemning. At a prayer session held in Mrs. Moore's house and attended by her daughter, Mrs. Edmund Leach, the former said that the Lord had indeed brought them into a wilderness, "the wilderness of Sinai where they are bondage with Hagar & her children, but let never a soul of us (speaking of the family at prayer with her) have any fellowship with them."⁴³ She added that there was no scriptural basis for pastors and teachers, declaring that they were merely the invention of men which meant in fact that they had no authority over people. They that led the New Haven flock had a "vayle before the eyes of the ministers and people in this place, till that be taken away, . . . cannot be turned to God." She listened to Davenport only when he preached the

love of God but whenever he turned to the practice of that love, she refused to listen.

The case against her became more ominous when Thomas Kimberly, a noted member of the community, told the Court that he had counseled privately with her to convince her that the institutional structure of the Church was scripturally based. He cited Ephesians 4:11 and Mathew 28:20 which speak of Christ commanding some to become pastors and others teachers that the word of God might be spread. She replied that God had been with the Apostles until their death but to project beyond this would be accepting only an interpretation of men and not God's command. Twice Kimberly suggested that the Bible transcended time and had meaning for all ages in reference to teachers and pastors but she remained adamant and stated "that scripture he hath made his angels ministering spirits, & . . . alledged that of Christ, a spirit hath not flesh and bones."⁴⁴ When pressed further she fell into a rage and shouted that "she would goe to none of them for truth of her salvation, she was as cleare as the sun in the firmament, & if he were not so, she would speak no more with him."⁴⁵ More questions elicited little response as she refused to accept his authority to interrogate her further.

Exasperated, the Governor confronted her and warned that her positions were in error for God's promise could not be so narrowly construed to suggest the Apostles themselves were expected to have gone to all parts of the world. It seemed only logical, he continued, that God spoke to the generations that followed but this argument fell on deaf ears as Mrs. Moore sat mute.⁴⁶ Finally in an emotional, angry outburst Theophilus Eaton shouted that "had she kept her error to herself, herself only would have been hurt," then adding the key passage said "but it is not to be suffered that she should blaspheme and revyle the holy ordinances of Christ & the church & people of God," or spread her errors while corrupting others "and disturbing the peace of the place."⁴⁷ Her heretical ideas were abominable but could have been tolerated if she had not been so active in spreading her heresy.

The last of the triumvirate was Mrs. Leach, the daughter of Mrs. Moore. She had confided in Mrs. Brewster and told her that she once considered joining the church "but now declyned it, because she found so many untruthes amonge them." When confronted with the accusation by Theophilus Eaton, she "boldly confessed." The court warned against such slander aimed at a "church of Christ desiring to walk uprightly"

and reprimanded her for spreading the falsehood "from one to another." Mrs. Leach did not respond to the court's final charge "but as guilty seemed to take the weight of the charge herself, & continuing in the court she spake uncomely for her sex and age."⁴⁸

The women were silenced by an unyielding Court who saw it as their duty to ferret out heretical doctrine that could decay the inner strength of their society. But in effect, the public clamor the women had made was only a beginning to the dissatisfaction in New Haven. Others in subsequent years would also challenge the nature of authority in the town and such challenges would have far-reaching effects.

CHAPTER III--FOOTNOTES

¹Mather, Magnalia, I, 16, 85.

²For examples of such cases see the New Haven Records, 20-24, 26, 31, 38.

³"Glover," First Church of Christ Records.

⁴New Haven Records, 142.

⁵Mather, Magnalia, 81; New Haven Records, 185. Ola Winslow, Meetinghouse Hill, 1630-1783 (New York: first published by Macmillian Press, 1952, republished by W. W. Norton, 1972), 186-187.

⁶New Haven Records, 50, 93, 139; Atwater, History, 148.

⁷For information on both Francis Brewster and Thomas Pell see the New Haven Records, 77, 80-81, 161, 173, 199, 334, 343, 353, 366, 392, 402, 441, 455; Levermore, Republic, 130-134, has a brief discussion of the dissidents. After stating that they should be considered representative of the "deepest spiritual discouragement that the town experience," he notes that the unrest was coincidental with the failure of the Delaware venture and the voyage of the Great Ship but pursues the relationship no further. As a matter of fact he suggests finally that the dissenters should "serve here as illustrations of the common mode of thought and action."

⁸Lady Moody, a friend of the Winthrops, had fled to Massachusetts in 1640. But by 1642 her views on baptism had resulted in her excommunication from the Salem church and she moved to Long Island. Rufus M. Jones, The Quakers in the American Colonies (New York: Russell and Russell, 1926, first published in 1911), 216-217.

⁹New Haven Papers, 134-135.

¹⁰Ibid., Colossians 2:11 reads: In whom also ye are circumcised with the circumcision made without hands, in putting off the body of the sins of the flesh by the circumcision of the flesh.

¹¹New Haven Papers, 138.

¹²Ibid.

¹³Mather, Magnalia, I, 153.

¹⁴New Haven Papers, 138-139.

¹⁵Ibid.

¹⁶Ibid.

¹⁷Ibid.

¹⁸Demos, A Little Commonwealth, 107-117.

¹⁹New Haven Papers, 140-141.

²⁰Ibid.

²¹Ibid., 141-142.

²²Demos, A Little Commonwealth, 82-100.

²³New Haven Papers, 142-143.

²⁴Ibid. The Biblical passage reads, "And unto the married I Command: Let the Wife Depart not from Her Husband."

²⁵Ibid., 143. I have labeled Mrs. an Anabaptist because she disagreed with the issue of infant baptism, the one common characteristic of all those were labeled such in the seventeenth-century. See Franklin H. Littlee, The Anabaptists View of the Church (Boston: Stan King Press, 1952), 107.

²⁶New Haven Papers, 145-146.

²⁷Ibid.

²⁸Ibid., 148-149.

²⁹Ibid.

³⁰Ibid. There is an interesting epilogue to Mrs. Eaton's life. After her trial she sold her property to Richard Perry, but remained in the town, the heretical wife of the most esteemed man in the area. Upon her husband's death in 1657 she returned to England and the town grudgingly voted to send an escort with her to Boston as a gesture of the respect all head for Theophilus. Ancient Town Records, I, 357. For a note on her death in August of 1659 see John Davenport to John Winthrop Jr., August 20, 1659 in the Davenport Papers, 143.

³¹New Haven Records, 242. Calder, New Haven Colony, 97-99, devotes only two pages to the various cases of heresy and suggests that they represented only the intolerant attitudes common to New England.

³²New Haven Records, 243.

³³Ibid.

³⁴Ibid., 239, 244.

³⁵Ibid., 235.

³⁶Ibid., 246.

³⁷Ibid.

³⁸Ibid., 247-249.

³⁹Ibid., 246, 247, 252.

⁴⁰Ibid., 250.

⁴¹Ibid., 251.

⁴²Ibid., 252-253.

⁴³Ibid.

⁴⁴Ibid., 254-255; For information in Kimberly see Savage, A Genealogical Dictionary, III, 23.

⁴⁵Probably a reference to Ephesians 4: 11-12.

⁴⁶New Haven Records, 255.

⁴⁷Ibid.

⁴⁸Ibid., 255-258.

CHAPTER IV

CHALLENGE: PHASE II

By mid-decade the women had been quieted and many in the town undoubtedly felt that the crisis had passed. In the years following, however, the ideals of authority were tested by a far more important element in New Haven. Prominent men joined those of lesser rank to challenge forcefully the basis of institutional control that more and more seemed to demand rigid conformity to community values and act in ways demeaning to the sanctity of their official position. The crisis began in 1645 when a noted community leader, Thomas Fugill, falsified land records to enhance his personal holdings and ended in 1649 when Ezekial Cheever, the local schoolmaster, eloquently appealed for the right of dissent.

Thomas Fugill seemed an unlikely candidate to thwart the ethics of the community. He had come to New Haven with the original group of settlers in the late 1630's and played an important role in establishing the town. His prestige was such that he was

chosen one of the "seven pillars" entrusted to gather a church and hammer out the final organization of government. He served for one term as local deputy as well as holding down the position of "public notary" whose job it was to "attend the court and from time to time to keep a faithful recorde of all passages and conclusions of the court."¹ This included the important task of recording the amount of land each adult male received in each "division," a policy implemented in most New England towns to distribute acreage according to social position, need, or a combination of both.

That such a man should sin against God and his fellow men violated basic principles that were supposed to govern elected or appointed officers. Not only were they expected to be men of ability who had power "over their affections," but more importantly those chosen were expected to be just men, "in the sense of this test, whose wills are sanctified and inclined by the spirit of God to perform to men whatsoever is due to them according to the Rules of the Lord."² In addition, all magistrates (defined by the Puritans to include all who held civil offices) were "to rule in the fear of God, a filial, reverential, obedential fear of God," for that encompassed the "whole duty of man." If man should fail in

combining just rule with a loving fear of God, a society could not expect to be blessed by providence. Rather, unjust leaders could endanger that society by rendering to a state "of being punished by the wrath of God."³

According to the charges that the General Court brought in March of 1645, the notary had altered the land records of the second division to more than double his rightful share of twenty-four acres. The original allotment granted Fugill an area "of cleared grownd by the west rocke, provided it was not within the 2 mile nor granted to any other . . . and bounded by the two rivers."⁴ When he entered the grant in the official records and presented it to the committee to distribute the land, he "left out the 2 mile, hath mentioned nothing of the two rivers and hath added (or so much as he desires)." So instead of twenty-four acres of land, the notary through manipulation had taken fifty-two acres and thirteen rods. Moreover, the court charged that he kept two record books, one representing the original grants that differed from the second which was used to defraud the town. The General Court condemned the wrong as "unrighteous" and a "miscarriage and unfaithfulness in his place" which served to benefit him at the expense of the larger community. Officials demanded that he answer the charges.⁵

Fugill's defense rested on firm denials of tampering with the record books but more importantly his behavior throughout implied that even in the light of condemning evidence he refused to acquiesce, thereby indicating by implication recognized authority. The court argued that in the original records the notary had excluded an important qualifying phrase to his land grant which read "according to his own proportion." Later, however, when it became obvious that officials would study the records, he hastened to add that phrase but did so with "other pen and ink, [in] a lesser character and crooked, as with trembling hand." When Fugill began to justify his actions the governor interrupted him "to prevent further rashness and sinfull expressions" and assured the defendant that in his mind there was little doubt the records had been altered. But the accused "boldly" insisted there had been no wrong and even offered to take an oath that "they were written at one and the same time," an attitude that changed only when the books were produced. Still, Fugill refused to admit to the wrong, denying it "again and again."⁶

When he finally confessed to the charges, he attempted to justify his actions but what he offered seemed flimsy indeed to those who demanded personal discipline and integrity from the elected

few. Fugill admitted that he had fenced the land from the second division without the advice of the town surveyor and agreed he had committed an offensive action by "taking a quantity so far above his proportion." But he argued that he could justify it in part because his grant had been for clear land and had he not "carried the fence to the rock" the extra land fenced would have made up for the difference in quality. To prove his assertion he claimed that the additional acreage did not exceed twelve pence an acre. In his resignation statement he played for an understanding and sympathetic ear by suggesting that his health made him unfit for such responsibility "by reason of his low voyce and dull ear and slow apprehension."⁷

No excuses satisfied the officials who saw in the incident the seeds of decay that could undermine confidence in a society and prove disastrous to the stability of the community. Theophilus Eaton condemned Fugill's "bold and sinfull way of protestation and offering to take an oath, as if by confident contradictions he would drive men from the truth they knew." Such an oath, stated the governor, would only prove that he like other "prophane men . . . think they must swere that they may be believed, and in this case it would be a high breach of the 3rd commandment." Subsequently, Thomas Fugill suffered the pain of

excommunication as well as "loss of place" in New Haven. The court declared that he stood guilty of defrauding the town in the "unrighteous act in taking and detayning of the towns land and falsifying of orders and his contempt of the court." He was punished by a fine of twenty pounds and saw his land "reduced" to its "dew mounds, according to the first grant."⁸

Life in New Haven offered few possibilities for Fugill after his conviction. In the months following the former notary began selling land to residents of the town and then finally left for England, returning a bitter, disillusioned man.⁹ An acquaintance in England commented that Fugill had a "melancholy frame . . . of spirit . . . and I feare his spirit so embittered against the whole waye and worke of Christ, that he cares not how many be made like him, in his ruinous state and condition."¹⁰

Two interacting forces intensified the dissatisfaction within the town after the Fugill affair. The first concerned the economic problems the town suffered during the initial decade. Life was uncomfortable for numbers in the community. Money was scarce, food difficult to obtain at times, and debts remained outstanding, causing many to question whether or not they were being punished as a back-sliding society or if God did indeed have a "controversy"

with New Haven. The second factor involves the town officials who, seeking to discover the origins of the problems, blindly lashed out at those they saw as injurious to society. As the campaign to purify increased in tempo, repressive, intolerant methods became the norm and authority, once held in esteem by most people, now came to signify a threatening, ominous force that controlled men, not out of the love of God, but for the sake of authority itself.

The case of two men reflect the general severity of punishment awarded to those who in ever increasing numbers were challenging authority in New Haven. James Steward, who was neither a freeman nor a church member, refused to join a work force headed by Richard Malbon to repair some highways in the town. When Malbon came to him "he at first grumbled at it" but the grumbling soon became a stark refusal to work for the town. When warned that he could be held in contempt since the orders had been issued by the General Court, he alleged he had no tools. "Mr. Tuttle tendered the lending of tools, provided he would make them good" but Steward replied that he "would not come into their claws or paws." John Cooper, the town sergeant, testified that the accused had displayed the same contemptuous manner when he had confronted Steward with the same work

order. Cooper added that the defendant not only refused to come himself but also attempted to prevent others from accepting the responsibility since he had told Roger Knap that "he was a fool for going so easily." After hearing the case the Court held that Steward was in "contempt of the surveyors, magistrate and magistracy," fined him five pounds and imprisoned him "at the Court's pleasure."¹¹

James Heywood is the second of the two men who challenged authority. He was charged with going aboard a Dutchman's vessels anchored in the bay "and there did drink strong waters in such excesse that he made himselfe drunk by it, so that he had not use of reason, or of his tongue, hands or feete." Theophilus Eaton, presiding over the court, stated that the particular crime was even more heinous because he had proved himself to be a visible saint. Although the defendant had been free of moral taint previously, the church cast him from the congregation, with the governor adding the Biblical admonition "a whip for the horse, a bridle for the ass and a rodd for the fool's back." Since the court judged the violation to be an "act only" Heywood was apparently allowed to return to the church after publically confessing his error. The Court deliberated on the question of corporal punishment for the act but yielded to a fifty shilling fine.¹²

Growing distrust and fear of authority in the town also involved the minister, the key spiritual leader who represented the necessary link between man and God. John Davenport believed that when Christ ascended into heaven He "gave gifts unto men, and disposed of them in several functions and for the public ordinary ministry he gave Pastors, Teachers, Elders, Deacons, helpers, for the instruction, government and service of his Church to the world's end."¹³ Such men were to be chosen by the individual congregations and since they represented not only the highest calling of man but the spiritual strength of a society, they were to be revered "according to the dignity of their office." This did not mean, however, that such men were free of legal charges or bitter personal disputes.

Henry Bishop, brother of James who was in active, important member of the community, had been a tenant farmer for the New Haven minister but for reasons not entirely clear, had left the services owing a debt of nearly twenty pounds to Davenport. The minister hoped to settle the case in a friendly way out of court but Bishop "refused it, saying he would issue his owne matters himselfe." Private meetings, rather than convincing the former tenant that the money due was a legitimate debt, served only to intensify

the antagonism between the two. Bishop, forced by the court to "ingage" at least sixty pounds of his estate lest he flee the town before the case was settled, asked that the same rules be applied to Davenport. But officials assured him this would be unnecessary since the minister had a visible stake in the town. Finally Bishop agreed that arbitrators, "indifferently chosen," would settle the matter.¹⁴

Throughout the case the defendant behaved in such a manner that suggests he had little respect for the authority of either the minister or the court officials. Bishop first challenged one of the arbitrators chosen to represent John Davenport because the two had once disagreed on the cost of a job on the Davenport farm. The objection was overruled because it "hath not the force of a just exception in it."¹⁵ By law, attachment of one's goods prohibited a man from disposing any of the goods "ingaged," but the court found upon questioning Bishop that he had threshed about twenty bushels of wheat to either use or sell. Instead of acknowledging his error he complained that much of it had gone to waste because his former employer refused to provide bags for the grain. When Jasper Crane, the arbitrator first challenged by Bishop, informed the court that "there is 14L 14s 8d due to Mr. Davenport from Henry Bishop upon account

for corne . . . according to his covenant" the latter refused to accept the responsibility of repayment. Bishop also implied that Davenport and the arbitrators dealt unfairly with him by refusing to accept wampum in payment but instead suggested that he relinquish two calves in lieu of cash.¹⁶

Although the records do not clearly indicate the resolution of the case, it is probable that Davenport received the money. Within seven months nearly two thirds of the debt had been paid in cattle and the minister seemed content to take "the rest in corn, which he conceives as a great favor to the farmer." Shortly thereafter Bishop prepared to "take leave of the town."¹⁷

The New Haven minister offended many in town by using his sanctified position to seek special privilege. Thomas Munson, sergeant of the local militia, testified in court in December of 1648 that he had been mistakenly charged some months earlier with taking men away from their monthly training session to repair Davenport's house. He explained that the Divine had requested help to repair his cellar and refused to wait until the following week because "he was not willing to have his house lye open on the Saboth day." It is unclear whether Munson went to the training field to find the men for the task as was

initially charged, but testimony by three members of the band leave little doubt that the company was generally upset by the request. They charged that if the practice continued "they would trayne no more."¹⁸ The governor freed Munson from any charge and warned men to "be more wary how they express themselves," but it is doubtful men soon forgot Davenport's actions.

The most serious challenges to authority in New Haven involved two prominent men. Thomas Pell had come to the town sometime in the early 1640's. As a medical doctor he played an important role in the community and even though he never became either a church member or a freemen, he was well thought of in the town. Sometime after 1645 he married Lucy Brewster, the widow of Francis Brewster and a known dissident who had been charged and convicted by the Court for contemptuous attitudes toward the church.¹⁹ Ezekial Cheever, born the son of a spinner in London, received his education at Emmanuel College, came to Boston in 1637, journeyed to New Haven the following year and became, by vote of the participants, one of the "seven pillars." He signed the plantation covenant in 1639 and after that his name appears in the records as buying land, testifying in Court, representing New Haven as a deputy to the General Court of the colony, and even preaching an occasional sermon.

His most important role, however, was that of town schoolmaster.²⁰

In the two years following 1647, the Court unsuccessfully attempted to prosecute Thomas Pell. There were two general charges brought against him. The first involved a fine imposed on his wife while she was still married to Francis Brewster. It had never been paid and after the death of Francis, and her subsequent marriage to Pell, the Court argued that he now bore the responsibility. The second charge stated that the doctor had never taken an oath of allegiance to the community as law required and demanded that he now do so.²¹ His actions in the proceedings are important for Pell simply and blatantly ignored the official orders and by so doing challenged the civil basis for an orderly society.

Pell was initially ordered to answer to the Court in November of 1647 but he began what became a common tactic for him - refuse to acknowledge the charges and ask for extensions to study the problem. When officials demanded that he answer "for some ill returnes he sent to the general court when they sent to him for his wife's fines," he responded by claiming that "he thought it not of his debte" nor did the court, he countered, have the right to "take what is mine." Then he argued that he had not been aware of

the court order, a weak claim since officials reminded him that they had been issued at a general court sometime before. But the court was lenient and stated that if he would just come in to give a "faire answer, something might have bine considered." When he asked for time "to consider of it" the court granted him a month to study a copy of the transcript.²²

Pell's diligence paid off as the defendant could prove negligence on the part of Richard Perry in recording the original proceedings. In doing so Pell shifted the attention temporarily away from the fine to an assault in the Court itself. He listened as officials warned that he must recognize the legality of his wife's debt but responded by arguing "there is that charged in the order that is not proved." When asked for proof he cited a line in the transcript stating Mrs. Brewster (now Mrs. Pell) was guilty of "excessive in drinking and with other inconviences." Angry officials retorted that there "was neither any such charge, nor any penney of the fine imposed upon such considerations . . . [and] no excese was charged no in the original order was there any word sounding that way."²³ It had to be, they argued, an error of the "secretary who probably had left out a line in ingrossing the order out of the first copy." Even though Perry volunteered to show Pell the mistake,

he refused, stating that it "was good dialect, no oversight in the secretary and he could prove it."²⁴ The venue was changed to the Court of Magistrates of the colony and unfortunately the records no longer exist. But whatever the outcome (and he probably had to pay since in another case against him no mention is made to it) Pell had demonstrated that he could, at least for a time, challenge and withstand the power of the Court in New Haven.

Within seven months Pell was again summoned to Court to answer to a major violation: he refused to take an oath required of all freemen, planters, and inhabitants to pledge "fidelity and due subjection to the just lawes standing in force." A ten shilling fine had been imposed upon him some months earlier for denying the pledge and when asked to justify his actions he replied that he had taken the oath in England and felt he need not perform the ritual again. The court asked again the reasons for his position but strangely enough gave him the option of "considering it further," an option he gladly chose. Proceedings turned into a deft bout between the accusers and the accused over the question of the fine. The court

asked if he had taken any order to pay it, he said no. Mr. Goodyeare said he hoped he would. Mr. Pell said he knew not . . . He said he would be silent for he had given offense heretobefore with speaking, but the

court desired an answer, whether he paye or no, but his answer was that he desired to be silent.²⁵

Finally the Court, at a subsequent session, ruled that Pell, for refusing to take an oath and for refusing to pay a legally imposed fine, stood in "high contempt" of court.

Contempt proceedings usually resulted in immediate court action but not so with Thomas Pell. Three months after he had been placed under contempt, Pell brought action in Court against John Griffin for an outstanding debt. At the same time he claimed that for acting as arbitrator between John Budd and Robert Parsons, he was entitled to some goods from the latter's estate. When he concluded these proceedings on behalf of himself, the Court reminded him of his fine and whether he would now pay it. "He said no."²⁶ When the officials demanded an explanation, he again asked, and received, more time to consider the matter.

Pell, perhaps realizing that New Haven did not offer the opportunity he sought, left the town in 1650. But his duration there is important for his actions suggest that some men had greater flexibility in relationship to demands of acceptable social behavior. True, he represented an unusual man, talented in a profession beneficial to the community and thus could expect preferential treatment. But

at the same time, according to the ideals guiding society, he shared with the other citizens a larger responsibility--that of submitting to delegated authority. When he refused to accept that responsibility, his life became an example few officials wished to see emulated. Unrelenting pressure to conform, drove him from the town.

The most prestigious man to stand before the First Church of Christ was Ezekial Cheever. His case is significant for two reasons. First, he represents the last of those who forcefully challenged authority in the town, thus marking a symbolic end to the troubled decade of the 1640's. More importantly, the nature of the trial suggests a tense, defensive spiritual leadership that became adamant in their demands to enforce conformity. What began as a church trial to exonerate the church officials from a charge of "partiality and usurpation" quickly became an attack on Cheever the man and instead of facing one charge he was forced to defend against a variety of accusations.

The school master faced two principle charges. The first the church described as "uncomely gestures and carriage before the church," a violation of I Corinthians 14:30. Francis Newman and others witnessed Ezekial wrapping a handkerchief "about his face and

then pulled it off again" and holding his head or putting his head down on the seat and smiling and laughing. The defendant explained that the handkerchief may have been used for his head because he had often been troubled by "the pain of headaches." But he knew of no "uncomely gestures" or contemptuous actions on his part. He testified that he could not speak to the issue of smiling and laughing nor determine "whether there was nay more than a natural ordinary cheerfulness of countenance seeming to smile, whether it be sinful, or avoidable by me." He continued by chiding the Court that if the evil charges against him were true, he could only suggest that "they arise, not from lightness, but over seriousness and vehemency of spirit, and too much activity."²⁷

The second accusation represented a far more serious violation. The records are not entirely clear on this point but apparently William Thorp, a church member, had accused the elders of "usurpation and partiality" but retracted the charge a bit later. In order to clear the church from any taint the congregation voted to repudiate Thorp's original "slander." Cheever was one of several who refused to affirm the majority opinion and although the other dissenters finally changed their minds, the teacher stood firm. The church stated that such an action left the spiritual

body "under a suspicion, as they were guilty" and considered his not voting "a disorder, and hath the appearance of a contempt, which is offensive to the church and to some that are not of the church."²⁸

His behavior violated the fifth and ninth commandments according to the church Elders.

Cheever's dissatisfaction with church authority did not suddenly develop in the latter part of the decade but slowly evolved from the Anne Eaton case in 1645. After Anne had been charged, convicted, and discharged from the Church, the congregation deliberated whether or not she should be allowed to attend Sunday services.²⁹ Cheever "and some others" dissented from the decision to preclude her from any church activity until she had shown proof of her repentant attitudes. He (the others remain nameless but apparently decided not to challenge the majority opinion) argued that the proceedings were hardly just since the Elders asked only those speaking "for her conviction" to testify while "dissenting brethern doubts." Such restraints on man's liberty of expression gave the congregation little voice, providing no alternative but to "consent with the Elders, or to say Amen." That, explained the defendant, "did not satisfy me, nor did I see how the Church by rule could refuse her so just and reasonable request . . . desiring help where she came so short."³⁰

Throughout the trial Cheever continually alluded to the presumptuous attitudes of church officials and challenged the basis of their self-righteousness. William Thorp stated that among the offensive words spoken by Cheever against the Church was the accusation that "we have nothing to do not but to say Amen, we all are clerks now." The ruling Elders saw this as offensive because it implied that they usurped their rightful roles within the church while tacitly admitting that the congregation was "weak and childish."³¹ Cheever denied that he had uttered those exact words (although others testified that he made the same contemptuous remarks to them) but admitted he could have said them "because I had such a notion in my head." He explained that his thoughts on such matters were not meant to reflect badly upon the church nor that he "guilefully" went about to hide his sins. Since the case had evolved from the Anne Eaton's problem he explained that all he wanted to suggest was that she deserved more satisfactory treatment.³²

Cheever maintained this attitude even though John Davenport had privately counseled him, hoping to convince the accused to change his mind. But Ezekial boldly challenged the apprehension they had over his position and "asked if they thought they had all the light." He maintained that others in the

town felt the same as he did and even though they were men "whom he and they brought to reverence" and some were even "wiser than they, and knew his judgment, yet did not carry it toward him as they did."³³

The strongest defense offered by the defendant, and the one that troubled the minds of some in the town, concerned the use of witnesses.³⁴ Cheever doubted that the charges brought against him were valid since two men did not witness the same act at the same time. He asked "whether 2 witnesses testifying the same kind of words or actions at several times, known to each of them severally, and apart from each other, be sufficient proof." Citing Biblical passages he argued that "every act of sin proved against him by witness, must be two at least" since the same "particular act of sin, cannot be committed in two particular distinct times and places." If one assumes, he wrote, as the court did, that two separate witnesses testified to the same sin committed at different times, then one must accept that both men are truthful. But that need not be true since one man could be truthful while the other dealt falsely with the issue. Man's guilt rests on the sin and not the witness and Cheever believed that those who had testified against him had not proved any sin "for they do not

mutually witness to each other's testimony, but each for himself, so that each act of sin alledged by them hath but one witness only."³⁵

Cheever's vitriolic criticism of the church and his general contempt of authority caused the Elders to challenge his use of "reason." He cited the case of a Guilford man executed for bestiality but was severely critical of the proceedings because there had been no witness to the "filthiness." Could it be, the Elders queried, that he challenged the Court's judgment in the case? He said no but asked "what if all the world affirm a thing, is it therefore true?" He had agreed with the initial action but then he "saw such convincing reason" that he changed his mind. This indeed, replied the Elders, was his problem, for "he must not leave scripture and take up reason." Such self-defeating action "shows too much of an overweening conceit of his own sufficiency, undervaluing Court and world if they cross his conceits." And his behavior was dangerous because he refused to give "due honor to the wisdom of God in the Scriptures whose perfect rules duly attended will prevent all such dangerous consequences, and by which all such sins so discovered may be duly punished." Instead of warning others of the perils of his ideas, the court claimed that he had advised others "how to secure

themselves and one another from censure and punishment for the same."³⁶

Lengthy examination did not break the recalcitrant spirit of the accused. Cheever steadfastly maintained that the Elders did not provide the means for any dissenting ideas. William Hooke, the teacher of the First Church of Christ, "and sundry of the brethern," told the defendant that they had long grieved over his "offensive carriage" both in public meetings and in his private life, wondering what God would do to him. There was little doubt what they would do. A long debate that did nothing to change "the spirit and carriage of Br. Cheever" preceded the censure which "by vote ordered, that he be cast out of the body, till the proud flesh be destroyed, and he be brought into a more member-like frame."³⁷

In his final rebuttal Ezekial Cheever challenged the entire proceedings against him while at the same time condemning the authoritarian discipline of an unyielding church. He stated that "no order appointed by Christ shall require every member to act with them in every vote" nor did he see any sin or "contempt" in his refusal to clear the Elders of partiality. In his closing remarks the teacher said:

Whereas . . . I am charged with a still,
proud contradicting frame of spirit, I humbly
entreat the particulars wherein I have

differed, may be produced and offered to the judgment of the Godly, I spoke not but out of conscience in a righteous cause (as I think) when I could not be silent; I must act with the Church, and (which is uncomfortable) I must either act with their light, or may expect to suffer, as I have done, and do at this day for consciousness sake; but I had rather suffer anything from men, than make shipwreck of a good conscience, or go against my present light though erroneous.³⁸

His eloquent plea for the right to dissent did nothing to change the attitude of the church and Cheever, like others before him, left New Haven, victimized by a society bent on exonerating itself before the eyes of God.

CHAPTER IV--FOOTNOTES

¹New Haven Records, 11-21; Savage, A Genealogical Dictionary, II, 215.

²Cotton, A Discourse, 16; Davenport, A Sermon, 7-9,

³Ibid., 11.

⁴New Haven Records, 221.

⁵Ibid.

⁶Ibid.

⁷Ibid., 224.

⁸Ibid., 262-264.

⁹Ibid., 273, 313, 441.

¹⁰Thomas Harrison to John Winthrop, February 14, 1647/8, Winthrop Papers, V, 197-198.

¹¹New Haven Records, 261-262.

¹²Ibid., 306.

¹³John Davenport's Profession of Faith found in the Davenport Papers, 74-75.

¹⁴New Haven Records, 392-393.

¹⁵Ibid., 433.

¹⁶Ibid.

¹⁷Ibid., 453.

¹⁸Ibid., 420-425.

¹⁹New Haven Records, 343, 362, 420, 437, 454-455; Ancient Town Records, I, 32, 37; Savage, A Genealogical Dictionary, I, 290; Atwater, History, 243.

²⁰Johnson and Malon, Dictionary of American Biography, IV, 47-48; New Haven Records, 9, 16, 17, 20, 50, 66, 71, 210, 274; John T. Hassam, "Ezekial Cheever and Some of His Descendants," The New England Historical and Genealogical Register, XXXIII (1879), 165-187.

²¹New Haven Records, 334, 362, 402-403.

²²Ibid., 334.

²³Ibid., 362-363.

²⁴Ibid., 402-403.

²⁵Ibid.

²⁶Ibid., 455.

²⁷"Trial of Ezekial Cheever Before the New Haven Church, 1659," found in the Collections of the Connecticut Historical Society (23 vols., Hartford: Published for the Society, 1860), I, 22, 30, 37-38. Hereafter cited as Collections. Hassam's "Ezekial Cheever" is little more than direct quotes from the above source and offers no analysis.

²⁸Collections, I, 22.

²⁹There is no evidence that Cheever participated in the actual proceedings but it is probable that his advice was sought since he was the town schoolmaster and a lay minister who occasionally preached. New Haven Records, 308.

³⁰Collections, I, 35, 44.

³¹Ibid., 29, 33, 43.

³²Ibid., 44.

³³Ibid., 26.

³⁴After the trial John Davenport wrote to John Cotton (May, 1650) asking him to "take into your serious thoughts the question about single testimony of several persons who speak fully to the things and with concurrence therein, though not jointly in the circumstances of time and place, and to answer that logical quirk which Mr. Prudden told you of, and what other arguments you find in that postscript of Mr. Cheever, his answer to the Church, and which you have elsewhere met with." The letter is found in A. B. Davenport's History and Genealogy of the Davenport Family, (1881), 343.

³⁵Collections, I, 48-49.

³⁶Ibid., 28-29.

³⁷Ibid.

³⁸Ibid., 46-47.

CHAPTER V

"THE OCCASION OF THIS MEETING IS DELAWARE BAY"

Not every person had the courage of an Anne Eaton, Lucy Brewster or Ezekial Cheever to challenge the ideals and attitudes governing the town. There were other means of registering dissent, however. After 1646 it is evident that townspeople were less than satisfied with the general conditions of New Haven. People did not speak directly to the issue but rather expressed their dissatisfaction in subtle ways such as neglecting the duties necessary to every town. Militia training, night watches and fence mending became tasks that few men accepted willingly. The church, the vital center of New England, witnessed severe problems in the church finances because people were contributing a poor quality of wampum to its coffers. In the midst of this disorder several leading merchants of the town attempted to assert their leadership in one final drive toward settling the Delaware region. The attempt failed because of many factors but among the most important was the attitude of the people.

It is difficult to isolate the cause of such discontent but two key ideas discussed in previous chapters had an important impact on the community. The economic hardships effected nearly everyone in the town and men undoubtedly asked why and questioned whether the ruling magistrates were providing adequate leadership. When this factor is coupled with the severe repression of dissidents in New Haven after 1645 it becomes more obvious that the leadership was searching desperately for ways to stabalize conditions in the town.¹ To suggest that these factors would have no impact would be to suggest that New Haven, a rather small, homogeneous community, had little social inter-relationship. This was most certainly not the case. People did communicate with one another, rumors did flow and all were familar with those castigated for heretical ideas or deviant behavior.² Few people lost faith in the basis of the social structure but the actions of many implies that few exhibited any real confidence in the ability of the community to overcome the difficulties.

Between 1646 and the mid-1650's New Haven's leading figures sensed that the social-political-religious fabric was being destroyed. Theophilus Eaton complained of "sundry miscarriadges bye drinke . . . of late" and, although he could not

establish who the offenders were, suggested rigid controls on the sale of spirits. Others noted that the general populace seemed to ignore the work restrictions in force for the sabbath and it remained for the General Court to remind people that in order to implement God's law in the town men and women must restrict "their ordinarie, outward imployments . . . from sunn up till sunn sett, either upon the land or upon the water."³ Emergency cases as well as acts of mercy were the only exceptions. Men willfully and deliberately violated laws confining swine to fenced areas, the court stated, by allowing the beasts to "goe abroad at night and upon the saboth day, when they think none can or will pownd them." By 1653 an exasperated governor summed up the problem by acquainting the town "that hee hears that sundrie orders made in the town are not attended; about alarms, traynings, watching and warding on the Lord's day." Such actions, warned the governor, can only "bring great mischief to the town."⁴

The town orders most consistently violated, and the ones that reflect the general apathy toward civic responsibility, were laws defining the functions of the local militia, the watch and the maintainance of fences. Court orders establishing the local militia date to the founding of the town and were

particularly important in the late 1640's when it seemed that Indians might at any time threaten the community.⁵ In the face of common adversity it would seem plausible that a New England town would unite to ward off the danger but this was not the case in New Haven. Men offered innumerable excuses for missing training sessions. John Bassett, for example, explained he was forced to miss training because he feared his hay might spoil if not immediately attended. Others had to absent themselves to do business in neighboring towns or search for lost cattle or remove a wagon left unattended in a nearby field. Those living in the outlying regions (the records began designating them as farmers about this time) questioned whether they had any obligation to offer their services since they were so far removed from the actual town. Officials would excuse those with reasonable explanations for missing a session but did not accept the idea that a certain segment bore no responsibility to protect the community.⁶ They were all guided by the same spiritual hand and all had to sacrifice to defend the physical city.

The nightly watch, also established in the town's infancy, protected the community when it was the most vulnerable to attack, yet men were reluctant to attend their appointed duty. Men complained that

"the watch as it is now, is too heavy for them to cary on, and that it is not equally carried, severall in the town not watching at all."⁷ Exemptions became more difficult to obtain, particularly in times of "these furries and disturbances." The law made provision for men, though, to hire substitutes for their watch and many did. But the law came down hard on the increasing numbers who missed their watch or were generally negligent in the performance of their duty.⁸

The most persistent problem concerned fencing corn fields as protection against swine, an important task since the town depended upon a good harvest to stave off hunger during the long New England winter. By the latter part of the first decade this matter occupied the interest of all. Theophilus Eaton and the town deputies constantly warned the town of the many complaints "of fences being down," causing a great deal of damage "in corn and meadows."⁹ Fence viewers had been appointed for each quarter (this refers to the method of dividing and surveying used in New Haven) but had little success either in forcing men to better care for their fences or convincing them that they endangered the entire town's food supply. Firm laws were enacted, threatening to confiscate a portion of a man's property if that

person did not yield to the wishes of the court or pay the fines levied by the court.¹⁰

Finally the governor appointed a committee who after studying the problem recommended the appointment of a man to impound stray cattle and swine. He would also be responsible for acting as the fence viewer, replacing viewers assigned to each quarter. John Cooper, hired by the town for this task, was ordered to view "all fences every week within two miles of the town and to tell every man whose fence is defective once every week." So warned, the responsibility rested on the shoulders of the owner. He could be fined for every length of rail left unattended besides an additional six pence for every warning by Cooper. If a person's negligence allowed a cow, calf or swine to wander free, the keeper of the pound would receive four pence whereas if he had to capture a stray horse the cost jumped to six pence.¹¹

Still the law had no immediate impact. Men representing the spectrum of society failed to maintain proper fences, were hauled to court and assessed fines. Within a year after he had assumed the position, John Cooper complained to Governor Eaton that "there is great remisses and neglect in setting up fences according to the order made in November last" and

unless the town could enforce the orders "whereby the fines layd by the particular court may be paid without delay," he said he would have to resign his position.¹² Officials promised to enforce the laws and threatened severe fines for the offenders but still the court maintained a frenzied pace each month as they heard and acted upon as many as twenty violations.

Dissatisfaction within the town was compounded by the perplexing problem of taxes, an issue that affected nearly everyone and a topic that became the center of debate in the late 1640's. In March of 1648 Lieutenant Robert Seely introduced a resolution to change the rating structure to equalize the burden of taxation. Some men, he said, "which had good estates at first, and land . . ., whose estates are sunk" are able to "pay as they did," while "divers persons whoe had good land for their heads, whose estates are smaller, yett paye great rates, and others whose estates are increased, having but little land paye but a small matter to publique charges."¹³ Acting upon his suggestion the General Court studied the rating system in Massachusetts and felt that it might be useful to implement a similar system which called for, among other things, a tax on the tradesmen in the town.¹⁴

The General Court of October 15, 1649 initiated legislation to rate everyone according to his economic condition and made explicit provisions for a privileged group of merchants who had been exempt from the rating scale previously. Since all men, including "labourers and handycraft trades and seamen of divers sorts and conditions . . . some following their trades more and some less," were involved the court gave its full attention of the problem so all paid according to their wealth. Prices were established on the Massachusetts model for the varying types of land and all farmers were ordered under the penalty of law to bring a list of cattle, swine and the number of acres of land they owned.¹⁵ Less than a month later the same officials decided the fate of "sundry men rated for trades and merchandizing." The court ordered "that Mr. Evance pay for trade besides what he payes for other estates" and the sum to be taxed amounted to 550 pounds. Mr. Atwater was held liable for taxes on 400 pounds, Mr. Goodenhausen for 300 pounds, Mr. Westenhausen for 500 pounds and Mr. Allerton was charged twenty shillings "for a single rate." The merchants protested in vain to the decision which may have served as a stimulus for that group to look beyond the Quinnipiac area for new trade outlets.¹⁶

Other economic matters plagued the town and served to increase the frustration of those who saw the community unable to respond to the needs of the people. The court focused criticism on the general populace for failing to abide by court orders but interestingly enough again singled out the merchant group for acting in ways injurious to the town. Officials in April of 1650 criticized people for paying debts in wampum that had little value or was so deteriorated that men could not exchange it for goods or specie. Some proprietors refused to accept it as payment of goods thereby decreasing the ability of some to care for themselves. A committee, after considering the alternatives, recommended that men should have the liberty to reject wampum but standards were established to maintain the value of it.¹⁷ Town magistrates also warned that the practice of shipping products from the town to be sold elsewhere would be prohibited, a warning directed at the traders and merchants within New Haven. In the same capacity officials criticized the exhorbinant prices charged on goods imported to the town and although no action was taken at the time, the court implied harsh punishment of those "traders" who chose to continue such practices in a time of pressing economic need.¹⁸

Perhaps the clearest example of the impact of the disordered town, so clearly discerned by the leadership, concerned the church and the contemptuous attitudes expressed by the actions of the people. In May of 1650 the court "informed" the citizens that the wampum men were contributing to the church was "so abated that they afford not . . . the maintenance to the teachings." The officers found great difficulty using it as a medium of exchange, complaining that much of it was returned and that some men simply refused to take the wampum in payment for goods. Officials were concerned that men would take lightly such a "weighty" responsibility, suggesting that those who gave unusable money represented a "corrupt frame of mind."¹⁹ The town magistrates joined the minister and elders in a committee to "consider and order how and by what means, comfortable and sufficient maintenance may be raised and duely paid, to uphold the ordinances and incourage the officers."²⁰

General attitudes toward spiritual responsibility changed little in the following year. In November of 1651 the court again complained that contributions were both unfit to use and too meager to meet the demands of church expenses. To rectify the matter officials ordered "that all men put in silver or bills" and that they enlarge their

contributions to meet their former pledges to the church. Once every three months all men were to settle their accounts with the deacons "and paye their debts to the treasury in good paye, that those which receive it may be encouraged in their worke."²¹ In case some refused to pay their fair share to the First Church of Christ the court warned that magistrates would simply rate them according to their ability to pay. To insure that all men met their responsibility the town deputies were "to take notice who are the inhabitants in the town and are not admitted planters, that they may be called in question and things reduced to order."²²

John Davenport expressed serious concern that such deteriorated conditions might well prove fatal to the church. Late in the summer of 1653 he wrote to his good friend John Winthrop Jr. complaining about "the state of his body," his "wasting" conditions and being "weake in spirit." He feared that his physical illness may be serious and expressed a willingness to travel to Boston or perhaps even return to London if need be. But he did not leave the town because being the spiritual leader of a congregation he had to abide by the sixth commandment and sacrifice whatever necessary to serve Christ. He explained that his love for his flock and his "tender care of

the church" caused him to tarry in this land beset by problems.²³ For nearly a year he verged on physical collapse but his strong moral commitment, combined with medical prescriptions from Winthrop Jr., convinced him to stay. In the end he thanked God for his recovery, refused an offer to assume the ministry in Boston and settled to the task of ministering to New Haven.²⁴

Davenport's year of illness corresponded to a year of general malaise suffered by the populace and did little to encourage optimistic appraisals for the future of the town. It was a long and severe winter and many complained of "paine in their heads and sides, and stoppings at their breasts." Others were taken with greate colds and shivering, others with sweating, but most with inward cold." Davenport wrote to Winthrop Jr. of the problems, stating that he could be a "greate blessing" to the town if he decided to reside there.²⁵ Interestingly enough John Davenport, perhaps the best example of a covenant theologian and a man who warned many times that such punishment could only reflect on the sinful nature of society, did not chose to interpret the infliction as a sign of divine wrath. Perhaps he felt such exhortation would lead to the final collapse of the town but whatever his attitudes, the year of sickness,

coupled with the agonizing economic problems, encouraged some to consider again settling the Delaware region.²⁶

Interest was revived in the area in the early 1650's when town magistrates devoted two general town meetings to the topic. Theophilus Eaton told the gathered citizens that many people in New Haven "have bine with him and expressed a sense of difficulty in carrying on there family occassions with comfort in this place."²⁷ Others felt, he stated, that the town was over populated "and therefore they thinke there is a necessity that some should remove." Within Eaton's talk to the town there are subtle hints that people were demoralized or had lost confidence in what the future held for them in New Haven. The governor heard "that divers are discouraged about fences and other occassions" and elicited open debate that, when finally concluded, had united the townspeople in the belief that a crisis existed. The most logical solution to the problem lay "in some part of the town removing from the area," and since the Delaware region had been long familiar to the New Haveners they agree it "was the fittest place to remove to."²⁸ The town was urged to help those who wished to leave "for the good of posteritie hereafter, wch they hoped would be done if good foundations, both for church and common wealth, were laid in the place."²⁹ At a March

meeting the town officers appointed a committee to coordinate the efforts of colonization in order to satisfy "both them that stave and them that goe."³⁰

A short lived expedition followed. Approximately fifty persons, headed by Jasper Crane from the neighboring town of Branford and William Tuttle of New Haven, sailed for the Delaware but were stopped by Governor Stuyvesant at Manhattan. Some were arrested, goods were confiscated and all were warned from the region or suffer the penalty of a Holland imprisonment. The financial loss of the party exceeded 300 pounds.³¹ Their plea of help to the United Colonies and a subsequent exchange of bitter, threatening letters between the New Englanders and the Dutch came to nought. New Haven's suggestion of a war declaration received little support and all preparations ceased in the early summer of 1652 when the English and Dutch declared war upon one another. Interest in the Delaware project was postponed two years.³²

During the summer of 1655 Theophilus Eaton, acting as the governor of New Haven Colony as well as the leading citizen of the town, prepared to renew the interest in the Delaware Bay area. In a November town meeting he reported that he had contacted the "Swede's governor" concerning the project, and now, apparently assuming that citizens still desired to

move from New Haven, asked "ye town to now consider which way it may be carried on."³³ But a lengthy debate followed and a surprised Eaton realized that few wished to pursue the ideal of a new settlement. A committee, appointed to restore the zeal that officials thought had once been there, reported late in November that after speaking with "sundry people" it was apparent that "for the most part they were willing to help forward the work, some in person, others in estate, so that the worke might be carried on and foundations laid, according to God."³⁴

Although there was an expressed interest it seems in retrospect that it was a forced interest, encouraged by the same leadership that had fostered the ill-fated venture the previous decade. A widely support movement would seemingly have little difficulty finding men to lead the group but that was far from the case in this instance. Few men were willing to risk their lives and estates in the lucrative yet foreboding area. Direct invitations were made to John Davenport, William Hooke, the teacher of the First Church of Christ, and Theophilus Eaton to settle in the proposed new town. Eaton, although recognizing the necessity of providing the correct leadership for the group, refused because "the jurisdiction hath an interest in him, which he must

have respect to." Hooke turned down the offer because his wife had gone to England and he would soon follow and Davenport begged off because of his health.³⁵ Finally Francis Newman, prominent in local affairs, and Samuel Eaton, son of Theophilus, agreed to lead the southward trek but even these men professed some of the same misgivings, yet agreed rather than to see the plan collapse.³⁶

Stephen Goodyeare best represents the group most actively seeking a settlement in the Delaware region. In the spring of 1655 Goodyeare, probably representing a company similar to the one organized in the mid-1640's, hired John Cooper to journey to Boston to elicit support. He returned with the discouraging news that few if any Bostonians wanted to participate.³⁷ But Goodyeare, the deputy governor of the colony as well as one of the leading merchant-citizens of New Haven who remained active in trade activities, volunteered to "adventure his person and estate to goe with them in that design" rather than to see the idea dropped. He required only that a "considerable company" of men testify to an interest in the project. Again the town debated the issue and agreed to vote money and men to carry a letter of negotiation to the Swedish governor explaining the intent of the New Haven group. This expedition would be lead by none other than the deputy governor himself.³⁸

Even though a prestigious individual had promised to risk his life and fortune those who supported any notion of going to Delaware wanted still more assurance. The town, and there is no evidence to suggest the number of New Haveners involved in the episode, then voted to free any man who wanted to join the company and even conceded the new town the right to remain independent. Officials did stipulate, however, that they had to organize the new society "upon the same foundations of government as were first laid at New Haven, which were now read to them."³⁹ "And for their further incouragement, the town granted" three further concessions. The first released participants from hiring substitutes for the nightly watch; the second was a promise "to lend the company the two small gunns wch are the Townes . . . wth at least a half a hundred shot for the bigger gunn . . . and a meet proportion of muskit bullitts," and the last was a guarantee for extended time to pay their rates on the property within the town.⁴⁰

Yet the proposed settlement was never established nor did the group even depart for the Delaware region. Historians who have dealt with the matter have given a very logical, sound, yet incomplete argument for the failure. The assertion has been

that since the Confederation of New England refused to unite in a war against opposing forces in the area, New Haven, representing the aggressive, acquisitive characteristics later to be enshrined in the Yankee, could no longer consider opposing either the Dutch or the Swedes. Then the unforeseen deaths of Samuel Eaton, his father Theophilus Eaton and Stephen Goodyear stripped the company of its leadership. Others suggest even men like Goodyear were convinced by 1655 that their land claim was invalid and thus may have willingly abandoned the idea.⁴¹

Such ideas certainly influence those interested in the Delaware area and may well have played a deciding role in the final resolution not to settle there. But one important factor has been omitted--the internal support the company received from the New Haven citizens.⁴² All evidence suggests that there was only marginal interest from local citizens and the support that did exist emerged because of the strong influence of important merchants who had been residents there since the initial founding and had provided the political leadership in the first decade. That they wanted to assert themselves amidst the chaos of the 1650's is understandable, for by this time it was certain the town could not rival the growing power of Boston nor develop a viable trans-Atlantic

trade pattern. They were respected men, wealthy, socially prominent and pious, but leadership was slipping from their hands. New forces were developing in the town that no longer sought the success of trade and men were assuming political power who did not share the dreams of what-might-have-been. The Delaware venture represents the last attempt by a merchant group to fulfill their original plan for New Haven. What support there was came because the town was economically depressed but more and more men were reacting to a new order that had been slowly evolving during those pressing times.

CHAPTER V--FOOTNOTES

¹See Chapters I, III, and IV.

²Records of the town are not rife with rumors but that they existed is evidenced by stories circulating after the Anne Eaton trial that the couple did not sleep together. See the New Haven Records, 268-270.

³When the court found strangers working on Sunday, though, it was usual for the court to release them if they had meant no disrespect to the church. New Haven Records, 273, 358, 337-338.

⁴Ancient Town Records, I, 33, 184.

⁵New Haven Records, 481-485. Trumbull, True-Blue Laws, 245-248.

⁶Ancient Town Records, I, 76, 184-185, 210, 411.

⁷By law certain men were exempt. The 1656 code states "that all ruling elders, deputies for courts intrusted for judicature, all the chief military officers, as captains, lieutenants, and ensignes, the jurisdiction treasurer, deacons, and 11 physitians, schoolmasters, and surgeons allowed by authority in any of these plantations, all masters of ships and other vessels, above fifteen tun, all publick millers, constantlymployed, with others for the present discharged for personal weaknesses, shall in their own persons, in time of peace and safety, be freed from the said services." Trumbull, True-Blue Laws, 250.

⁸New Haven Records, 477; Trumbull, True-Blue Laws, 249-250.

⁹New Haven Records, 445, 484-485.

¹⁰Ibid.

¹¹Ibid., 404-406. Levermore, The Republic, 63.

¹²New Haven Records, 445, 419, 449-452;
Ancient Town Records, I, 25-28, 52, 61.

¹³New Haven Records, 448.

¹⁴Ibid., 494.

¹⁵Ibid., 448.

¹⁶Ibid., 494, 499, 502. The new rates also affected others and was enforced by the town court throughout the decade of the 1650's. In April of 1658 a certain James Mills was confronted for not paying rates on goods aboard his vessel anchored in the harbor. The Court dismissed his plea that since he was not an inhabitant he was exempt from the law. He was assessed twelve pounds. Ancient Town Records, I, 344.

¹⁷Ibid., 18.

¹⁸Ibid.

¹⁹Ibid., 21-22; Levermore, The Republic . . . ,
74-76.

²⁰Ancient Town Records, I, 21-22.

²¹Ibid., 98.

²²Ibid.

²³John Davenport to John Winthrop the Younger, August 20, 1653 found in The Davenport Papers, 87-88.

²⁴John Davenport to John Winthrop the Younger, August 22, 1654, John Davenport to John Winthrop the Younger July 5, 1654, and John Davenport to John Winthrop the Younger September 19, 1654. Ibid., 90, 95, 101-102.

²⁵John Davenport to John Winthrop the Younger
August 22, 1653. Ibid., 100.

²⁶Perry Miller, Orthodoxy in Massachusetts, 1630-1650 (Cambridge: Harvard University Press, 1933), 13-17.

²⁷Ancient Town Records, I, 54. Andrews, The Colonial Period II, 144-149 suggests that this represented the aggressive nature of New Englanders and was symbolic of the same forces that drove the original settlers from England. Also see Calder, The New Haven Colony, 76, 77, 185-190.

²⁸Ancient Town Records, I, 54.

²⁹Ibid., 66.

³⁰Ibid.

³¹Rollin G. Osterweis, Three Centuries of New Haven, 1638-1938 (New Haven: Yale University Press, 1953), 28-29; Levermore, The Republic . . ., 96-99; Calder, The New Haven Colony, 189-203.

³²Ibid.; David Pulsifer (ed.), Records of the Colony of New Plymouth in New England (12 vols., Boston: William White, 1859), I, 183, 198-201, XII, 70.

³³Ancient Town Records, I, 223; Charles Hoadly (ed.), Records of the Jurisdiction of New Haven, 1653-1664 (Hartford: Case, Lockwood and Company, 1858), 128-130. Cited hereafter as Jurisdiction Records.

³⁴Ancient Town Records, I, 223, 226.

³⁵Ibid.,

³⁶Ibid., 227.

³⁷Ibid., 235.

³⁸Ibid.

³⁹Ibid., 237.

⁴⁰Ibid.; Jurisdiction Records, 128-129.

⁴¹See for example, Osterweis, Three Centuries, 28-30; Calder, The New Haven Colony, 204-205; Levermore, Republic . . ., 97-99.

⁴²Further evidence showing the unwillingness to leave the town concerns an invitation by Cromwell to settle Jamaica early in the summer of 1656. John Nash "spake what he conceived to be the mind of the generallitie of the town, vizt: that they see it as the work of God and should be encouraged, and if they see meete persons goe before them, that is ingage in the designe to goe with them or quickly after, fitt to carry on the worke of Christ in the commonwealth and also in Church-affaires, they are free and will attend the providence of God in it." He went on to say, however, that they needed more encouragement, probably in terms of money, and a guarantee of the healthfulness of the place. The letter sent to Cromwell contained the above ideas and suggests above all else a rationale for not quitting in New Haven. Ancient Town Records, I, 278-279. The General Court for the jurisdiction of the colony met about the same time in New Haven and the records bluntly stated that although the people have nothing but "great love, care and tender respect of his highness the Lord Protector . . . yet for divers reasons they cannot conclude that God calls them to a present remove theither." Jurisdiction Records, 180-181.

CHAPTER VI

THE TOWNSMEN: SYMBOL OF CHANGE

Throughout this traumatic period New Haven was undergoing certain changes that stripped power from the hands of those who had enjoyed it since 1639. Leadership within the community shifted from a merchant class supported by spiritual leaders to men whose major interests lay outside the Atlantic community. They were the townsmen, officials whose office was first established in 1651 and one which grew in power until it controlled the functions of government by 1660. It was not, however, a sudden, violent, revolutionary change but rather a gradual modification of political prerogatives and the shift of those rights to men who recognized the futility of the mercantile dream. When it came to the question of who possessed the power or authority to make important decisions concerning the future of the town, few were willing to yield to those who had nearly destroyed the community in the first decade.

The death of two prominent men denied the merchants of active leaders and removed from office

those who had dreamed of forging New Haven into a prototype of Boston. The death of the chief magistrate Theophilus Eaton in 1657 was indeed a blow to many since it was he who had guided the town since its founding in 1638. A pensive John Davenport considered the death a near fatal blow to the town and confided to John Winthrop Jr. that "my spirit is much streightened & indisposed for wrighting letters by that late dreadful stroake upon us, from the hand of the most high, in the loss of our incomparable Governor & my faithful friend, under which we still bleed, and, I feare, unto the death of our politique body unless God be pleased to shew himself in the mount, above all that we can ask or think."¹ The calamity was compounded a year later by the passing of Stephen Goodyeare, deputy of the colony until his defeat in the election following Eaton's death, and who represented those who most actively sought to build the town into a trading center.² The loss of the two men symbolized a shift in political power, for while Eaton and Goodyeare served out their last years a new political man was emerging through the office of the townsmen.

Although there are no discernible characteristics, such as age, that differentiate the townsmen from other town officials, they are unique in one way; they did not unduly emphasize the necessity of

trade. Thirty men held the office between 1651 and 1664 and of that group only two, Rober Alling and Joshua Atwater were directly dependant upon trade as a major source of income. And they served only for limited tiems; Atwater served for two years and Alling for five but not concurrently.³ The other twenty-eight men represent a variety of occupations. There was at least one blacksmith, one cooper, one carpenter and one laborer. Five can be identified as "farmers" but since land was a commodity quite available to most white adult males the majority of these men, including the merchants, owned some amount of land.⁴ But the significant fact is that such men were not preoccupied with trade as former leaders had been and their growth of policial power corresponded to the decline of influential men who had guided the destiny of the town throughout the previous decade.

Other New England towns had adopted the office of townsmen (the term selectmen can be used interchangeably) in the 1630's but the magistrates in New Haven found no need for a change in the structure of town government until the early part of the 1650's. By that time the chief magistrate and four deputies, elected yearly, found their job too burdensome to handle alone. They usually held monthly Court meetings to care for judicial proceedings and presided over General

Court meetings to enact laws or "orders" to govern the community. At a General Court meeting in October of 1651 the deputies asked "that there might be some men chosen to consider and carry on the towne affaires that these meetings wch spend the Towne so much time may not bee so often."⁶ The motion was approved and nine men were appointed to act as interim officials until the May election when the townsmen would be chosen annually by the voting populace.⁷ Legally they were subordinate to the town deputies and chief magistrate and depended solely upon them for grants of authority to perform specific duties. Gradually, however, the townsmen would assume more power.

The relationship between the townsmen and the town meeting or court can best be described as equivocal, for the power of the former corresponded to the inertia of the latter. During the first years the town meeting explicitly defined its ultimate authority over the townsmen. For example, in December of 1651 a General Court held lengthy debates on the division of the ox pasture and the amount of land each man could expect in that area to either plant corn or cut wood. After the major decisions had been reached the court delegated the power to the townsmen to implement the policy.⁸ A few months later the town gave the new officials permission "to dispose of the fresh meddow on the

Indian side, and of what other meddowes belongs to the town as they shall see cause," but in both instances it was clear who bore the responsibility of determining decisions.⁹ Throughout the decade the town periodically reminded the townsmen that their powers were not inherent but depended on the good will of the town. But even so, the townsmen assumed the major policy making rights and dominated the town by 1664.¹⁰

Within a year after this office had been established the townsmen began to assume a greater degree of independency. Beginning in December of 1651 they began holding formal meetings to handle the ever increasing work given to them by the town court.¹¹ This arrangement for separate meetings was formalized in 1657 when a General Court ordered "that the first, second day (Tuesday) of every month, at five o'clock in the after-noon, the Townsmen have agreed to meet constantly."¹² New Haven residents were informed "that if any in the town have business with them, they may know when they shall be attended." In this manner then, business was funneled to a select group of men, business that ranged from caring for the indigent to parcelling out land.¹³

These powers, however, were not automatically assumed but evolved gradually. For the most part the major chores assigned in the early years were tasks

that were relatively unimportant and time consuming for the busy town deputies. They had to contract men to act as chimney sweeps, deal with a "stinking pernicious weed called nightshad" which bountifully grew in the town, decide the fate of an elderly man who could not provide for himself and was unable to buy passage to London, appoint fence viewers, consider the feasibility of repairing the meeting house and a variety of other jobs the deputies felt were too insignificant to deal with personally.¹⁴ But these explicit confirmations of power to the townsmen contained provisions that allowed them to determine when an order should be modified or to decide "what other circumstantiall considerations are necessary."¹⁵ By the spring of 1653 the townsmen were initiating orders and then introducing them to the General Court so "any that would have libbertie to object against [what] was done, but none did, but what was done was by silence confirmed."¹⁶ Such concessions to the townsmen prepared them to assume power in areas of major importance.

Probably the most significant responsibility the townsmen assumed concerned the question of taxes, a problem the town magistrates had been unable to solve in the previous decade. Early in 1652 the Court empowered the townsmen to collect all information from "every planter at the town and Farms" to determine

the community estate so officials could levy a rate to meet the money obligation New Haven had to the colony.¹⁷ Two years later, the deputies, reluctant to enact another rate, charged the townsmen with seeing that the old debts had been paid but at the same time permitted them to "alow and order that another rate be gathered" if they determined it was necessary.¹⁸ By the end of the decade these men formed the body that could investigate and collect information on taxes, provide the town marshal with delinquent tax payers and audit the towns treasury records. But the most important responsibility was the explicit power to "first seek the old debts and . . . to . . . grant a rate when they shall see cause."¹⁹

Equally important was the control the townsmen had over the use of the land. During the years of this study there were no major land divisions as there had been in 1643 but men nonetheless could petition for land. When Mr. Ling and Mr. Tuttle "propounded for some meddow wch lyes upon Stony River neere their own," the Court ordered the townsmen to "dispose of it as they see cause."²⁰ A short time later they were given the power to "dispose of the fresh meddow on the Indian side, and of what other meddowes belongs to the towne."²¹ John Davenport, Jasper Crane and Mathew Gilbert were recipients of equal shares in the home lot and land of

a certain Mr. Roe who had been granted acreage but decided not to leave his London home.²² When John Winthrop Jr., left New Haven after a short residency, the townsmen negotiated the purchase of the home and assumed responsibility for its use and care.²³ In addition to this function this group of officials could also decide how the commons should be divided for pasture, what regulations were in effect for cutting wood on town property, who could fence land for raising of corn or who had access to the meadow grass for use as hay.²⁴

The growing strength of the townsmen and their evolving patterns of independent action, is best illustrated by two important matters that engrossed the town in the 1650's. The first concerned the younger John Winthrop's interest in settling permanently in New Haven, an interest that cooled when the New England entrepreneur realized that the bogs around New Haven contained little valuable iron ore. The second involved the wish of some in the town, particularly John Davenport, to separate the outlying areas into individual villages. In the first instance the townsmen and Davenport, representative of the traditional authority figures that governed the town in the previous decade, confronted one another directly and the townsmen emerged the victor. In the second case

John Davenport again represented the minority position, and even though it is not clear whether the townsmen crusaded against him, it is evident that few in the town were willing to abide by the wishes of the New Haven Divine.

Winthrop's interest in the town stemmed from his hope to establish an iron works in the area and inspired an intense drive by community leaders, particularly John Davenport and Theophilus Eaton, to convince the New England savant to join them in New Haven.²⁵ Their interest in Winthrop was motivated by the deplorable economic conditions the town faced and they reasoned that a flourishing iron industry would necessarily depend on a strong merchant fleet to ship the finished ore.²⁶ Furthermore, Winthrop was a prestigious individual famed for his medicinal knowledge and scientific curiosity. A man of this stature would add a great deal to a town suffering from a malaise for which no cure had been found and could perhaps provide the impetus to fulfill the dream they had brought to the shores of Quinnipiac Bay nearly twenty years before.²⁷

Although the Winthrop matter would ultimately conclude with the townsmen successfully challenging the authority of John Davenport, they initially supported the move to bring Winthrop to the town. In October

of 1654 Theophilus Eaton, after conferring with the members of the First Church of Christ as well as the towns people at a General Town meeting, wrote the Savant that he had been ordered to "give you a further invitation" and assured him that everyone welcomed his proposed settlement and recognized the importance of the iron works.²⁸ Another letter sent the following spring clearly shows how eager the townsmen were for the move. Eaton told Winthrop that "our townsmen (in particular) have desired me to signifie, that if our wise and gracious God incline your spirits to settle here, they shall receive it as a pledge of favour" to those who both "need and desire it."²⁹ To encourage his removal to New Haven they offered to send men to aid him but at least for the time he chose to remain in New London.

Fearful that Winthrop's reluctance to remove to New Haven signified a change of mind, the town, probably at the instigation of both Davenport and the townsmen, conceded him privileges few could have expected. Davenport, a lifelong friend and devoted admirer of Winthrop, expressed his "earnest and hearty desire . . . that you would be pleased to accept this Townes offer, and to settle your habitacions among us, though you should dwell here but somme part of the years and another part of it at Pequod or where ever

else your occasions may invite you."³⁰ A house was purchased for Winthrop's family and made ready for the honored man. The New Haven Divine related that his wife had "the house made warm, the well cleansed, the pumpe fitted for your use, some provisions of wood layed in" as well as seeing that thirty bushels of wheat and twelve candles had been provided for the new household. In addition Mrs. Davenport had found a maid-servant who was "reported to be cleanly and saving, her mother is of the church."³¹ Believing that he would soon come, a vessel was secured for his passage.

By the time John Winthrop had moved to the town in the summer of 1657, Stephen Goodyear, probably the staunchest supporter of the iron works and a man who spent a great deal of his money and energy in a futile attempt to make it successful, had organized a company, hired an agent and had begun work on the buildings.³² But subsequent problems proved overwhelming. The company could not find correct stone that would withstand the heat of the blast furnace and the capital funding was insufficient for the many expenses. Then Goodyear, traveling to England to seek more support for the project, died and within a year after moving to New Haven, John Winthrop quit the town.³³

Winthrop's removal, considered a disaster by many in New Haven, brought about a struggle between the representatives of the new political power and those of the old. The problem developed over the question of Winthrop's property and what should be done with it. Davenport bombarded his esteemed friend with letters in the following months assuring him of the love and respect of the people, disavowing caustic rumors aimed at Winthrop for leaving and suggesting that it would be to everyone's benefit if he would return to the Quinnipiac area.³⁴ After nearly a year of pleading and cajoling that had little effect, the New Haven minister cautioned Winthrop that his house, described as the grandest in the town, could not lie vacant for the town hoped to use it as a means to attract "persons of publick usefulness."³⁵ While Winthrop was always welcome to reestablish his residency, Davenport reminded him that the town needed the house and had certain "expectations and necessities" for it.³⁶

The response by the younger John Winthrop precipitated the struggle between the Townsmen and John Davenport. In August of 1659 Winthrop stated that he was "unwilling, yea, very unwilling, to part with ye house."³⁷ Yet he agreed that if necessary he would allow certain men to "dispose of it as they shall see cause." The men he designated were Francis

Newman, now governor of the colony, John Davenport and Mathew Gilbert, an original founder of the town, former deputy and Deacon of the church. It is important to note that all were men who represented the "old guard" and whose authority to lead the community was now being challenged by the townsmen. Davenport suggested that instead of selling the house immediately they delay the action in hope that the needed stone for the blast furnace could be found "wch he conceiveth might be an inducement to him to come hither."³⁸ But the Townsmen, anxious that the matter be settled and unwilling to let men such as Davenport decide this important matter, forcefully stated that Winthrop had had enough time. Since he "did shewe himselfe willing to part with the house" the town should buy it. Besides, they reasoned that Winthrop's decision to leave had been final and the selling of the house would "not alter him from coming or not coming to New Haven."³⁹

Early in 1660 the Townsmen assumed the initiative and purchased the house in the name of the town. The entire transaction was completed without seeking the advice or consent of Davenport. In fact extant evidence suggests that Winthrop had designated new men to act as his agents in the property matter. A perplexed John Davenport confided to Winthrop in April of 1660 that he had read a letter "written by yourself to Sergeant

Whitehead, about your house, in the name of the townsmen, which it seemes, was an answer to a letter sent, but I know not whom, nor when, to yourself, in the name of the townsmen, and with their consent, that they might purchase the house, for the use of the town."⁴⁰ "All of this was done," he explained, "without my knowledge, and my wifes and sons." He complained bitterly that no one had made the transaction known to him "in the least" nor that such a letter was being drafted and sent.⁴¹ But it is obvious that by this time Davenport and the townsmen had reached an impasse and the latter knew it.

So the matter ended. The dispute over the control of the Winthrop property had not been a bitterly fought battle that resulted in organized groups or parties to vent their wrath upon certain men. But it is nonetheless significant for in a quiet, subtle manner the townsmen displayed their new political power. The wishes and demands of men such as John Davenport were quietly ignored as the townsmen acted in ways considered necessary for the good of the larger community. By 1660 they were confident that they and not Davenport spoke for the town and they were correct. There is no indication that the citizens of New Haven were troubled by the direction taken and John Davenport stood alone, a figure from the past who no longer commanded the destiny of the community.

A second issue that bore witness to the changing nature of political authority developed because the outlying suburbs questioned the right of New Haven officials to enforce certain orders concerning their responsibility to the town. In increasing numbers the farmers challenged the laws that forced them to share the duties of the watch or monthly training sessions. They felt that the distance to the town, usually four to six miles, should preclude them from that responsibility.⁴² The town vacillated on the question, exempting the farmers at times or designating certain farmers free from such tasks but generally all were expected to participate in protecting the town. Fines were meted out from time to time to those, like Francis Hall, who "was complained of for refusing to watch himselfe and for counseling others to it allso."⁴³ This was considered a contempt of authority and injurious to the social well being of the community.

Throughout the 1650's more complaints were registered against the farmers for refusing to share the burdens placed on the citizenry of the town. At a May 1659 session of the General Court "William Andrewes & the rest of the Farmers at Southend propounded their desires, & request, that the rates they have hitherto paid for their necke of land might for time to come be abated, wch they said they have

very heavy, it being an overplus beyond that other inhabitants pay."⁴⁴ But the town replied that this was only fair since they have "an overplus of land beyond what other inhabitants have" and referred the matter to the townsmen to settle.⁴⁵ At the same town meeting the Farmers were called to court to answer to their delinquency in attending work on a mill. The town had agreed that all should share the work load for the project but apparently some in the farming regions doubted whether the mill would function properly and for that reason withheld their support. But such an argument carried little weight with the court.⁴⁶ Others complained that the families in the suburbs were so far removed from town that many violated the Sabbath by not attending the First Church of Christ regularly.⁴⁷ This latter point became the focus of an attempt by John Davenport to restructure the community of New Haven.

The pressure from the suburbs intensified throughout the decade until representatives from those areas petitioned the General Court for the right to incorporate into separate villages. Late in 1658 the Governor informed the town "that he had received certaine propositions from ye Farmers at Stony River, & South End & from them on the further side of the East River."⁴⁸ Although the petition admitted "that they

were but few inhabitants at present, yet they conceived that there is land to accomodate a competent number for a village." They asked that they be granted two specific rights. The first involved a definite boundary line between the proposed villages and New Haven to preclude subsequent disputes that were common in such instances. The second was a request for the right to levy taxes against those that lived within or owned land within their jurisdiction. And although not a formal request, it was understood that separation would also give them the right to organize a church and hire a teacher and minister.⁴⁹

John Davenport emerged as the spokesman for the petitioners. He combined spiritual considerations with secular reasons to justify his intense desire to modify the town. He argued that the farms were at such a distance that the Sabbath "cannot be kept as a day of holy rest in all your dwellings, thus plunging the community into a sinful state by violating the fourth commandment."⁵⁰ Since the real goal of the community concerned "the honor of God and of posterity" it seemed only just to demand that His hold ordinances be observed as a means "to prevent sin in others, which cannot be done in this way." Educating the young, an important device to insure that all children were reared with the proper respect to the church, would ultimately

fail unless everyone had access to a school and this could only be accomplished by permitting the new villages to establish centers of learning.⁵¹ He urged everyone to remember that prosperity was awarded only to God fearing communities, and how, he queried, could the farmers honor the Almighty when everything seemed to prevent them from honoring the Sabbath. This could, he warned, "bring the wrath of God on the plantation, as ye secret fact of Achan, for which wrath came upon the whole congregation of Israel" because Israel failed to uphold the righteousness of God.⁵²

While righteousness and the need to observe the Sabbath were important components of his analysis, Davenport nevertheless emphasized the idea that material success could be achieved only when viable trade patterns were established. He reasoned that creating villages would add to the yield of commodities for trade and since the trade had to be funneled through New Haven all communities would benefit. New devices to encourage trade remained the only hope for the town, for if the towne did not consider some way to further trade, "how they would subsist he saw not."⁵³ The Divine believed that when all of the recent developments of the community were considered, including a new mill, the struggling iron works and now the creation of separate villages, they created the basis for mercantile

activities that would salvage the havoc in New Haven.

"Now put all things together: The Towne falling into a way of trade will be in a better state, & ye villages accomodated, the honour of God in ye sanctification of ye Sabbath, and ye upholding of civill order provided for." He concluded his lengthy plea by asking that everyone involved "make use of reason & understanding, that it may be done in such a way as may be for the good both of Towne and Farmes, and the Lord guide you in it."⁵⁴

Francis Newman agreed with Davenport and fully supported the petition movement. In fact his statements during the debate implied that the town would aid the development of new villages. Newman feared that continuing to force the farmers to attend the First Church of Christ made Sunday a "day of toyle rather than a day of holy rest."⁵⁵ He encouraged the farmers who submitted the petition to consult with one another to consider the exact boundary lines and then promised that the town "would afford due encouragement to such an end," a promise that had little visible basis of support.⁵⁶ When he lamented that the distance to the outlying regions caused some to leave the services early in order to return to their homes before nightfall, the anti-village voices reminded him this was the "practice of some Townedwellers as well as Farmers,"

and that many people "are found standing without in the time of publique exercise."⁵⁷ Thus they implied that the problem of moral or spiritual laxity could not be solved by simply creating new villages.⁵⁸

Those who opposed the organization of new villages cogently argued that any such decision would have a negative impact upon New Haven and in the end the proposal died for lack of support. They were not convinced that Davenport's ominous prophecy of doom would effect the community but rather believed that modifying the town by allowing villages to be organized would create an economic liability that well may destroy New Haven.⁵⁹ Since the town depended on the outlying areas for foodstuffs as well as feed for their cattle they reasoned that the town would be hard pressed to find adequate substitutes. Instead of faciliating the ideas of the church it would act in ways harmful to the spiritual body because New Haven could become so destitute that it could not support a minister.⁶⁰ There were periodic revivals of interest in 1659 and 1660 with long and tiresome debates that finally ended in a stalemate. A committee appointed could "not grant all that the Farmers desired, nor would they (the farmers) accept all of the tearmes wch the committee propounded." Over ten years would pass before the establishment of the first village in New Haven.⁶¹

The founders of New Haven and the ideas they brought to Long Island Sound in 1639 were not realized. Their narrow focus on trade and their stubborn refusal to acknowledge failure brought near economic ruin to the town by the early 1650's. When they combined incessant efforts to create a viable mercantile center with strong repressive measure against dissenters, their authority became tainted. This process, then, culminated in the ten year period after 1651 when men such as John Davenport found himself unable to assert his wishes upon the community.

CHAPTER VI--FOOTNOTES

¹John Davenport to John Winthrop Jr., January 21, 1657/8, found in Massachusetts Historical Society, Collections, 4th series, VIII (1858), 489. Hereafter cited as MHS, Collections.

²For the material referring to Goodyear's mercantile interests see Calder, New Haven Colony, 62, 165; Atwater, History, 135; Ancient Town Records, I, 63-64. In his letter to John Winthrop Jr., July, 1658, Davenport Papers, 121, Davenport stated his surprise that Goodyear was defeated and declared that he had expected him to be chosen governor of the colony. He explained the defeat in terms of divine providence, for the proxies from the sister towns had cast their votes for Goodyear only for the governorship, believing that he would easily be chosen. They did not cast votes for him either for deputy governor or magistrate, so when he did not win the governor's post, he was stripped of all offices.

³Information was taken from the New Haven Records and the Ancient Town Records, I.

⁴For example, ten of the thirty men were listed on the 1643 land division list and held an average of ninety acres. New Haven Records, 91-93.

⁵Lockridge, A New England Town, 38; Darrett Rutman, Winthrop's Boston: Portrait of a Puritan Town, 1630-1649 (Chapel Hill: The University of North Carolina Press, 1965), 66.

⁶Ancient Town Records, I, 101.

⁷Ibid. After that date the townsmen were elected annually.

⁸Ibid., 103.

⁹Ibid., 108. Lockridge and Kreider, "The Evolution," offer the best analysis of the role of selectmen in relationship to the general town meeting. They assert that in Dedham and Watertown, Massachusetts the selectmen, because of their aggressiveness, dominated the town until the latter part of the seventeenth-century.

¹⁰For example the General Court would state that the Townsmen could draw up an order but the town would have to confirm it. It seems, however, that the Townsmen were free to order what they wished and no evidence suggests that the town negated decisions made by the townsmen. See Ancient Town Records, I, 440, 447.

¹¹Ibid., 114-116.

¹²Ibid., 316.

¹³Ibid., 317.

¹⁴Ibid., 206-208, 243, 291. Levermore, The Republic, 70-73, 103-105, provides a brief yet good description of the duties of the Townsmen and suggests that they represent a "new party" but only in the sense that they are assuming more town power. He suggests no relationship between the assumption of power and the challenge to authority of the previous decade.

¹⁵Ancient Town Records, I, 206.

¹⁶Ibid., 111.

¹⁷Ibid., 130.

¹⁸Ibid., 223.

¹⁹Ibid., 227, 316, 489.

²⁰Ibid., 104.

²¹Ibid., 108.

²²Ibid., 116.

²³Ibid., 412-413.

²⁴Ibid., 103, 116-117, 108, 305, 323, 438.

²⁵For a brief description of Winthrop's activities see The Younger John Winthrop, 175-176. Black suggests that the main reason Winthrop left New Haven within a year after settling evolved around the harsh blue laws that made the town a very uninviting place for a man of such worldly interests. Also see Dunn, Puritan and Yankee, 92-95, and Calder, New Haven Colony, 153-160.

²⁶Theophilus Eaton and Stephen Goodyear, undoubtedly supported by John Davenport encouraged the town to approve accommodations for Winthrop because they felt it was in the public interest to increase trade. See Ancient Town Records, I, 235, 260, 330.

²⁷Davenport corresponded almost continually with Winthrop, and the letters suggest a reverence for Winthrop that bordered on adulation. For example see John Davenport to John Winthrop the Younger, February 2, 1657, Davenport Papers, 111.

²⁸Theophilus Eaton to John Winthrop Jr., October 4, 1654, MHS, Collections, 47.

²⁹Theophilus Eaton to John Winthrop Jr., April 12, 1655, Ibid., 475.

³⁰John Davenport to John Winthrop the Younger, May, 1655, Davenport Papers, 103-105.

³¹John Davenport to John Winthrop the Younger, December 22, 1655, Ibid., 107.

³²Black, The Younger John Winthrop, 176.

³³For a description of the problems as discussed by the town see the Ancient Town Records, I, 305-306, 313, 316, 317. The best general description is Dunn, Puritan and Yankee, 93-95.

³⁴See John Davenport to John Winthrop Jr., April 1658, John Davenport to John Winthrop Jr., December 19, 1658 and John Davenport to John Winthrop Jr., May 20, 1658 found in MHS, Collections, 493, 497, 498-499.

³⁵John Davenport to John Winthrop Jr., April 1, 1659, Davenport Papers, 136.

³⁶Ibid.

³⁷Ancient Town Records, I, 412.

³⁸Ibid.

³⁹Ancient Town Records, I, 413.

⁴⁰John Davenport to John Davenport Jr., April 5, 1660, Davenport Papers, 154.

⁴¹Ibid.

⁴²See the New Haven Records, 241, 374, 382.

⁴³Ibid., 386-387; Ancient Town Records, I, 50-51.

⁴⁴Ibid., 403.

⁴⁵Ibid.

⁴⁶Ibid.

⁴⁷Ibid.

⁴⁸Ibid., 392.

⁴⁹Ibid.; Levermore, The Republic, 108.

⁵⁰Ancient Town Records, I, 393; Levermore, The Republic, 109, deals with the village question but uses it as an example of the town meeting procedures and states that Davenport is in the minority but goes no further in the analysis.

⁵¹Ancient Town Records, I, 394.

⁵²Ibid.

⁵³Ibid., 393.

⁵⁴Davenport did not quit in his attempt to revive trade. In 1662 he told the court that he had met two godly merchants in London who would come to New Haven and settle if they could be assured of land. The following year at least one merchant came to the town and remained for some years but he did not become important in the town. Ibid., 393, II, 4, 57, 61.

⁵⁵Ibid., 394.

⁵⁶Ibid., 396.

⁵⁷Ibid.

⁵⁸Perhaps as a means to dodge the obvious implications of anti-village group's statement, the Governor proposed and the meeting approved of an order that any person found "walking or playing in the streets, in the evening after the Sabbath, or whosoever shall (without just cause) depart before the publique exercise be ended . . . shall be warned to answer it at the next Court." Ibid., 397.

⁵⁹Ibid., 394-395.

⁶⁰Ibid., 396.

⁶¹Levermore, The Republic, 176.

CHAPTER VII

EPILOGUE AND CONCLUSIONS

Between 1660, the zenith of the townsmen's political strength, and 1665, the date the town of New Haven reluctantly accepted incorporation into Connecticut, another discernible change occurred within the political structure. Because of the crisis that the incorporation issue precipitated, the town, receiving dynamic leadership from William Jones, reestablished its authority over the townsmen in an attempt to unite the townspeople against the new Connecticut charter. For a time the town again called upon John Davenport to express the sentiment of the people but his leadership did not signify a rejection of the changes that had occurred in the previous decade. Times were changing and few believed traditional ideas were viable for the present.

The origin of the problem was a charter and the fact that New Haven did not possess one to validate its claim to the land. The initial purchase of the area had been from "the sachem of Quinipocke" and the one attempt to secure a royal charter in the mid-1640's

failed.¹ With the Stuart restoration in 1660 came a renewed interest to strengthen their hold on the colony by having it recognized legally but several factors worked to the detriment of such a goal.

While New Haven depended upon the benevolence of the royal government for a charter, it nevertheless resisted the restoration by harboring two men who participated in the death of Charles I. They were William Goffe and Edward Whalley, signers of the 1649 death warrant and major-generals in Cromwell's army.² Fleeing to New England in 1660 these men were hurried through the colonies until they found refuge in homes of friends such as John Davenport who not only cared for the regicides but helped prevent royally commissioned officers from finding them.³ Goffe and Whalley were forced to spend their remaining years hiding in the New England wilderness, fugitives from English law, and the fact that New Haven leaders did little to aid in their capture alienated them from the royal government.

Other factors compounded the problem for New Haven. Connecticut was blessed with the leadership of the younger John Winthrop who foresaw the potential of combining Connecticut and New Haven into one economic-political unit. As the governor of Connecticut he received an assembly commission as agent for the

colony to secure a charter. And because he had close friends such as John Davenport in New Haven, he also agreed to represent that colony in its attempt to get a charter. Historians generally believe that Winthrop, while accepting the assignment from his friends on the Sound, never intended to pursue the issuance of a separate patent. In fact he correctly perceived that New Haven, town and colony alike, was economically impotent and the only success it could expect would come by submitting to the control of Connecticut.⁴ After several years of bitter debate and eloquent pleas by New Haven representatives, the town and colony acquiesced to their fate of becoming a subordinate part of their sister colony.⁵

Connecticut's aggressive, expansive tactics had a twofold impact on the internal conditions of New Haven. The first involved the townsmen. By 1660 they cared for most of the matters within the town with the exception of judicial proceedings, a matter that had always remained in the hands of the town deputies. Legally, the townsmen had always been subject to the control of the general town meeting and now, faced with the unhappy prospect of becoming a dependant part of another colony, the town deputies used the town meeting to unite the New Haven citizens in opposition to the Connecticut charter. Time and again the records reveal

that the general court convened the townspeople to inform them of the latest development with Connecticut or called a meeting to listen as leaders asked the people to unite and challenge incorporation so the King could "see the evil in what they have done and restore us to our former state, that we and they may live together in unitie and amity for ye future."⁶

The incorporation issue stimulated the general court to resume its position of power within the town but certainly partial credit belongs to William Jones who provided active, dynamic leadership during this period. He had married the youngest daughter of Theophilus Eaton in a London wedding in 1659 and came to New Haven the following year.⁷ He spent two years in the town before he took the oath of fidelity, an oath that included a plea to the king to grant a charter to the colony "for the advancement of Christ's kingdom," and stipulated that if colonial autonomy ended in New Haven, the oath was void.⁸ By May of 1662 this Gentleman had earned the respect of the people and because they considered him proper magisterial material, elected him deputy governor of the colony. Since the governor, William Leete, was a Guilford resident, this meant that Jones was now the chief magistrate of the town and legally in charge of the town meeting. He clearly dominated the proceedings

of the general court and in May, 1664, he was named moderator of that body, an act symbolic of the new importance the meeting had assumed.⁹

As the town meeting asserted its prerogatives in response to the external crisis, it began to assume the powers it had relinquished to the townsmen. Rating, an important function the townsmen had come to dominate, again came under contrroll of the town. In October of 1661 the town meeting complained that many outstanding taxes were yet to be collected and charged the townsmen to perform that difficult task. But the town itself ordered a new rate to be levied. Again in 1664 the general court debated the issue of another rate and subsequently levied a tax.¹⁰ It is important to note that in neither case were the townsmen given the right to determine the rate. The town also began to receive and act upon petitions for land, a power that had been in the hands of the townsmen since the previous decade.¹² Although the latter group remained and were annually elected, their role concerned, as was the initial purpose, matters of secondary importance.¹³

The second discernible effect of the incorporation crisis involved John Davenport. His leadership had been rebuffed twice near the end of the 1650's but he remained the most learned man of letters the town or colony had. For this reason, and because of his

close friendship of John Winthrop Jr., the town turned to him during those troubled times. He corresponded regularly with Winthrop about the matter of Connecticut's charter and asked how the mistake had been made, the mistake that allowed Connecticut to absorb New Haven. He insisted that New Haven remain independant and condemned as irrational Connecticut's assertion of control over towns such as Branford.¹⁴ Davenport also remained in constant touch with the town, reporting periodically on the state of affairs and probably did his share to convince the townspeople to vote disapproval of Connecticut's dastardly move.¹⁵

This does not mean, however, that New Haven rejected the trends of the 1650's and returned to embrace the ideas or leadership of those who had initially founded the town. Certainly John Davenport was an important figure, but he spoke for a declining percentage of people within the town. New Haven faced the same problem as most other New England towns: rigid church membership policies excluded an increasing number of the young who could not give an account of their saving experience. Church records reveal that only twenty-five new members were admitted to the First Church of Christ in New Haven between 1653-1665.¹⁶ That meant that approximately forty-four percent of the adult males were church members, a drop of about six

percent from the mid-1640's. Some towns enacted the Halfway Covenant as a means to bring people into the Church but Davenport, adamant in his conviction that such a move would dilute the purity of the New England way, forcefully rejected the idea.¹⁷ John Davenport's leadership abilities, then, were called upon not as an affirmation of his former role in the town, but out of an immediate need for eloquent, forceful arguments to defend the independant status of New Haven.

New Haven enjoyed a unique experience of its own. Unlike Dedham, Massachusetts the town, although espousing the need to live peaceably under the watchful eye of God, never found the secret to a successful utopia. Nor was it guided, as Boston, by the forces of perfection in the search for the ideal community.¹⁸ New Haven's settlers, were, like many other New Englanders, intensely religious and found in their theology the framework for a new society. This was tempered, however, by a strong mercantile influence that played a dominant role in the first decade, resulting in a society that saw itself (through the rhetoric of the leadership) as the handmaiden of God in the midst of constructing a port city to do trade with the secular world. The two forces balanced one another, each giving support to the other to maintain the success of the community.

The balance, so necessary to a community that teetered on the precarious abyss in the wilderness, was destroyed when the mercantile venture failed. In a desperate attempt to discover why, leaders turned to the covenant, their only reasonable means of understanding the crisis, and began several years of intense activity to purify society. Between 1644 and 1649 the First Church of Christ and the town Court challenged any heretical opinions that surfaced in New Haven. Several notable people joined those of lesser rank in tasting the harsh discipline of a society which sought to redeem itself in the eyes of God.

Harsh policies toward some did not mean, however, that the majority found life terribly uncomfortable in New Haven nor that people were governed by ideals forced upon them by a theocratic state. Settlers faced severe economic problems in the first decade but the probated estates of a number of men suggest that hard work could cull moderate wealth from the rocky soil. The political framework provided a means for people to express their sentiments and ideas to an elected body, that, once elected, assumed full power in town. Although suffrage qualifications based on church membership excluded an ever increasing number between 1638 and 1662, all men could speak to major issues through the General Court. And the records suggest

that the leaders used that body to insure their decisions were approved by a consensus of the citizens. New Haven officials demanded severe moral discipline in the town as well as deferential attitudes toward their positions as magistrates, but there is little to suggest that there was wholesale dissatisfaction with the order of things.

Yet, the total submissive attitude toward authority began to change by the end of the first decade. Influential men challenged the intellectual basis of deference, particularly regarding the unquestionable integrity of town leaders. Townspeople began to show less and less interest in providing necessary services such as volunteering and serving in the watch and militia, and maintaining adequate fences to protect crops, services that were all necessary to insure the longevity of a city in the wilderness. The church, considered by many to be the very heart of the society, decried the shameful policy of contributing wampum that was so deteriorated that it could not be used. By the early 1650's the problems were so severe that many feared for the future of the town and a number of people revived an old interest in the Delaware Bay region with the idea of establishing a town. But the leadership, representing the same mercantile interests that had nearly destroyed the town,

found few people willing to risk the dangers and the idea collapsed for want of support.

The town did not collapse, however, but rather grew in numbers while recovering some of its economic strength. But important changes had occurred. The office of townsman had been created to carry out the burdensome chores the town deputies found too time consuming. And these men, who dominated the town government by 1660, were not predisposed to the idea of making New Haven in the image of Boston. Thus, the thrust of mercantile ideas no longer dominated thinking of the town. And while the church continued to represent the religious influence in the town, the spiritual leadership never regained the influence it once had. Restrictive church admission policies isolated the church more and more in a growing population where the majority of men could not prove themselves to be of the visible elect. Town officials reflected this tendency by acting on issues without consulting the minister and openly repudiating suggestions by the spiritual leaders regarding fundamental modifications in the town that the minister felt was necessary to maintain the integrity of society.

By 1662 New Haven developed into a town quite different from the town it had hoped to be in 1639. It had not become a first rate port city and depended

more heavily on the land as its source of wealth. The ideals of authority had been challenged and in the process, changed. To be sure, the town did not repudiate the church nor many of the deferential assumptions regarding politics or society, but all had been tempered by the severe ordeals of the 1640's. The influence of a small group of Godly merchants had given way to men who depended on the same spiritual source but tempered by the realities of the secular world.

CHAPTER VII--FOOTNOTES

¹New Haven Records, 1-7.

²Calder, The New Haven Colony, 221-226; Atwater, History, 419-444, provides the most complete narrative of the episode, and Andrews, The Colonial Period, II, 184-185.

³For Davenport's description see his letter to Thomas Temple, August 19, 1661 found in the Davenport Papers, 190-193.

⁴See Dunn, Puritans and Yankees, 92-95, 123-125. 144-146 and Black, The Younger John Winthrop, 247-254.

⁵For example see the Ancient Town Records, II, 12-14, 102-103, 137, 139; John Davenport to John Winthrop Jr., June 22, 1663 in MHS, Collections, VIII, 521-525. John Davenport also wrote a long document entitled "New Haven's Case Stated," found in Atwater's History, 566-583.

⁶Ancient Town Records, II, 12-14, 71-72, 96-97, 125, 137, 144-145.

⁷Ibid., 105, Atwater, History, 422.

⁸Ancient Town Records, I, 520-521.

⁹Ibid., II, 45, 144-145.

¹⁰Ibid., I, 489.

¹¹Ibid., II, 97.

¹²Ibid., 63.

¹³For example they continued to appoint fence viewers and provide necessary care for indigents. Ibid., 41, 73.

¹⁴See John Davenport to John Winthrop Jr., June 22, 1663 and Davenport to Winthrop July 13, 1665 in Davenport Papers, 216-219, 251-254.

¹⁵Ancient Town Records, II, 12-14.

¹⁶Dexter, Historical Catalogue, 307. For the methodology in determining population figures see footnote 13 of chapter two.

¹⁷Edmund Morgan's, Visible Saints: The History of a Puritan Idea (Ithaca: Cornell University Press, 1963), 130-138 provides a good general description of the halfway covenant. For Davenport's ideas see his Another Essay (Cambridge, 1663), 5, 9, 12-13, 34-35, 58-59 and John Davenport to John Winthrop Jr., June 14, 1666 in the Davenport Papers, 262-263.

¹⁸See Lockridge, A New England Town, 1-79 and Rutman, Winthrop's Boston, 3-23.

BIBLIOGRAPHICAL ESSAY

There have been numerous scholarly works written on the New England community in the seventeenth-century. This bibliography, however, will deal with only those books that directly affected the development of this thesis.

Manuscript sources dealing with the first thirty years of New Haven are scarce. The Connecticut Archives, housed in the State Library in Hartford, Connecticut, is a massive collection of material, nicely indexed, but the bulk of it deals with Connecticut after 1665. The collection does have data dealing with the incorporation crisis of 1662-1665 but that material is more readily available in printed form. The First Church of Christ Records provides useful information by listing church members and gives one good example of an excommunicant being received back into the church. Generally speaking, the records are very incomplete. There are numerous extant wills of early New Haven settlers that were useful for this study. Richard Perry's Book of Names, a manuscript written between 1649-1652 by the town secretary, was used as an aid in determining population figures.

No study could be made of the town without the excellent volumes of printed records now available. Charles Hoadly edited The Records of the Colony and Plantation of New Haven, 1638-1649 (Hartford, 1857), and The Records of the Colony and Jurisdiction of New Haven from May, 1653 to the Union (Hartford, 1858). The first includes both entries of the town government as well as the government of the colony of New Haven and one must be careful to distinguish between the two. The latter focuses exclusively on the colony but there are materials concerning the Delaware venture that are important for the town. This volume also contains the 1657 codified laws of New Haven although J. H. Trumbull's True-Blue Laws of Connecticut and New Haven and the False Blue Laws Forged by Peters (Hartford, 1870) was used for this study. The three volumes of the Ancient Town Records: New Haven Town Records, 1649-1769 (New Haven, 1919-1962), edited by Franklin B. Dexter and Zara J. Powers are essential. The first volumes cover the period of this investigation and they contain data of every description. Probate records, judicial proceedings, general court meetings, court meetings and records of the townsmen are all included. The editors have included an excellent index that facilitates the use of the volumes.

The personal letters as well as the sermons of John Davenport are important for any study of New Haven. The extant letters of Davenport can be found in Isabel M. Calder's edition of The Letters of John Davenport, Puritan Divine (New Haven, 1937). The collection includes extensive material on aspects of his theology as well as letters to his friend the younger John Winthrop that deal with personal as well as public issues. The Massachusetts Historical Society Collections, VII (Boston, 1865), and VIII (1867) contain letters of John Davenport, Theophilus Eaton and William Leete and provided useful information on some of the issues and events of the 1650's and 1660's. Davenport's 1669 election sermon illustrates his ideas on authority and is found in The Publications of the Colonial Society of Massachusetts, X, (Boston, 1907). His Another Essay (Cambridge, 1663), exemplified Davenport's dissatisfaction with the Halfway Covenant of 1662. The five volumes of the Winthrop Papers, published by the Massachusetts Historical Society (Boston, 1929-1947) should be used with James K. Hosmer's edition of Winthrop's Journal, "History of New England, 1630-1649" (New York, 1908) for information on Davenport and Eaton while they were in Boston. There is also scattered material in the New England Historical and Genealogical Register.

The best description of dissenters in New Haven are the records of the proceedings against two of those charged in the town, Anne Eaton and Ezekial Cheever. The case against Cheever can be found in volume one of the Collections of the Connecticut Historical Society (Hartford, 1860) and the church actions against Mrs. Eaton are found in the Papers of the New Haven Historical Society (New Haven, 1894), volume five. Both incidents are important when considering the question of toleration in New England.

Other sources were consulted that in varying degree were useful to this study. E. B. O'Callaghan's Documents Relative to the Colonial Period of New York, 14 vols., (Albany, 1856-1883) and the Records of the Colony of New Plymouth in New England (Boston, 1855-1861) provided information dealing with New Haven's claim on the Delaware. Perry Miller and Thomas Johnson's two volumes of sources entitled The Puritans (New York, 1963) and Edmund Morgan's Puritan Political Ideas, 1558-1794 (New York, 1965) are good for a general overview of the Puritan mind. Charles Manwaring's three volume edition of A Digest of Early Connecticut Probate Records (Hartford, 1905), has scattered material on New Haven settlers.

There are some standard secondary works that must be consulted before any aspect of seventeenth-century New England is studied. Perry Miller's

contribution to the study of the Puritan mind should begin with the Errand Into the Wilderness (New York, 1956) since it provides a concise interpretation of the author's thesis. Orthodoxy in Massachusetts (Cambridge, 1933) read with The New England Mind: The Seventeenth-Century (New York, 1939), and The New England Mind: From Colony to Province (Cambridge, 1953) will provide a stimulating analysis of American thought between 1630 and 1720. Edmund Morgan will give the Miller reader a needed respite from his ponderous literary style. The Puritan Family: Religion and Domestic Relations in Seventeenth-Century New England (New York, 1944) studies the family as a microcosm of the larger society by skillfully incorporating the Ramusian logic of relationships into the social patterns of early Massachusetts. Morgan's The Puritan Dilemma: The Story of John Winthrop (Boston, 1962) and The Visible Saints: The History of a Puritan Idea (Ithaca, 1965) also provide useful information on the early seventeenth-century. The first deals with the pragmatic application of ideas to the everyday world while the second traces the evolution of visible sainthood from 1630 to the Great Awakening.

The present interest in historians has shifted somewhat from the broad interpretations of the Miller-Morgan school to narrow case study topics. Thus, New

England towns have received an increasing amount of attention by scholars. Sumner Chilton Powell's Puritan Village: The Formation of a New England Town (Middletown, 1963) spearheaded this interest. He emphasized the unique innovations the settlers of Sudbury, Massachusetts made when they came to the new world. Kenneth Lockridge, in A New England Town: The First Hundred Years 1636-1736 (New York, 1970), provides a larger setting for his study of Dedham, Massachusetts and suggests that the closed-corporate-christian community of Dedham functioned as did many other peasant communities. His work provides a stimulating analysis of the evolution of the community throughout the century. He co-authored an article with Alan Kreider entitled "The Evolution of Massachusetts Town Government, 1640-1740," William and Mary Quarterly, XXIII (1966) that gives a thoughtful analysis of the struggle for political control in two towns between the town meeting and the townsmen. Darrett Rutman's Winthrop's Boston: Portrait of a Puritan Town, 1636-1649 (Chapel Hill, 1965) deals with some of the same concepts as Lockridge in his attempt to trace the changing nature of Boston and the ideas that governed its founding during the initial twenty years.

Although there is no satisfactory work on New Haven, it has received a great deal of attention by

historians. Two seventeenth-century figures considered the town an ideal model of a Godly settlement. Cotton Mather's Magnalia Christi Americana (Boston, 1852 edition) should be read as an example of what Perry Miller called the jeremiad. In it, New Haven and its leaders are revered and looked upon as model Christians but even with its bias it offers some useful information. William Hubbard's A General History of New England From Discovery to 1680 (Cambridge, 1815) shares some of the same biases of Mather but puts far greater emphasis on the mercantile influence within the community. An author who writes a bit later, Benjamin Trumbull, A Complete History of Connecticut: Civil and Ecclesiastical (2 vols., New Haven, 1818) provides some good narrative material on the Regicides and the incorporation problem.

The nineteenth century produced several authors who wrote lengthy studies of the town and colony. Edward Lambert's History of the Colony of New Haven, before and after the Union with Connecticut (New Haven, 1838), and Edward Atwater's History of the Colony of New Haven to Its Absorption into Connecticut (New Haven, 1881) are typical of the filiopiestic school of historians whose adulation for the founders biased their works, but the accounts are important as sources of information. The best account is Charles Levermore's The Republic of New Haven: A History of Municipal

Evolution (Port Washington, New York, 1888). He gives a full factual account of the early period but provides no real thesis in regard to the changes in the town government.

There are three well written books written since 1930 but none deal specifically with the town of New Haven. The most readable is the fifth chapter in the second volume of Charles M. Andrews, The Colonial Period of American History (New Haven, 1936). This is a good narrative but is colored by the persistent theme that the colony of New Haven is propelled by an expansive, aggressive urge. He relied heavily on a monograph written by his student, Isabel M. Calder. Her New Haven Colony (New Haven, 1934) has stood as the single best work on the colony. It is a meticulously researched book with a great deal of information for the reader. But the concentration falls on the colony, not the town, thus the author does nothing to develop the internal tensions of the community nor even perceives a relationship between the economic disaster of the first decade and the repressive measures to stamp out dissenters. Rollin Osterweis, in Three Centuries of New Haven, 1638-1938 (New Haven, 1953), offers a very readable summary of the works by Andrews and Calder.

A question that has raised a great deal of historical debate has focused on the role of democracy

in colonial America. For many years historians accepted unquestioningly the assertion that James T. Adams made in The Founding of New England (Boston, 1921) that New England was controlled by twenty-percent of the adult males and that in fact they represented a repressive spiritual oligarchy. B. Katharine Brown has written a series of articles that challenge the Adams thesis. "Freemanship in Puritan Massachusetts," American Historical Review, LIX (1954, "A Note on the Puritan Concept of Aristocracy," Mississippi Valley Historical Review, XLI (1954-1955), "Puritan Democracy in Dedham, Massachusetts: A Case Study," Mississippi Valley Historical Review, L (1963-1964), and "Puritan Democracy in Dedham, Massachusetts" Another Case Study," William and Mary Quarterly, XXIV (1967), focus on the idea that even though the New Englanders did not call their society democratic, their government functioned very close to the twentieth-century ideal of representative democracy. Robert E. Wall's articles, "A New Look at Cambridge," Journal of American History, LII (1965-1966) and "The Massachusetts Bay Colony Franchise in 1647," William and Mary Quarterly, XXVII (1970), offer a slightly different analysis of the question.

Other works that proved useful for the study include Loren Baritz's City on a Hill: A History of Ideas and Myths in America (New York, 1964). The

author includes an excellent analysis of the political thought in Massachusetts that evolved around the idea of the organic state. A good biography, The Younger John Winthrop (New York, 1966) by Robert C. Black III and Richard Dunn's Puritans and Yankees: The Winthrop Dynasty of New England, 1630-1717 (Princeton, 1962) were useful in understanding the activities surrounding the iron works in New Haven. James Savage's A Genealogical Dictionary of New England, 4 vols. (Boston, 1860-1862) is necessary to trace individuals within the town.

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