

The Enduring Commons: Ecology, Politics, and Economic Life in Plymouth  
County, Massachusetts,  
1691 - 1815

by

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*To Mum, Dad, Luke, and Billy.*

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All errors are my own, and will be speedily corrected upon notice.

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## Chapter 1: Introduction

This dissertation argues that the English settlers of Plymouth County, Massachusetts, created and maintained an enduring commons regime in the 17<sup>th</sup>, 18<sup>th</sup>, and early 19<sup>th</sup> centuries. This commons regime, encompassing lands, waters, and the places where they mixed, was established in the 17<sup>th</sup> century after the English settlement of New Plymouth Colony; reached a new maturity and intensity in the 18<sup>th</sup> century; and was marked by elements of transition, but overall by continuity, as the industrial and market revolutions dawned in early republican New England. During this period, the enduring commons of southeastern Massachusetts formed an important and powerful counterpoint to forces of capitalist transformation in the New England countryside – a transformation that was at best partial and widely variegated, remaining incomplete in important ways well into the 20<sup>th</sup> century.

The Commons embraced land and water and their meeting places – beaches, marshes, swamps, meadows, and other wetlands. With a lineage that could be traced back to European peasant origins in its customary aspects, and to the Magna Charta in the constitutional sense, the Commons quite literally preceded individual production in greater Plymouth, as demonstrated by the primitive communism of the first years of the struggling colony in the 1620s. These commons were communal, and communitarian; yet it would be a misnomer to call them democratic in the modern sense, though they

certainly were the province of the *populi* and *demos* broadly considered. Instead, they were part and parcel of what historian Peter Laslett has called “the world we have lost” – governed in some senses by the hierarchical received traditions of the *Ancien Regime*, yet paradoxically providing a critical space for popular claims, plebeian sustenance, and collective communal survival in the still subsistence-based world of early New England.

The Commons could be construed either broadly or narrowly; they contained multitudes. The single most important common resource, at least as measured by frequency of appearance in the local records, was the region's anadromous fisheries, particularly its herring fishery. Defined by massive springtime migrations, or “runs”, up the steep, coastal streams of southeastern New England, the yearly spectacle of alewives (*Alosa pseudoharengus*) and blue-backed herring (*Alosa aestivalis*)<sup>1</sup> running in overwhelming profusion up the streams and towards the ponds from which they flowed had one goal: to spawn. Later that season they will pass back down the rivers into the sea. Arriving with early spring and coming when food supplies were at an annual low ebb, the herring runs of southeastern Massachusetts constituted a crucial common resource for Wampanoag, Massachusett, and English societies alike.

While fish were the most important resource associated with the fluvial systems of Plymouth County, they were far from the only valuable element in the watery parts of the Commons. Iron ore, in the form of bog iron, was another aspect of the regime heavily legislated upon. In addition, wetlands valuable for fodder, turbarry, lumber, fish, and game were commonly held – the great beach at Duxbury, salt-marshes, freshwater swamps and meadows, Atlantic white cedar swamps. Roads, paths, and

<sup>1</sup>See C. Richard Robins, G. Carleton Ray, John Douglass and Eleonore Freund, *A Field Guide to Atlantic Coast Fishes of North America* (Boston: Houghton Mifflin Company, 1986), 67. See also <http://www.savebuzzardsbay.org/DiscoverBay/AboutBuzzardsBay/FieldGuide/AnimalsPlants/Alewife>



byways, bridges, along with certain fences, mills and milling privileges, and indeed, the burden of caring for the upkeep of the poorest members of this society were, in significant and vital ways, held commonly.

These commons endured throughout the rise of industrialism and capitalist transformation in southeastern Massachusetts, and indeed, endure to the present day -- not universally, but widely enough that these commons can be understood as a persistent customary and legal regime, characterized by both continuity and adaptation in its response to the changes associated with the transition to capitalism. A number of scholars have explored this aspect of New England life, especially Robert McCullough's examination of town forests, and, most significantly for this study, Gary Kulik's study of the anadromous fishery in the Blackstone Valley of Rhode Island. This study is intended as a furtherance of this line of inquiry.<sup>2</sup>

In a wider sense, this study takes a side in a larger debate. The question of when the United States became a recognizably capitalist society is widely debated by historians. One school, the liberals and neo-liberals, argues that the American colonies were either recognizably capitalist on arrival in the New World, or comparatively shortly thereafter, and has tended to emphasize the commercial aspects of early America. Scholars such as Louis Hartz, and more recently Winifred Barr Rothenberg, have made vital contributions. Another grouping, with a lineage in the Progressive tradition of Beard and others and, especially, in the "New" social and political histories being written in the aftermath of the 1960s, has urged a more critical view of capitalist development, in turn arguing that capitalism came to America far later, only really in the middle of the 19th century, and that the transition was a wrenching and violent one. Scholars like Karl Polanyi, E.P. Thompson, Raymond Williams, Eric Hobsbawm,

<sup>2</sup> Robert McCullough, *The landscape of community: a history of communal forests in New England* (Lebanon, NH: University Press of New England, 1995); Gary Kulik, "Dams, Fish, and Farmers: Defense of Public Rights in Eighteenth Century Rhode Island", in Jonathan Hahn and Stephen Prude, eds., *The Countryside in the Age of Capitalist Transformation* (Chapel Hill, NC: University of North Carolina Press, 1985).

Charles Sellers, and Christopher Clark have made critical and convincing contributions to this side of the debate. Eugene Genovese's insight that a capitalist world-market could, paradoxically, allow for the creation of archaic or non-capitalist modes of production and being is applicable here as well.

This study sides with this latter grouping. The society of Plymouth County in the 17th, 18th, and early 19th centuries was not recognizably capitalist. Instead, with strong traces of traditional society along with a combination of English legalism and New England communalism, the settler-colonists of Plymouth County made a town-based, communitarian order that differed profoundly from what was to come later under capitalist modes of production. Lest there be any mistake, it should be emphasized that the people of early Plymouth County lived in their own country; they were far from modern industrial trade unionists or *bien pensant* 21st century left-wingers. These forces of popular resistance the Commons and commoners of Plymouth County made to capitalist transformation, rather, came from within the parameters of an older corporate and mostly traditional society, ancient even in the 18<sup>th</sup> century. In this sense, if they have a contemporary political analogue, it is more with an endangered Canadian political species, the Red Tory, than they do with doctrinaire Marxists or liberal readers of *The Nation*. Yet that does not negate this resistance, this stance away from capitalism. Indeed, it rather throws its 17<sup>th</sup> century, radical Commonwealthman-Puritan-republican roots into starker relief (roots which, being planted in the soil of Dissenting Protestantism, renders inoperative any closer analogy with typically Anglican Toryism).

The years between the conclusion of King Philip's War and the outbreak of the American Revolution constituted a long period of consolidation in the history of New England. In the absence of the immediate threat of warfare for most of the region (the upper Connecticut Valley and Maine are exceptions), the work of building, consolidating, and maintaining an English agricultural society went on apace. Historians have examined this process from a number of perspectives: Richard Bushman has

famously tracked the transformation of Puritans into Yankees, while Daniel Vickers has examined this process from the point of view of ordinary laboring people, of farmers and fishermen. William Cronon has traced the processes of “changes in the land” that marked the European conquest of New England; I wish to extend Cronon's questions to how this agricultural society was maintained. In addition, I seek to understand how one crucial element of this agricultural society – a Commons regime, with roots extending back to Magna Charta, in which certain resources of wood, water, and the field -- were carefully maintained for the public good. The formation, maintenance, and the much-contested demise of a Commons regime was the life's work of the great E.P. Thompson; and though Thompson typically takes as his subject agricultural villages in the West Midlands of England, I am convinced that similar processes relating to the Commons occurred on this side of the Atlantic, in the creation of this new, English, agricultural society.<sup>3</sup>

But it was also, in the period succeeding the American Revolution and through the War of 1812, a time of increasing transformation, witnessing the first harbingers of Charles Sellers’ market revolution. Yet the Commons regime, unlike in England, was not entirely destroyed; rather, it endured in significant and still potent ways. It was partially, by degrees, changed; but its essence, its kind, remained the same. This is a remarkable and comparatively unique development in the English-speaking Atlantic.

<sup>3</sup>See Richard L. Bushman, *From Puritan to Yankee; character and the social order in Connecticut, 1690-1765* (Cambridge: Harvard University Press, 1967); Daniel Vickers, *Farmers & fishermen : two centuries of work in Essex County, Massachusetts, 1630-1850* (Chapel Hill : Published for the Institute of Early American History and Culture, by [the University of North Carolina Press](#), 1994); William Cronon, *Changes in the land : Indians, colonists, and the ecology of New England* (New York: Hill and Wang, 1983); for a representative sample of Thompson's work, see Dorothy Thompson, ed., *The essential E.P. Thompson* (New York: The New Press, distributed by Norton, 2001).

At the beginning, a certain definition of terms is necessary. By *Commons*, I mean resources held in common by any given society. While this covers a broad multitude of examples, in the case of southeastern Massachusetts, it primarily means water, land, certain collective burdens (such as upkeep of the poor), and other broadly construed public spaces. There are broadly similar categories known across societies. Staying comparatively close to the northwestern European origins of the Plymouth County commons regime, a useful comparison can be drawn to the Swedish *allemansrätten*, or Everyman's Right, which confers the privilege of accessing private lands for camping, walking, fishing, berrying, and other outdoor activities. It is even guaranteed by the Constitution of Sweden, and similar provisions exist in the laws of the other Scandinavian countries.<sup>4</sup> Certain things, like the air, flowing water, and the ocean, were held common in Roman Law -- as per "the laws of nations"<sup>5</sup> Commons have been extensively described in their English context by E.P. Thompson; this dissertation argues that the Anglo-American settlers transplanted and maintained precisely such an English commons regime in Plymouth County -- and, further, that this Commons regime has been both long-enduring and of such a character that it has provided a space removed from, and in counterpoint if not outright resistance to, the capitalist transformation of the 19th century.

By *Capitalism* I mean a certain type of economic configuration, marked by a reliance on market exchange rather than subsistence activities, and the social and political constellations that accompany the change from the latter to the former. The mere presence of exchange is not enough to render it market exchange, since trade has existed since paleolithic times. Rather, it exists when the economic life of all is determined by prices set in national and international markets, so that, taken to its extreme, farmers may find themselves, as they did in the United States in the 1930s, overflowing with wheat and

<sup>4</sup> See Constitution of the Kingdom of Sweden, Article 18: "There shall be access for all to the natural environment in accordance with the right of public access...."

<sup>5</sup> See Justinian, *Institutionum*, Liber II: "Et quidem naturali iure communia sunt omnia haec: aer, aqua profluens, et mare, et per hoc litora maris, nemo igitur ad litus maris accedere prohibetur, dum tamen villis et monumentis et aedificiis absteineat, quia non sunt iuris gentium sicut et mare."

yet starving to death. It is a corollary of this definition that it was only in the 19th century that the economy truly and essentially transformed in a capitalist direction.

It was in these Commons, then, where the variegated spheres of ecology, politics, and economic life met, and where both lasting continuity of institutions and traditions, on the one hand, and harbingers of adjustment and transformation, can be glimpsed. In the common lands and waters, we trace the common history of the region.

Methodologically, this study has proceeded primarily by examining the Town Meeting records of three towns in Plymouth County -- Duxbury, Pembroke, and Wareham.

*Pembroke* was the largest town by population. It was restive even during the Old Regime (the Royal Province of Massachusetts Bay), being a prominent member of the Country Party. It was early active in the Patriot cause, and after the Revolution was Jeffersonian Republican in its politics.

*Wareham* was the smallest town by population, and remote from the population centers of Massachusetts. Dominated by local notables, it was a quiet, old-fashioned, and out of the way sort of place, largely quiescent throughout the Old Regime, Revolution, and the New Republic.

*Duxbury* was somewhere between these two. Closer to Pembroke in population than to Wareham, it was not as ardent in the Revolution or Old Regime as Pembroke. After the war, it turned decisively towards Federalism in the first decade of the 19th century.

In terms of temporal organization, I have divided the work into three parts: the Old Regime, the Revolution, and the New Republic. In part, this is an homage to Alexis de Tocqueville's *The Old Regime and The Revolution*; I also believe that a triptych organization, with a distinct "before" and "after" period, ably serves the purpose of showing change over time. It is also to emphasize, as a diverse array of observers have, from Thomas Paine to Gordon Wood to Brendan McConville, that the pre-Revolution society of British America was, in its own British and colonial way, a part of the *Ancien Regime* societies of the Old World. It took political revolution and war to foment political, social, and economic changes that were, in some cases, radical disjunctures; but beneath it all, there were strong and broad continuities in common regimes and material life.

### The Setting

The three counties of the Old Plymouth Colony – Plymouth, Bristol, and Barnstable – along with the island counties of Dukes and Nantucket, constitute the region that is today called Southeastern Massachusetts. It is a place dominated by the intersection of fresh water, land, and the sea. While it is a swampy country, it is not on the whole flat, at least not in the sense of northern Ohio's lake plain or Texas's *Llano Estacado*; rather, a heavily glaciated landscape, the extensive swamps, ponds, and streams are divided by relatively low, but proportionately quite steep and significant hills. These hills divide the region, with different terrain and different stories of development on the western, flatter side than on the relatively steeper eastern slope. It is bordered on the east by Massachusetts and Cape Cod Bays, and on the south by Buzzard's Bay, on the north by Boston Harbor and Norfolk County, and on the west by Bristol County. Its extreme distance from north to south is 51.8 miles, and 27 miles from

east to west.<sup>6</sup> With a land area of 659 square miles, and a population a little over half a million (2014 estimate: 507,022)<sup>7</sup>, it is made up of 25 towns and two cities (Brockton and Bridgewater).

The geography of Plymouth County, like the rest of New England, has been shaped first and foremost by the Wisconsin glaciation approximately ten to twelve thousand years before the present. This period of glaciation was the most recent of many; combined, they had worked to erode the Appalachian Mountains – formed in an orogeny (period of mountain building) 450 million years ago, and once as lofty as the Himalayas – down to the rounded peaks they are today. New England as a whole, unlike the Middle and Southern States, is geologically a part of the Appalachian uplands; that is to say, there is no coastal plain as there is on the coast of the Atlantic south of New York Harbor. (Some argue that Cape Cod, Martha’s Vineyard, Block Island, and Long Island are extensions of the larger Atlantic coastal plain; however, these are properly terminal moraines from glacial activity; it seems to me insupportable to include the area in the flat, depositional plains surrounding Delaware and Chesapeake Bays, let alone the Gulf of Mexico). Thus, beyond the composition of bedrock, almost all surficial geology in New England can be explained in relation to the glaciers that lay over this land over a hundred centuries ago. They are the *sine qua non* of the land.

This is true of Plymouth County, Massachusetts no less than other regions in the New England states. The county, bordered on the east by Massachusetts and Cape Cod Bays, on the southeast by Cape Cod (and, since 1914, the Cape Cod Canal), on the south by Buzzard’s Bay, on the west by Bristol County, and on the north by Norfolk County, presents a thoroughly glaciated landscape. In general, the county’s surface geology exists along a spectrum, with the greatest areas of exposed bedrock occurring most frequently in the northern part of the county, while the extreme southern

<sup>6</sup>Measurement, Cronin, 9/1/2015, using Google Maps.

<sup>7</sup>“Plymouth County, Massachusetts Quick Facts from the US Census Bureau,” accessed 9/1/15 6:07 am. <http://quickfacts.census.gov/qfd/states/25/25023.html>.

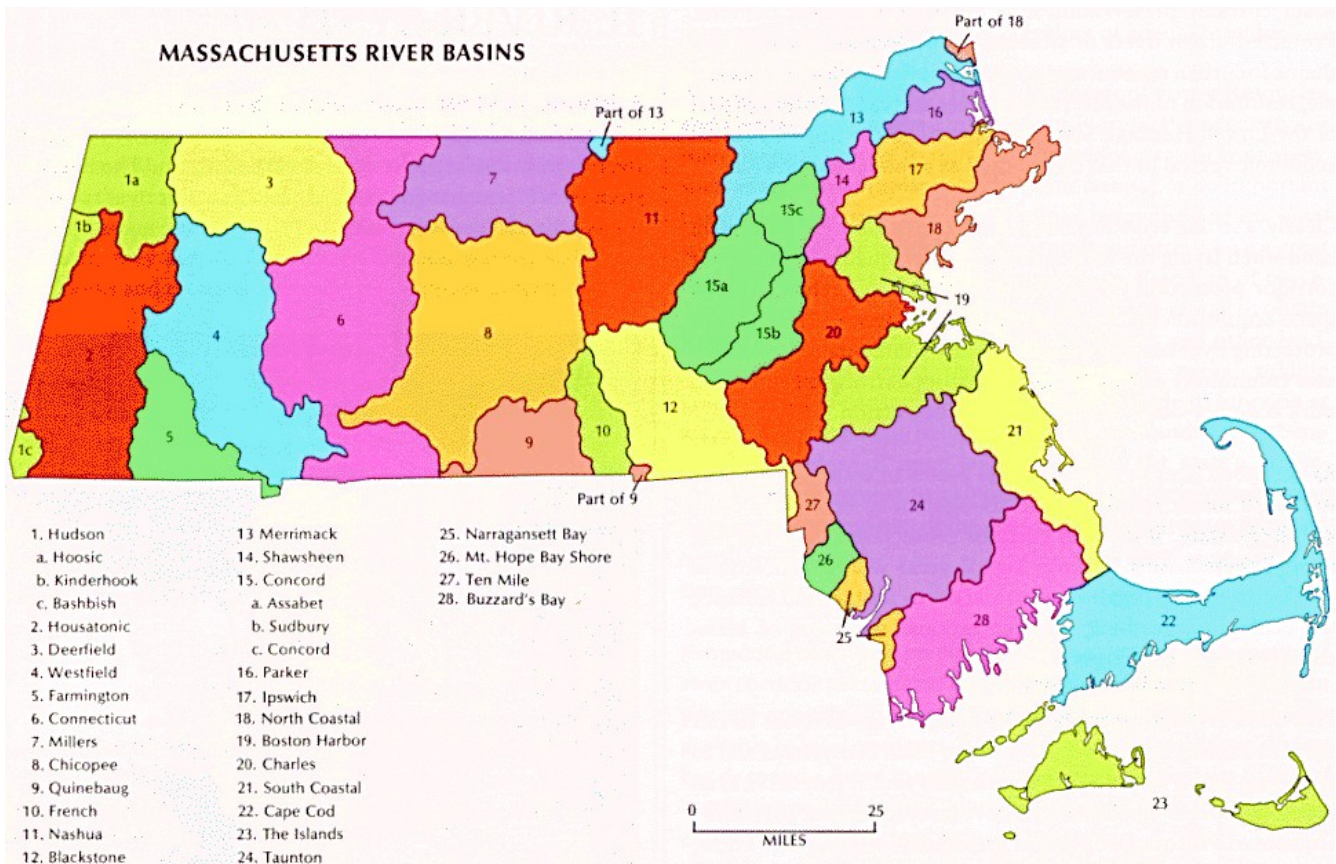
portions of the county are mantled almost entirely by glacial sand and till deposits. Along the coast, there is a series of barrier beaches— long spits of sand strung by long-shore currents around large, glacially deposited “mega-boulders”, some of which are mantled with till (i.e., that mixture of soil, sand, silt, and rocks of various sizes that are deposited during glacial retreats; till may be either differentiated with the soil particles organized by size, or, more frequently, undifferentiated, with particles mixed). These barrier beaches, from Nantasket in the north, guarding the southern approaches to Boston Harbor, extending down through Humarock and the North-South River estuary, Duxbury Beach and Plymouth Beach entering the Duxbury-Plymouth-Kingston estuary, are interspersed with a series of bluffs and dunes (as at Scituate and at Rexhame in Marshfield) which, during winter storms, are eroded by the force of wind and wave and snow, and, via currents along the shore, deposited along the several barrier beaches. Today, at the behest of nervous property owners, these bluffs are largely protected by seawalls, riff-rafs, and stone groins, thus depriving the barrier beaches of their annual gift of sand from the longshore current, and leaving an ever rockier, ever more battered, ever more cobbled beachscape.

The barrier beaches bear the harshest lashings from the Atlantic storms, and they break the fierceness of the sea; behind them, gentle, highly indented bays, fringed with salt-marshes and studded with glacial hills, form the harbors and bays of the several coastal towns of the County. The most prominent harbors are at Scituate, south of Nantasket Beach; at the mouth of the North River-South River estuary at Humarock; at Green Harbor, in Marshfield; and, in the large estuarine complex of Duxbury, Kingston, and Plymouth Bays. South of Plymouth Harbor, the coast takes on a different face, with plunging headlands and tall hills sloping down to a coast with scarce anchorages (a coasting harbor at Ellisville in South Plymouth, for instance) and a shore fraught with rocks. The southeastern coast of the County remained largely undeveloped well into the Twentieth Century. The southern coast



proper, on Buzzard's Bay, lies west of the Cape Cod Canal. Here, in towns like Rochester and Wareham, a highly indented coast, warmed by the back eddies of the Gulf Stream waters, plays host to more southerly species and occupies a different bio-geophysical zone than does the County's eastern coast. This warm water from the back-eddies of the Gulf Stream is blocked by Cape Cod from entering into Massachusetts Bay – here, the Gulf Stream plunges eastward, towards Europe. North of Cape Cod, in the Gulf of Maine, the water temperature is often ten degrees cooler, a result of the cold Labrador Current that plunges down from the icy waters between Greenland, Baffin Island, and Labrador, into the Gulf of Maine. This cold water results in significant areas of upwelling off the coastal waters, attracting all manner of marine life to submerged glacial eminences such as Stellwagen or George's Bank, making for one of the naturally richest fisheries in the Atlantic basin. In the summer months the meeting of the cold currents with hot continental air-masses frequently results in dense, cool fogs, while in the winter, the currents, though cold, are warmer than the air-masses from interior Canada that sweep westward across the county, consequently both moderating the temperature, and increasing the snowfall (ocean-effect snow), of the coastal Towns north of Cape Cod.

On land, behind the barrier beaches, and running into the several estuarine bays of the county, run a series of rivers, brooks, and streams rising in ponds and swamps in the interior of the County. Though these rivers are not the vast waters of the middle of the Continent, they have been significant in the lives of the inhabitants of Plymouth County. Two major watersheds constitute the vast majority of Plymouth County's fluvial systems: the South Coastal watershed, emptying eastward into Cape Cod Bay and Massachusetts Bay, and the Taunton River watershed, flowing west and southwestward, through Bristol County, Massachusetts, towards Narragansett Bay. Several streams in the southern portion of the county also flow to Buzzard's Bay.



Map 1: Watersheds of Massachusetts<sup>8</sup>

In the South Coastal watershed, the North River is the largest stream; it is formed by the confluence of the Indian Head River, rising in Hanson, and the Herring Brook, in Pembroke, which rises in Oldham Pond in Pembroke (flowing through Furnace Pond and then forming the brook proper). The river flows steeply, and soon becomes tidal, flowing through marshlands and uplands clad in white pines. Near its mouth, the North River is joined by the South River, which rises in the woods and ponds of central Duxbury and flows north through Marshfield, before combining with the North River into a large

<sup>8</sup>“River Basins of Massachusetts,” via the Massachusetts Studies Project of the University of Massachusetts, Boston, located online at <http://www.msp.umb.edu/watershed/gif/rivmap.gif>.

estuary that meets Massachusetts Bay near the peninsular village of Humarock. The debouchement of these streams causes a large whirlpool during changes of the tide, which, in this corner of the North Atlantic, are relatively strong: rising and ebbing twice a day, with average heights of between ten and thirteen feet. The shallow harbors of the South Shore are often left nearly completely dry in places at low tide. Within hours, though, the hundreds of billions of gallons come rushing back, mixing with the fresh waters of the forests and ponds and producing a productive inshore fishery. According to the United States Geological Survey's National Map, the North River falls, from the height of its watershed, 152 feet to sea level. It is tidal to near the confluence of the Herring Brook and Indian Head River in Pembroke.

The Taunton River, though humble no doubt in the eyes of men of the Western Waters, is the largest stream in its eponymous watershed, and, indeed, one of the largest rivers in Massachusetts wholly contained within the Commonwealth. It drains a relatively large area by the standards of New England, 562 square miles. The Taunton is an extremely flat river, falling only twenty feet in its journey to the sea. Its basin, unlike the more variegated and hilly valley of the North River, is extremely flat, much of it having been occupied by glacial Lake Taunton at the end of the last glacial period. The fluvial soils left by Lake Taunton formed the Hockomock Swamp, a dense wilderness of Atlantic white cedars, red maples, and eastern hemlocks, the largest freshwater wetland in Massachusetts, and an important source of fish, game, and, later, lumber, for the Algonquian and British peoples of Plymouth Counties.

The two river systems, via a series of portages, provided an internal water route, often called the Wampanoag Passage, between Massachusetts Bay and Narragansett Bay. One would canoe up the North River – ideally with the tide – and, upon reaching the several ponds in Pembroke that feed the river, portage a half mile to Monponsett Pond, in the upper reaches of the Taunton basin. From there,

several water routes to the Taunton – which was tidal up to present-day Taunton, twenty miles from the sea, far more than the North River – were open to the intrepid canoeist. Recently, an Eagle Scout made use of the old passage – through suburban sprawl and relative wilderness alike.

The divide between these two watersheds occurs along a range of low hills, made up largely of glacial debris, that range in a long, oblate parabola from the southeastern edge of Boston Harbor, curving inland from the Wampatuck highlands through Hanover, Hanson, and bending towards the sea through Plympton, Kingston, and down to Plymouth where they terminate. To their north, they continue, becoming the Boston Harbor islands (one of the only places where a drumlin field intersects with the sea; the other being the Bay of Clew, in Ireland). These hills, though low in absolute terms, are relatively steep – angles of 36 degrees are not uncommon among the pine-clad kames and kettles. They are drumlins, low, asymmetric, ovoid hills, bulldozed forward by the glacier. Drumlins are common in regions just above the zone of maximum glacial advance, where terminal and recessional moraines occur; east-central North America is marked by a drumlin line that extends from the Finger Lakes of upstate New York to Ludington, Michigan, on the shores of Lake Michigan. To the east of this range of hills rivers flow towards Massachusetts Bay; to the west, to Mount Hope Bay and Narragansett Bay.

The southern part of the county is dominated by recessional moraines and outwash plains. Moraines as a larger category denote masses of material created by glacial action; a recessional moraine is a hill, or series of hills, left behind as a result of glacial retreat. By contrast, an outwash plain is where the glacier washed away – these are frequently studded with kettle holes, from where large blocks of ice, buried by glacial debris, melted only after the glacier had completely retreated, having been kept cooler by the Earth and soil etc. Upon the melting of these chunks of ice, the earth collapses in, and where it reaches the water table, it becomes a kettle pond, hundreds of which dot the landscape of southeastern New England. There are 450 ponds in the Town of Plymouth alone -- not all

of them kettle ponds proper, but nearly all of them of glacial origin in one way or another.<sup>9</sup> Where the kettle does not intersect the watertable, but is still low-lying and near the water-table – as well as acting as a drainage basin – and where it has accumulated organic material, the result is a bog or other wetland. Finally, kettles may be formed well above the level of the water-table, with nothing but dry soil – usually colonized by nascent white pines, or the sturdy lowbush blueberry – at their bottoms.<sup>10</sup>

The County is divided into several ecological regions. The northernmost portions of the county are included in the Boston Basin, around Boston Harbor, and in the Southern New England Coastal Plains and Hills region. The vast majority of the county, however, is encompassed by three ecoregions: the Gulf of Maine Coastal Lowland in the northeast, the Narragansett/Bristol Lowland in the center and west, and the Cape Cod/Long Island Atlantic Coastal Pine Barrens in the south.<sup>11</sup>

The Gulf of Maine Coastal Lowland is a lowland, not a plain, and contains significant relief. It extends from southern Maine, the New Hampshire seacoast, the North Shore of Massachusetts Bay, and the South Shore down to the northern littoral of the Plymouth embayment; the Town of Duxbury is almost wholly encompassed by this region. Because of its location near the northeastern terminus of the East Coast megalopolis, it is highly threatened by residential and commercial deforestation and construction. Consisting of “a 10- to 20-mile wide coastal strip,” marked by “[e]xtensive glacial sand, silt, and clay deposits”; this “coastal pattern [is] typified by plutonic capes and intervening sand beaches that front the region’s largest salt marshes.” With largely mesic soils, the region’s “vegetation

<sup>9</sup> Eichner, E.M., B.L. Howes, and S. Horvet. 2015. Town of Plymouth Pond and Lake Atlas. Town of Plymouth, Massachusetts. Coastal Systems Program, School for Marine Science and Technology, University of Massachusetts Dartmouth. New Bedford, MA, 11.

[http://www.plymouth-ma.gov/sites/plymouthma/files/uploads/final\\_plymouthpondsandlakesstewardshipatlas\\_june2015.pdf](http://www.plymouth-ma.gov/sites/plymouthma/files/uploads/final_plymouthpondsandlakesstewardshipatlas_june2015.pdf)

<sup>10</sup>My understanding of much of this geology has been immeasurably aided by conversations and long-term correspondence with Naomi Kirk-Lawlor, Ph.D. and Ryan P. Gordon, Ph.D. (geology and hydrology, respectively).

<sup>11</sup>Griffith, G.E., Omernik, J.M., Bryce, S.A., Royte, J., Hoar, W.D., Homer, J.W., Keirstead, D., Metzler, K.J., and Hellyer, G., 2009, Ecoregions of New England (color poster with map, descriptive text, summary tables, and photographs): Reston, Virginia, U.S. Geological Survey (map scale 1:1,325,000).

mosaic includes white oak and red oak forests, some isolated chestnut oak woodlands, extensive post-settlement white pine, pitch pine in sandy areas, pitch pine bogs, some Atlantic white cedar swamps, red maple swamps, and *Spartina* saltmarsh.” This region is home to a number of species at the northern and southern bounds of their respective ranges: shagbark hickory, dogwood, and chestnut oak from the south, and golden heather, oysterleaf, and crowberry from the north.<sup>12</sup>

The Narragansett/Bristol lowland forms much of the western and central parts of the County, including most of the Town of Pembroke. “This lowland ecoregion has flat to gently rolling irregular plains with most elevations under 200 feet.... The vegetation is varied, with some of the oak-hickory and oak-pine forests having coastal influences.” The landscape “is mostly mixed forest with numerous wetlands and small areas of cropland and pasture. Cranberry bogs are abundant. The various types of wetlands provide important recharge to aquifers in the region.”<sup>13</sup>

The pine barrens of the southern part of the county are a rare, globally distinct environment. The Town of Wareham is fully encompassed within this ecoregion. There is solid evidence of the presence of these pitch-pine forests going back several thousand years<sup>14</sup>, though the only extant old growth forest in the region, on an island in Halfway Pond, is *sui generis* and not representative of pre-settlement forests.<sup>15</sup> William A. Patterson III has found that pre-settlement forests contained a far greater proportion of white pine than pitch pine compared with 20th century forests, a finding which is broadly consonant with contemporary observations of mature forest (c. 100 years or greater) in this

<sup>12</sup> Griffith, G.E., Omernik, J.M., Bryce, S.A., Royte, J., Hoar, W.D., Homer, J.W., Keirstead, D., Metzler, K.J., and Hellyer, G., 2009, Ecoregions of New England (color poster with map, descriptive text, summary tables, and photographs): Reston, Virginia, U.S. Geological Survey (map scale 1:1,325,000).

<sup>13</sup> Griffith, G.E., Omernik, J.M., Bryce, S.A., Royte, J., Hoar, W.D., Homer, J.W., Keirstead, D., Metzler, K.J., and Hellyer, G., 2009, Ecoregions of New England (color poster with map, descriptive text, summary tables, and photographs): Reston, Virginia, U.S. Geological Survey (map scale 1:1,325,000).

<sup>14</sup> T. Parshall, D. R. Foster, E. Faison, D. MacDonald and B. C. S. Hansen. “Long-Term History of Vegetation and Fire in Pitch Pine-Oak Forests on Cape Cod, Massachusetts.” *Ecology*, Vol. 84, No. 3 (Mar., 2003), p 736-748 Published by: Ecological Society of America Stable URL: <http://www.jstor.org/stable/3107867> .Accessed: 22/09/2013 22:11.

<sup>15</sup> Peter W. Dunwiddie. “FOREST HISTORY AND COMPOSITION OF HALFWAY POND ISLAND, PLYMOUTH COUNTY, MASSACHUSETTS”. *Rhodora*, Vol. 93, No. 876 (October 1991), p 347-360 Published by: New England Botanical Club, Inc. Stable URL: <http://www.jstor.org/stable/23312863> Accessed: 24-07-2015 08:43 UTC.

ecoregion.<sup>16</sup> The indefatigable Timothy Dwight, early 19<sup>th</sup> century scholar and traveler, describes pine barrens of the Plymouth Woods.

Immediately after we left Plymouth we ascended the brow of a vast, yellow-pine [i.e., *Pinus rigida*, pitch pine] plain, spreading over a great part of the County of Plymouth, a part of the County of Bristol, and a part of the State of Rhode-Island. This is the largest tract of lean land in Massachusetts ; and the least productive. The road is generally a heavy sand, over which our horses made their way with difficulty. An entire sameness of prospect every where wearied the eye ; and approached in many places, towards absolute desolation. It was, however, not unfrequently varied by a succession of small lakes, spread, at moderate distances, throughout the whole tract ; clear, beautiful and salubrious. Around most of them were settled a few planters, on a tolerably good soil, furnished by the surrounding declivity. Several of them, also, yield considerable quantities of iron ore ; which is raked from their beds, and serves well for castings, and sometimes is wrought by the hammer. The Eastern parts of this tract are inferiour to the Western ; but even these yield small crops of rye and maize.”<sup>17</sup>

Elsewhere Dwight remarks on the extreme sandiness of this ecozone. “Soon after we passed the Acchusnutt [River] we entered upon the great sandy plain, which forms the south-eastern region of Massachusetts. Between New-Bedford and Rochester it is tolerably firm. Thence to Wareham it becomes lighter, and the road heavier. From Wareham to Sandwich the horse may be said to wade. The forest throughout this region is principally formed of yellow pines [pitch pines]. Oaks are however interspersed in New-Bedford and Rochester.” He also describes the difficulty of traversing even the low elevations – but very steep grades – of the post-glacial landscape of southeastern Massachusetts. “The road is in many places worn through the soil down to the yellow sand, and is deep and very heavy. The hills succeed each other so rapidly, and the acclivities and declivities are so sudden as to render the travelling very laborious.”<sup>18</sup>

<sup>16</sup> William A. Patterson III, “THE PALEOECOLOGY OF FIRE AND OAKS IN EASTERN FORESTS”, in Matthew B. Dickinson, *Fire in eastern oak forests: delivering science to land managers, proceedings of a conference*; 2005 November 15-17; Columbus, OH. Gen. Tech. Re NRS-P-1. Newtown Square, PA: U.S. Department of Agriculture, Forest Service, Northern Research Station; J. Benjamin Cronin, observation of mature forest on Hog Back Moraine, Plymouth, Mass., 2013-2015.

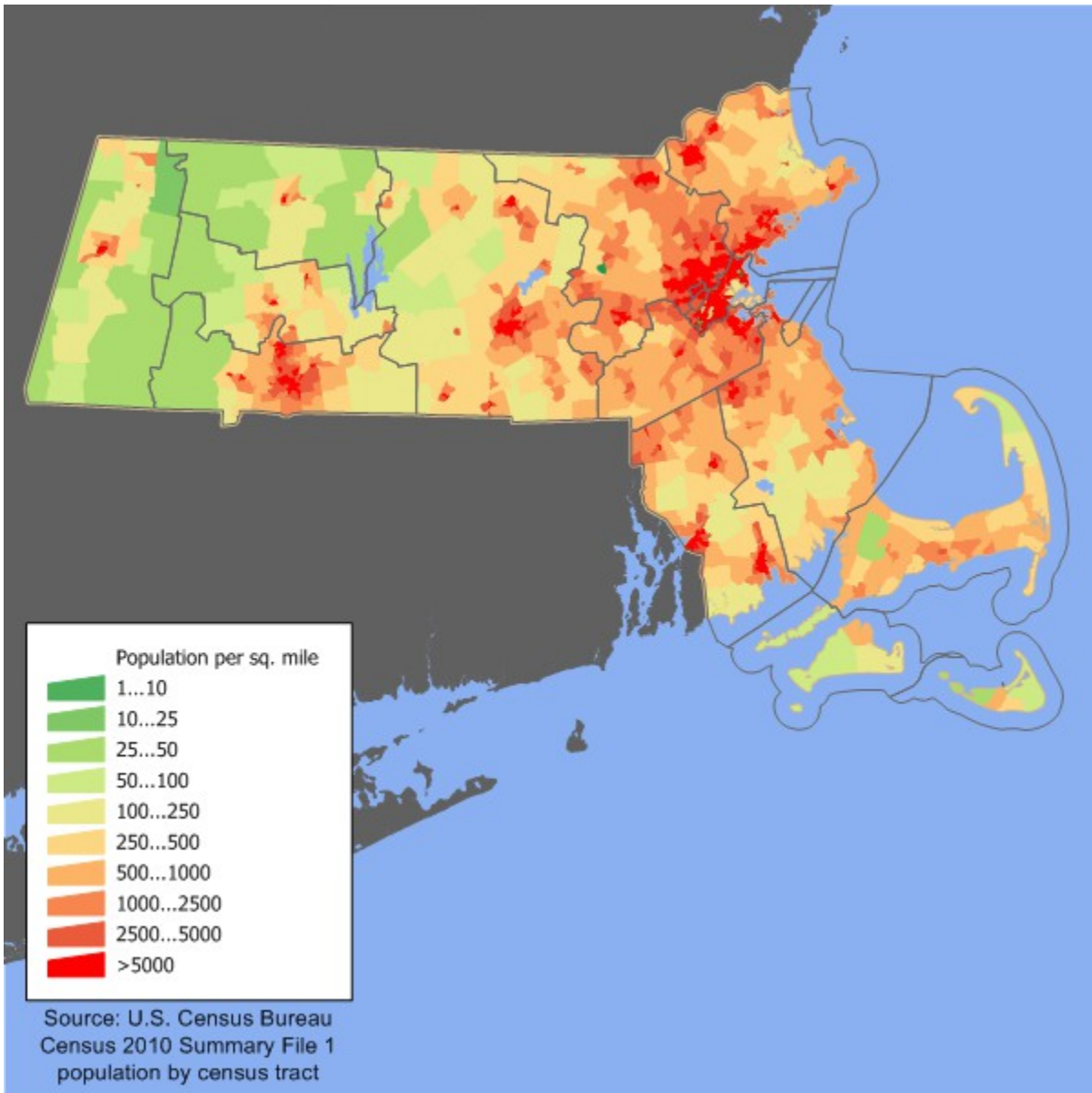
<sup>17</sup> Timothy Dwight, *Travels in New England and New York*, Vol. II. (New Haven: Published by Timothy Dwight, 1821). Letter L., 9-10.

<sup>18</sup> Dwight, *Travels in New England and New York*, Vol. III, Letter VIII., 63; Letter IX, 66.

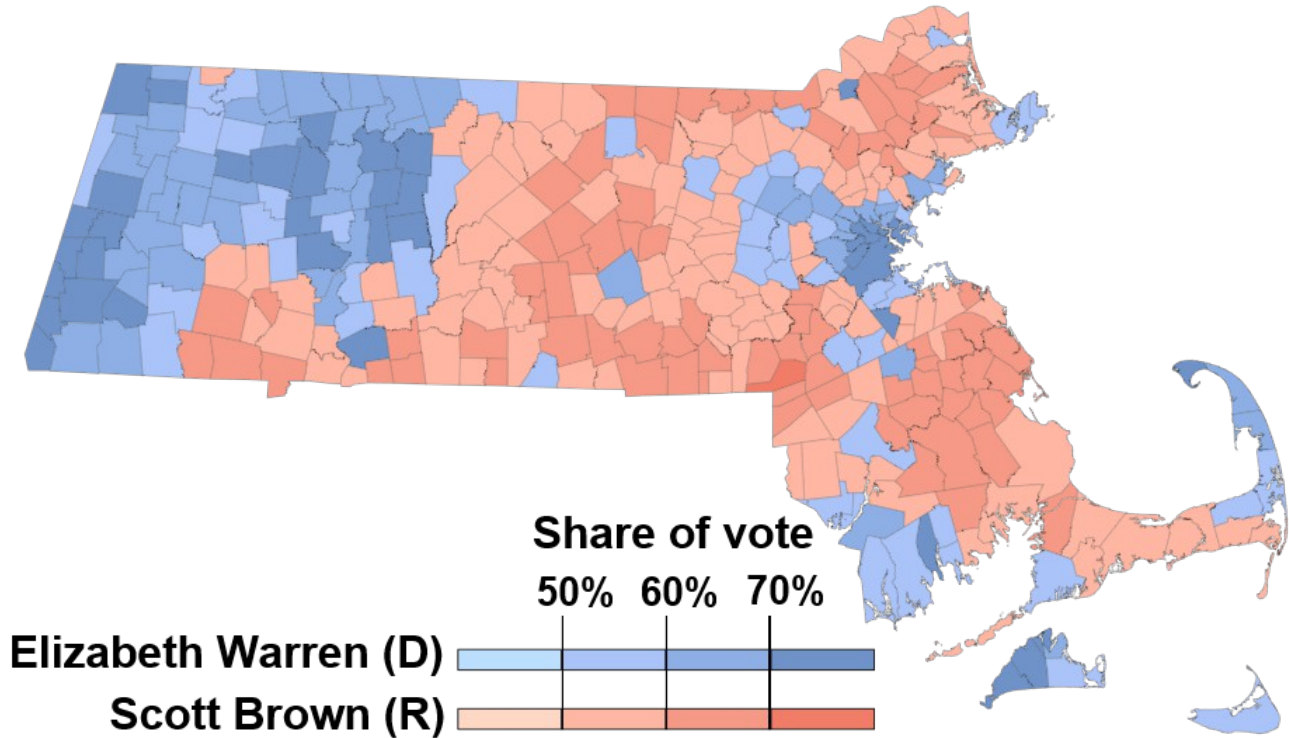
The human geography of the southeastern counties of Massachusetts also marks them as a region distinct from the “Home Counties” of Massachusetts Bay. This was early the case, as evidence by Capt. John Underhill’s observation during the Pequot War: “*CapCod, NewPlimouth, Dukes bury,* and all those parts, [are] well accommodated for the receiving of people, and yet few are there planted, considering the spaciousnesse of the place....”<sup>19</sup> A population-demographic map of Massachusetts today shows that the southeastern part of the state, including Cape Cod and the Islands, is a region apart, far less densely settled than the Massachusetts Bay settlements to their north. They have more in common, demographically, with many towns of the Worcester Hills -- both, for instance, forming the base of support for Republican Senator Scott Brown in elections in both 2010 and 2012. The Outer Cape and the Berkshires are likewise the most liberal regions of the state, with Williamstown and Provincetown, at opposite ends of the state geographically, frequently competing to give the highest margin to Democratic candidates come Election Day. The political economy of the state is so concentrically organized around Boston -- including through the ring roads of the Interstate Highway System, such as Rt. 128 and Rt. 495, as well as the construction of Interstate 95 along the borders of the Old Colony, channelling immediate postwar development away from it -- that peripheral regions, such as the Berkshires and Outer Cape Cod, and semi-peripheral regions, such as Plymouth County and the Worcester Hills, share more in common than they do with the communities of Greater Boston that may be far closer geographically, but far, far away socially, politically, demographically, and ecologically.

<sup>19</sup> Paul Royster, ed. Capt. John Underhill, *Newes from America; Or, A New and Experimentall Discoverie of New England; Containing, A True Relation of Their War-like Proceedings These Two Yeares Last Past, with a Figure of the Indian Fort, or Palizado*, 1638, 17-18. Via Digital Commons at University of Nebraska-Lincoln, [http://digitalcommons.unl.edu/etas/37/?utm\\_source=digitalcommons.unl.edu%2Fetas%2F37&utm\\_medium=PDF&utm\\_campaign=PDFCoverPages](http://digitalcommons.unl.edu/etas/37/?utm_source=digitalcommons.unl.edu%2Fetas%2F37&utm_medium=PDF&utm_campaign=PDFCoverPages), accessed c. 6:45 am, 9/5/2015.

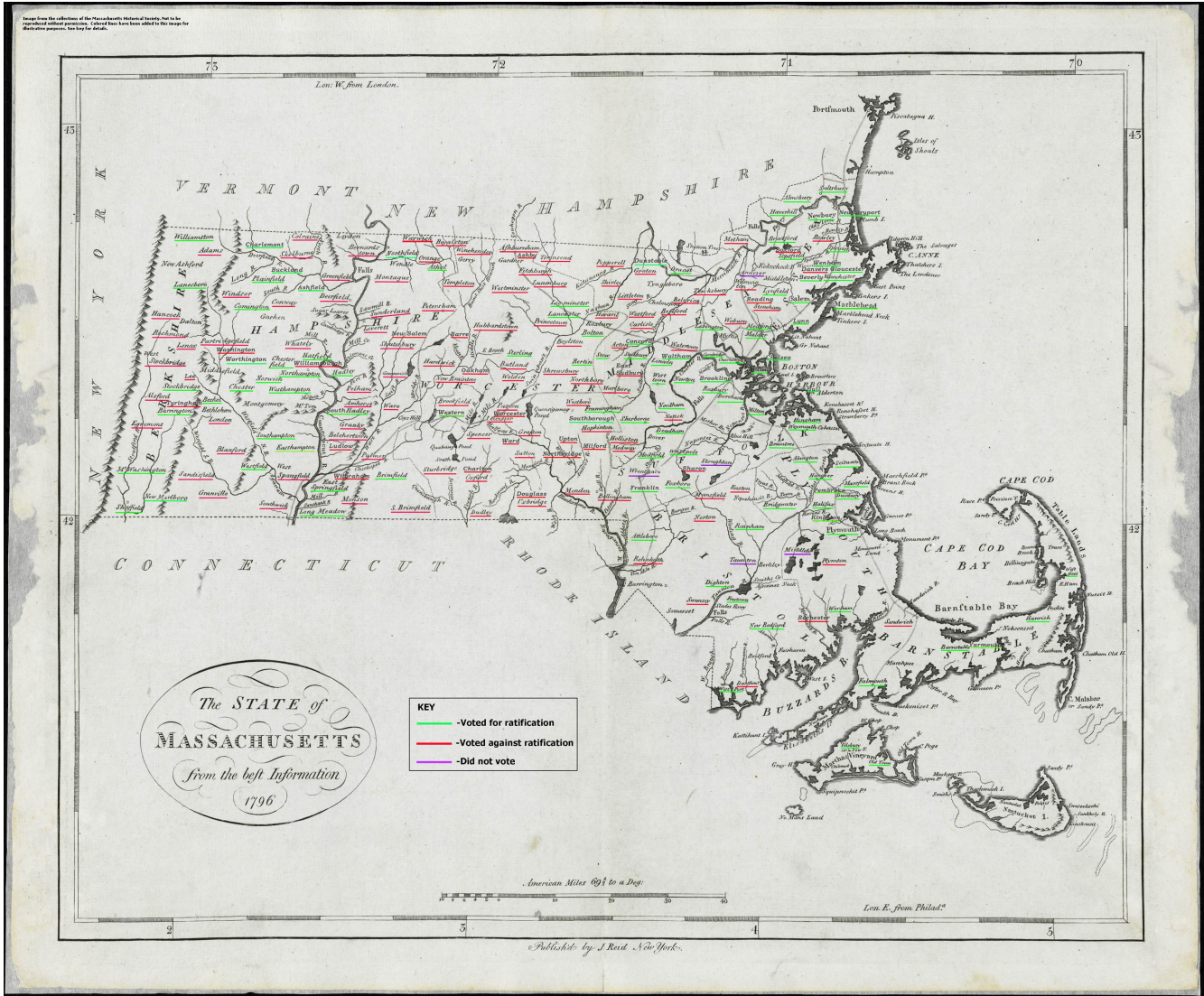




*(Map 2. Above, the five counties of southeastern Mass. resemble portions of central Massachusetts more than they do the population centers of Suffolk, Norfolk, Middlesex, and Essex Counties).*



*(Above: Map 3, the 2012 United States Senate Election by Town and City. The political-economic geography of Massachusetts is discernible; the metropole in urban Suffolk-Norfolk-Essex Counties, and the outer periphery -- the Berkshires, Connecticut Valley, the Outer Cape and Islands, and urban Bristol County, and cities in all areas, voted for Warren; the semi-peripheral regions -- the Swamp Yankee towns of southeastern Massachusetts, the Worcester Hills, and the Merrimack Valley -- all were Brown's strongest areas of support.)<sup>20</sup>*



(Map 4. A similar, though not identical pattern, can be found in this map of votes For (Green) and Against (Red) Ratification of the federal Constitution in 1788. Towns in purple returned no votes.)<sup>21</sup>

Not only in terms of human population has the southeastern portion of the Commonwealth been quite regionally distinct. There is significant evidence that it has served as a wildlife refugium for a

<sup>21</sup>Map by Mass. Historical Society. Accessed at [http://www.masshist.org/features/juniper/assets/5683\\_map\\_enhanced\\_work\\_lg.jpg](http://www.masshist.org/features/juniper/assets/5683_map_enhanced_work_lg.jpg). 1:49 m., 9/5/2015.



number of species. The reasons for this are carefully explained, over a century ago, by William Brewster, an author familiar with the wildlife of eastern Massachusetts. Arguing that the likeliest refugium for otters in eastern Massachusetts was the wetland landscape of the southeastern portion of the Commonwealth, he stated:

If, as seems not improbable, the recent presence of otters in some numbers in the lower portions of the Neponsett River valley [emptying into the southern part of Boston Harbor - ed.] has been due - at least in part - to immigration from regions somewhat more remote, the influx is likely to have come, not from the north, but from the south. For it is neither known to me nor probable that these animals have occurred plentifully of late anywhere immediately to the northward, whereas at no great distance to the southward, throughout most of the wooded parts of Cape Cod [in this usage, he refers to parts of southeastern Mass. that would not be considered, in the strict sense, Cape Cod today - ed.], they are-or have been recently-much more numerously represented than I have ever found them to be elsewhere in New England, even about the lakes and rivers of northern Maine and New Hampshire. Nor is this surprising, in view of the fact that very much of the Cape remains unsettled and, indeed, essentially a primitive wilderness, which, although somewhat over supplied with keen and successful hunters of deer, foxes, game birds and waterfowl, has almost wholly lacked expert native trappers because of the general scarcity or absence, for half a century or more, of furbearing animals of any considerable value.

It has, too, among other attractions, innumerable ponds and streams, such as the otter loves to frequent; for most of these are filled to the brim at every season with clear sparkling water and bordered by dense woods and thickets, or fringed by reeds or by cat-tail flags, while nearly all abound with fish of one or another kind. They are, moreover, not only numerous and wide-spread, but also frequently joined to one another by rivulets or by springy runs and bushy swamps; so that they form, in effect, extended and intricate systems of more or less perfectly connected waterways, through which semi-aquatic creatures like the otter can roam at will over wide areas without often having to cross dry land. Such conditions suit the otter perfectly. Favored by them and also, for a time, by almost complete immunity from molestation, he thrived and multiplied on the cape until he had repopulated most of his ancestral haunts.<sup>22</sup>

This, then, makes up the physical substrate on which the history of the county has been inscribed.

<sup>22</sup> William Brewster, "The Otter in Eastern Massachusetts." *Science*, New Series, Vol. 29, No. 744 (Apr. 2, 1909), p 551-555 Published by: American Association for the Advancement of Science. Stable URL: <http://www.jstor.org/stable/1634491>. Accessed: 28/03/2013 01:01

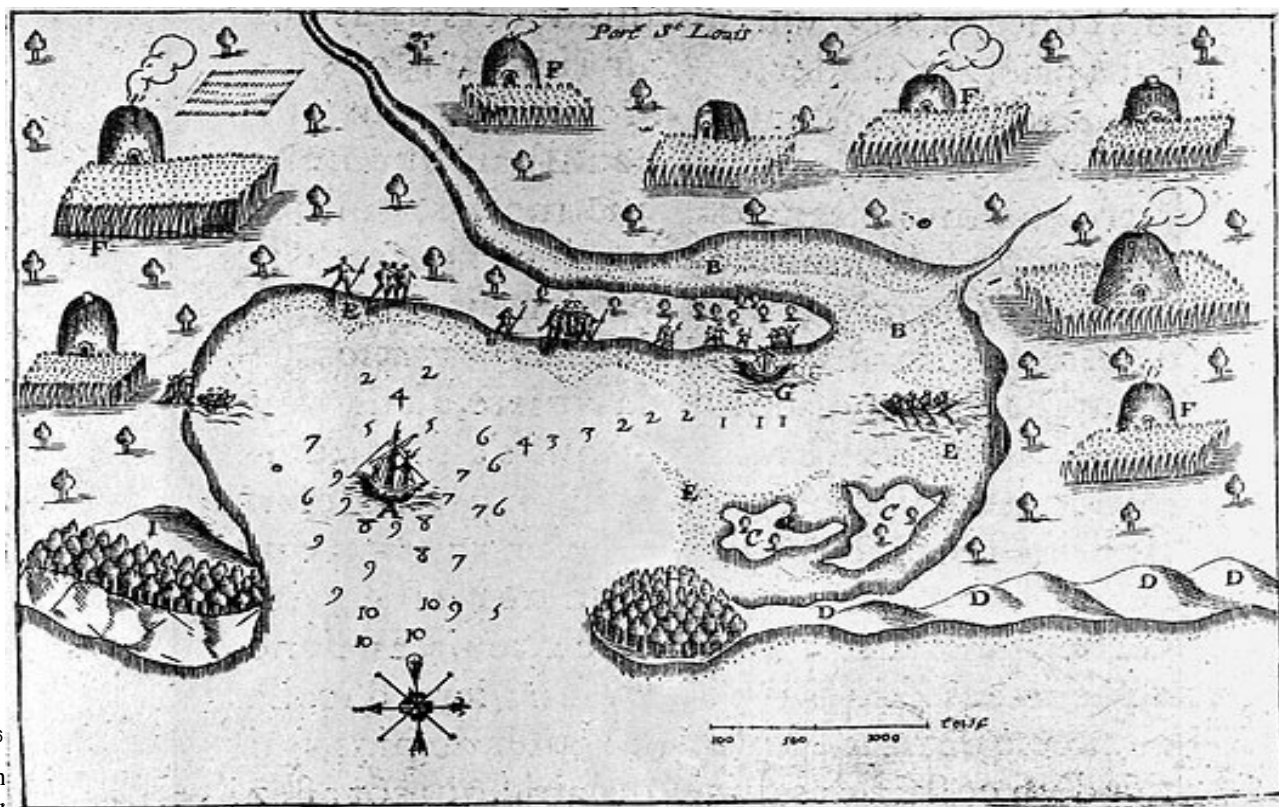
## Encounters:

The first Europeans to reach that part of the New England coast that became Plymouth County are likely anonymous Basque, Breton, or Irish fishermen, or other voyagers from the peasant seafaring cultures of Europe's Atlantic littoral. Indeed, Samuel Gosnold, the first European sailor to record his journey to the coast of southeast New England, reported that the coastal Indians he encountered near Cape Neddick, in what is now Maine, in the spring of 1602, sailed in a vessel of Basque design: "... we came to an anker, where sixe Indians, in a Baske-shallop with mast and saile, an iron grapple, and a kettle of copper, came boldy aboard us, one of them apparelled with a waistcoat and breeches of blacke serdge, made after our sea-fashion, hose and shoes on his feet; all the rest (saving one that had a paire of breeches of blue cloth) were all naked."<sup>23</sup> As Gosnold's account makes clear, the people he encountered (possibly from the Wabenaki or Penacook nations), with their use of an iron anchor and copper kettle, European clothes, and the boat itself, readily made use of aspects of material life and culture that came from across the Atlantic. The apparent familiarity of these Indians with European maritime technology and material culture suggests that at least several decades -- and probably many more -- of borderlands exchange had marked life on the New England coast. Verrazzano had, after all, reached Narragansett Bay as early as 1524.<sup>24</sup>

<sup>23</sup>John Breton, "A Breife and true Relation of the Discoverie of the North part of Virginia", in Henry Sweetser Burrage, ed. Richard Hakluyt, *Early English and French Voyages, Chiefly from Hakluyt, 1534-1608* (New York: Charles Scribner's Sons, 1906),.330.

<sup>24</sup>"Giovanni da Verrazzano." *Encyclopaedia Britannica. Encyclopaedia Britannica Online Academic Edition.* Encyclopædia Britannica Inc., 2014. Web. 16 Jun. 2014  
<<http://www.britannica.com.proxy.lib.umich.edu/EBchecked/topic/626406/Giovanni-da-Verrazzano>>.

Gosnold's expedition, though, was the first to write its account down in English. It gave English place-names to Cape Cod, Martha's Vineyard, and Buzzard's Bay. More directly relevant to the period of encounter in the lands that would become Plymouth County was the 1603 voyage of Martin Pringe. Pringe, sailing in an expedition supported by the merchants of Bristol, proceeded directly to the coast of New England, making landfall on the islands of the mid-Maine coast. He sailed south, across the Gulf of Maine, finding a haven in the embayment of Plymouth Harbor-Duxbury and Kingston Bays.<sup>25</sup> He noted Manomet Hill, standing in a smooth hump on the bay's southern end. Pringe's object was the collection of sassafras (*Sassafras albidum*), an aromatic member of the laurel family, that still flourishes in the swamps and river valleys of Plymouth County. The plant commanded a particularly high value in Europe in the early 17th century because it was thought to cure syphilis: "a plant of sovereigne vertue for the French Poxe," as Pringe described it.<sup>26</sup>



26  
In:  
Pl

*Samuel de Champlain's rendering of Plymouth-Kingston-Duxbury Bays (Port St. Louis, he called it), in 1605. Manomet Hill is visible (I), along with Duxbury Beach (D) and The Gurnet (H). Pringe probably gathered sassafras near the shores of the (Jones?) river in the top right corner of the map (B).*<sup>27</sup>

What followed during the course of the summer of 1603 were a series of encounters, demonstrating the botanical and cultural fluidity of two different continents. Pringe and his expedition, having arrived in Plymouth Harbor in mid-June, soon erected a palisaded fortification somewhere on the shore of Plymouth Harbor (the mouth of the Jones River, in northern Kingston, has been suggested)<sup>28</sup>. Here they "pared and digged up the Earth with shovles, and sowed Wheate, Barley, Oates, Pease, and sundry sorts of Garden Seeds, which for the time of our abovde there, being about seven Weeks, although they were late sowne, came up very well" - evidence, Pringe averred, of the fertility of the soil and "goodnesse of the Climate."<sup>29</sup>

The Englishmen also took careful note of the North American flora and fauna, presenting a picture of the mosaic of species that characterized the ecology of southeastern Massachusetts during the contact period. They observed "Vines, Cedars, Okes, Ashes, Beeches, Birch trees, Cherie trees bearing fruit whereof wee did eate, Hasels, Wich-hasels, the wood of all other to make Sope-ashes withall, Walnut-trees, Maples, holy to make Bird-lime with, " and an assortment of other fruit-bearing trees. In open fields and meadows, they "found wild Pease, Strawberries very faire and bigge, Gooseberries, Raspices, Hurts, and other wild fruits."<sup>30</sup> But it was, above all, a trip for the gathering of sassafras: "the

<sup>27</sup>Map from National Park Service at <http://www.nps.gov/archeology/visit/champlain/PortSte.htm>, accessed 9/22/2015, c. 1:50 am.

<sup>28</sup> Rev Dr. F.B. De Costa's view, quoted in James Hurley Pring, *Captain Martin Pring, the last of the Elizabethan Seamen*. (Plymouth, England: W.H. Luke, 1888), 24-6.

<sup>29</sup>Pringe in Burrage, *Early Voyages*, 349. The description of the clemency of the climate is ironic, given the later suffering of the Pilgrims in the winter of 1620-21, and the general unfamiliarity of English sailors, from a marine northwest climate zone, comparable to parts of the Pacific Northwest, with a cool temperate humid continental climate comparable with Sweden or Estonia. Pringe, and other European mariners, generally arrived in coastal New England at its gentlest and most pleasant, typically from late spring through early autumn. This may have given a false impression of the severity of the winters.

<sup>30</sup>Pringe, in Burrage, *Voyages*, 349.

Country yeeldeth Sassafras” -- useful not only against syphilis, it was thought, but also, “as some of late have learnedly written good against the Plague and many other Maladies....”<sup>31</sup>

In terms of animal life, Pringe reported that "here are Stags, fallow Deere in abundance [*ed.* likely white-tail deer], Beares, Wolves, Foxes, Lusernes [lynxes], and (some say) Tygres, [likely mountain lions], Porcupines, and Dogges with sharpe and long noses [probably coyotes], with many other sorts of wild beasts" whose peltry would likely prove valuable. In terms of bird life, the Englishmen observed "Eagles, Vultures, Hawkes, Cranes, Herons, Crowes, Gulls, and great store of other River and Sea--fowles." They also encountered New England's abundant marine life.: ""the Sea [is] replenished with great abundance of excellent fish, as Cods sufficient to lade many ships, which we found upon the Coast in the moneth of June, Seals to makes Oile withall, Mulletts, Turbutts, Mackerels, Herrings, Crabs, Lobsters, Creuises and Muscles with ragged Pearles in them."<sup>32</sup> Here, then, was the Columbian Exchange in microcosm, with Eurasian species like wheat, oats and barley taking root in North America, while Pringe and his company encountered, for the first time, the New World flora and fauna of southeastern New England.

Human encounters and exchanges were central to the experience of Pringe and his men in the lands around the bay. The reality that this was, in many ways, a "native ground" as historian Kathleen DuVal has called it – in which Indian peoples held the dominant, often decisive, position -- became abundantly clear during the course of these encounters, but it was not simply a relationship of opposition, or hostility; rather, the Wampanoag and English interacted on a number of levels and at varying registers, making for a relationship that was complicated, deeply nuanced, and highly contingent. In this sense, it was typical of borderlands experiences all over North America.<sup>33</sup>

<sup>31</sup>Pringe, in Burrage, *Voyages*, 349.

<sup>32</sup>Pringe, in Burrage, *Voyages*, 350.

<sup>33</sup>See Kathleen DuVal, *The Native Ground: Indians and Colonists in the Heart of the Continent* (Philadelphia: University of Pennsylvania Press, 2006).



Indian peoples regularly visited Pringe's sassafras gatherers: "During our abode on shore, the people of the Countrey came to our men sometimes ten, twentie, fortie, or three-score, and at one time one hundred and twentie at once. We used them kindly, and gave them divers sorts of our meanest Merchandize. They eat Pease and Beanes with our men. Their owne victuals were most of fish."<sup>34</sup>

There is evidence of an extant and flourishing trade between the Patuxet band of the Wampanoag with European and other peoples of the coastlands of northeast North America. Pringe describes Wampanoag men with metal breastplates, which ultimately must have been of European origin: "Some few of them had plates of Brasse a foot long, and halfe a foote broad before their breasts."<sup>35</sup>

Pringe records a remarkable instance of cross-cultural exchange, a musical collaboration between English and Wampanoag: "We had a youth in our company that could play upon a Gitterne, in whose homely Music they tooke great delight, and would give him many things, as Tobacco, Tobacco-pipes, Snakes skinned of sixe foot long, which they use for Girdles, Fawnes skinned, and such like, and danced twentie in a Ring, and the Gitterne in the midst of them, using many Savage gestures, singing lo, la, lo, la, la, lo: him that first brake the ring, the rest would knocke and cry out upon."<sup>36</sup>

If the gitterne proved pleasantly novel, the two dogs brought by the Englishmen, mastiffs named Fool (who carried a half pike in his mouth) and Gallant, "of whom the Indians were more afraid, then of twentie of our men," were decidedly not so. The dogs were reliably friendly to the English, and fierce towards the people of Patuxet, to the point of inducing real fear. "And one Master Thomas Bridges a Gentleman of our company accompanied only with one of these Dogs, and passed sixe miles alone in the Countrey having lost his fellowes, and returned safely. And when we would be rid of the

<sup>34</sup>Pringe in Burrage, 347.

<sup>35</sup> Pringe in Burrage, 347.

<sup>36</sup> Pringe in Burrage, 347.

Savages company wee would let loose the Mastives, and suddenly with out-cryes they would flee away.”<sup>37</sup>

Rarely were the relations between the villagers of Patuxet and the English interlopers so celebratory and playful. Indeed, the actions of each group reflects a careful assessment and negotiation of the power dynamic between the two -- the English, with their tiny numbers balanced by advanced technology, and the Wampanoag, with their large numbers and overt military superiority weighed against their desire for further trade with Europeans on this coast. The ambiguity is well illustrated by an encounter late in the Englishmen’s sojourn that summer. Pringe writes:

By the end of July we had laded our small Barke called the Discoverer, with as much Sassafras as we thought sufficient, and sent her home into England before, to give some speedie contentment to the Adventurers ; who arrived safely in King- rode<sup>38</sup> above a fortnight before us. After their departure we so bestirred our selves, that our shippe also had gotten in her lading, during which time there fell out this accident. On a day about noone tide while our men which used to cut down Sassafras in the Woods were asleepe, as they used to doe for two houres in the heat of the day, there came downe about seven score Savages armed with their Bowes and Arrowes, and environed our House or Barricado, wherein were foure of our men alone with their Muskets to keepe Centinell, whom they sought to have come downe unto them, which they utterly refused, and stood upon their guard. Our Master likewise being very carefull and circumspect having not past two with him in the shippe put the same in the best defence he could, lest they should have invaded the same, and caused a peece of great Ordnance to bee shot off, to give terrour to the Indians, and warning to our men which were fast asleepe in the Woods : at the noyse of which Peece they were a little awaked, and beganne a little to call for Foole and Gallant, their great and fearefull Mastives, and full quietly laid themselves downe againe, but beeing quickned up eftsoones againe with a second shot they rowed up themselves, betooke them to their weapons and with their Mastives, great Foole with an halfe Pike in his mouth drew downe to their ship : whom when the Indians beheld afarre off, with the Mastive which they most feared, in dissembling manner they turned all to a jest and sport, and departed away in friendly manner: yet not long after, even the day before our departure, they set fire on the Woods where wee wrought, which wee did behold to burne for a mile space, and the very same day that wee weighed Anchor, they came downe to the shoare in greater number, to wit, very neere two hundred by our estimation, and some of them came in their Boates to our ship, and would have had us come in againe : but we sent them backe, and would none of their entertainment.<sup>39</sup>

By the second week of August, they were ready to cross the Atlantic once more. “About the eighth or ninth of August, wee left this excellent Haven at the entrance whereof we found twentie

<sup>37</sup> Pringe in Burrage, 348.

<sup>38</sup> Burrage’s note: “A channel in the estuary of the Severn, near Bristol.” Burrage, 350.

<sup>39</sup> Pringe in Burrage, 350-51.

fathomes water, and rode at our ease in seven fathomes being Land locked, the Haven winding in compasse like the shell of a snaile....”

Pringe was not the first visitor to this estuarine enbayment from the eastern side of the Atlantic, nor would he be the last. Nevertheless, his description serves as a fine example of Anglo-Wampanoag exchange in the early 17th century.

### A Watery Land: Routes of Diplomacy and War in the 17th Century

In the Seventeenth Century, the waterways of Plymouth County were used not only for subsistence activities, but, quite significantly, as routes of travel, trade, diplomacy and war between the Algonquian peoples of Southeast New England and the European colonists of the same. Indeed, just as in the 18<sup>th</sup> century these waterways would constitute a crucial site of the consolidation of a local Commons regime, in the 1600s these rivers and lakes, streams and swamps, formed the physical locus for the contest between American Indian and European peoples for political control of southeastern New England.

As mentioned above, the river systems of the North River and the Taunton River come quite close to one another in the center of the County. The crucial link between these two fluvial systems was, and is, Monponsett Pond, located mostly in today's Halifax, Massachusetts. At 528 acres, and with an average depth of 7 feet, the Pond would, in other parts of the country, be termed a “lake”; but in New England, a pond can be very large. The legal category of a Great Pond, a pond over ten acres that remains, to this day, open to common fishing and fowling usage, is a testament to this fact. Today,

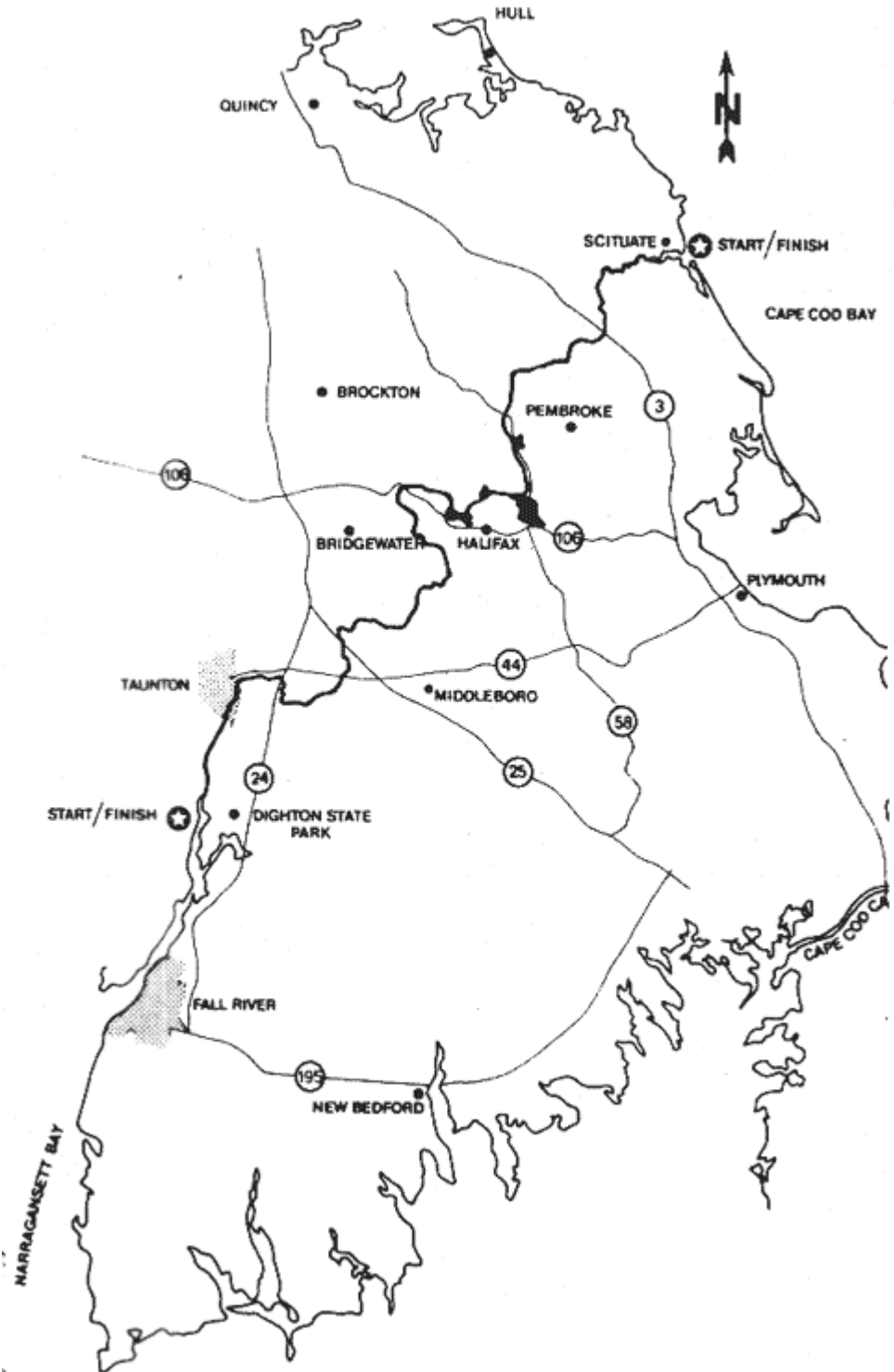
Monponsett Pond is divided in two by an artificially-constructed isthmus along which Massachusetts Route 58 runs. In the seventeenth century, however, this isthmus was instead a series of islands, separated from one another by shallow channels. The idea of constructing an isthmus to ease travel within Halifax is not a particularly recent one; it was in fact first mooted in the 18<sup>th</sup> century, when the Town Meeting disbursed sixty pounds for a preliminary investigation of the project. This investigation revealed the impossibility, using 18<sup>th</sup> century technology, of constructing any sort of isthmus, which would have to await the advent of steam power.<sup>40</sup> Today, the pond is notable for the extensive vacation, and then residential, development which grew up along its shores in the early and mid 20<sup>th</sup> century, and, in a sign of the power of conurbations over the countryside itself, as an emergency water source for the City of Brockton.

Prior to the arrival of English settler-colonialists, Monponsett Pond had long been an important locale for the Algonquian peoples of southeast Massachusetts. For one thing, the Pond constituted the border between the hunting grounds of the Massachusett, who possessed claims to its northern shore, and the Wampanoag, who hunted and fished along its southern littoral. Beyond this, tradition holds that the cedar swamps along the southwestern shore of the pond were the spot where Massasoit, chief sachem of the Wampanoag, and his kin networks, cut white cedar trees for the construction of large, hollowed-out canoes; these are likely similar to the large, sea-going canoes that English sailors and settlers had remarked on the southern coast of New England. Thus, while no village, either Algonquian or English, existed by Monponsett in the 17<sup>th</sup> century, it was part of an extensive hinterland that would become contested between the two societies in the third quarter of the century.

In the 17<sup>th</sup> century, the fastest and easiest method of transportation between Massachusetts and Narragansett Bays was the so-called Wampanoag Passage – paddling with the tide up the North River, up the Herring Brook in Pembroke to the several ponds of that Town that feed the brook, and via a

<sup>40</sup>See the Halifax Town Book.

brief portage to Monponsett Pond, which, through Stump Brook, flows to the Taunton and, eventually, Narragansett Bay. This route was evidently much in use by the Wampanoag and other Algonquian peoples of southeastern New England.



*(Above: Map 5, the Wampanoag Passage)<sup>41</sup>*

One piece of evidence demonstrating this comes from the mid-seventeenth century, during the second generation of English settlement. In 1662, Major Josiah Winslow, of Marshfield, recorded his “arrest” of Wamsutta (Alexander to the English), eldest son of Massasoit and brother to Metacomet (Philip to the English). Wamsutta was traveling with several companions and was, Winslow reported ominously, armed with guns. From Wamsutta's point of view this no doubt made sense: traveling with arms around the bourne of his people's traditional hunting grounds would have been well within his rights. Moreover, increased English expansionism into the center of the County in the mid-seventeenth century would have rendered this journey – a physical proclamation of his claim – all the more necessary.

Winslow and the English did not see it this way. Rather, they saw a potential conspiracy to fall upon their settlements along the eastern shore of the County; why, they must have asked, was Wamsutta so distant from his home village on Narragansett Bay? At any rate, the English, under Maj. Winslow, seized Wamsutta and carried him back as a captive to Winslow's substantial house at Marshfield (which still stands today). This was a fateful decision: the English frequently contracted fever in the humid salt-marshes of that Town, particularly when their cattle drank from the salt-streams; in Wamsutta's unfortunate case, he very quickly contracted a fierce and raging fever. Word was sent to the Wampanoag of Wamsutta's arrest and of his illness; before his compatriots could reach him, he died.

<sup>41</sup>The Wampanoag Passage. From [www.tauntonriver.org/canoepassmahtm](http://www.tauntonriver.org/canoepassmahtm), accessed 6:03 a.m., 9/5/2015.

“Maps were reproduced from the Wamponoag [sic] Canoe Passage Brochure, published by the Plymouth County Development Council. P.O. Box 1620, Pembroke, Mass 02359”, the website states.

<sup>42</sup> From the point of view of his brother, Metacomet, who came to Marshfield to claim the body, this must have seemed almost too much to bear. While we should not think about past and contemporary events in too neatly analogical a fashion, we can observe the rage that contemporary Americans feel when our diplomats are captured, killed, or otherwise abused overseas. How much angrier must the Wampanoag have been to see that, not one of their diplomats, but one of their most eminent political leaders, was seized without cause on his own land, only to die of a quick and mysterious illness almost immediately thereafter. If the English had suspected the Wampanoag of conspiracy before, the feeling must now have been mutual. When, to these factors, is added the common, and not unreasonable, belief among Algonquian peoples – most commonly attested among the Indian peoples of the Great Lakes vis-a-vis the Jesuit Black Robes – that European religion and witchcraft were the cause of the catastrophic epidemics which swept Indian America in the Contact Period, Metacomet's bitterness must have increased exponentially. It was only after these events, then, that Metacomet brought his brother, Wamsutta on a final journey home, from Marshfield where he died, to Mt. Hope, where he had lived. And so the seeds of the war that would break out in thirteen years began to germinate.<sup>43</sup>

As historians of New England and early America both know, the war that did eventually grow out of these seeds – known to history as King Philip's War – was one of the most vicious, and in proportionate terms, bloodiest, conflicts in American history. In this war, as in the years of contact and coexistence prior to it, the waterways and wetlands of New England became conduits of battle. Indeed,

<sup>42</sup> The Wampanoag Passage. From [www.tauntonriver.org/canoepassmahtm](http://www.tauntonriver.org/canoepassmahtm), accessed 6:03 a.m., 9/5/2015. “Maps were reproduced from the Wamponoag [sic] Canoe Passage Brochure, published by the Plymouth County Development Council. P.O. Box 1620, Pembroke, Mass 02359”, the website states.

<sup>43</sup>This description of King Philip's War and the years leading up to it owes much to Halifax Town Historian Guy S. Baker, *History of Halifax, Massachusetts* (Halifax, Massachusetts: Printed by the Town, 1976.) It is available at the Holmes Public Library on Rt. 106 in Halifax.



the war's largest battle, The Great Swamp Fight near Kingstown, Rhode Island, took place, as its name indicates, in a large wetland. This was no accident: the Indian peoples of New England had long been in the habit of wintering on hummocks and glacial rises in the vast cedar swamps that covered the region. Here, insulated from coastal storms and gales, they over-wintered; the swamps, frozen and covered in snow, provided an ideal environment for the snowshoe-clad hunter to search for weak and stranded game. In times of war, the Amerindian peoples of New England retreated even further into the swamps, falling back on palisaded citadels where stores of food and weapons were kept. Whole societies would move into these swamp fortresses when war threatened. Moreover, the English, unused to New World ecology, found the swamps difficult if not impossible to penetrate; indeed, it was only when Christian Indian scouts guided English forces into the swamps that they were able to attack the Wampanoag, Narragansett, and other New England Indian nations.

This pattern held in Plymouth County as it did in the rest of Southeastern New England, a fact demonstrated by the numerous references in local legend to Indian hideaways and fortresses in the midst of Atlantic white cedar swamps. But the centrality of fluvial passageways – especially the Wampanoag Passage – for travel in the 17<sup>th</sup> century meant that the role of waterways in King Philip's War in Plymouth County went beyond Swamp Fortresses. Indeed, in a kind of sequel to the events of 1662, Monponsett Pond, the crucial link in the Wampanoag Passage, was again the site of conflict between the English and the Wampanoag.

The war broke out, it will be recalled, in the late spring of 1675, when Metacomet's forces opened with a series of lightning attacks along the frontier of New Plymouth, near the present Rhode Island-Massachusetts border. At that time, only one settler, Lieutenant John Tomson, and his wife and family lived anywhere near Monponsett Pond, in a cabin near present-day Halifax Center. As hostilities grew towards war in the spring of 1675, Tomson was appointed commander of the English fort at

Nemasket (Middleboro), leaving his wife and children in their isolated homestead. These latter fled to Nemasket on the outbreak of war in June, 1675; for their sake, they were fortunate that they did, for Mrs. Tomson and her children reported seeing the light of their burning cabin reflected in the night sky as they retreated towards Nemasket.<sup>44</sup>

The war during that first year went poorly for the English, and Tomson withdrew not only his wife and family, but the rest of the soldiers at the Nemasket fort, back to Plymouth. It was during this period, in the growing season of 1675, that war became general throughout New England, with a great alliance of the Indian nations – Wampanoag, Narragansett, Nipmuc, and, to the north, Wabenaki – combining nearly to drive the English into the sea.

However, English fortunes revived the following spring under the command of Capt. Benjamin Church, a noted frontiersman of New Plymouth with long experience of New World lifeways and local geography. Church's martial feats were heralded by later generations of New England historians; but one that seems often to fall by the wayside is a successful battle he fought against Wampanoag forces in Plymouth County as the tide of the war began to turn. Capt. Church evidently came upon a sizeable body of Indian warriors bound, via the Wampanoag Passage, for the settlements along Plymouth County's eastern littoral. They were encamped on the very same island – White's Island – where Wamsutta was seized by Maj. Winslow fourteen years before. The Indian forces evidently felt themselves secure on this island, for they let themselves be surrounded by Church's men, who began to set the stage for a siege of the island. Capt. Church, however, probably taking both his own men and the Wampanoags by surprise, ordered, after the island was well-surrounded, an advance through the shallow water that separated the northern shore of the island from the mainland. This apparently caused immense shock to the Wampanoag, who, being thus surprised, were driven into the deep water on the southern shore of the island, near where the Rt. 58 bridge stands today. An historian of Halifax records

<sup>44</sup>Ibid.

that 120 Indian warriors were taken captive, and were marched as prisoners of war to Plymouth (where they were likely interned on Clark's Island, in the bay).

Thus, if we are to think of the waterways, not only of Plymouth County, but of Southeastern New England more generally, as lenses into varying historical realities, these Seventeenth Century ponds and swamps, streams and passageways, form a singular, and significant vantage point from which to view and understand an epoch marked by contact, cultural exchange, and, ultimately, combat and conquest.

In the aftermath of the Glorious Revolution in 1688, New Plymouth's extralegal status was finally resolved. Its three counties were, as its inhabitants overwhelmingly preferred, appended to Massachusetts Bay, rather than New York. After the turmoil of the 17th century, the 18th century would prove a period of relative calm, though punctuated by war and revolution. It was during these decades that the commons regime was fully established in the several towns of Plymouth County.

## Chapter 2: Duxbury, Massachusetts, in the Old Regime, 1691 – 1765

### I: Geography and Early History of Duxbury

Duxbury was the first community outside Plymouth itself that the General Court of the Old Colony formally incorporated as a Town. Though “the Duxburrow side” had seen English overwintering since 1624 and cattle had been kept there beginning in 1623, it was not until 1637 that General Court incorporated it. The chief reason given was the difficulty, especially during the winter months<sup>45</sup>, of crossing the bay to attend Meeting in Plymouth. Across the bay, the journey to Plymouth is perhaps three miles; by land, it is closer to ten. The journey would have been hazardous throughout the year – though the bay is for the most part enclosed, its main channel opens widely on Massachusetts/Cape Cod Bays. In addition, the waters surrounding this channel are characterized by tidal flats and sandbars; this factor, when combined with the large tidal variation ( high tides average between eight and twelve feet in Duxbury-Kingston-Plymouth Bay, and are much higher during storms)<sup>46</sup> and the frequent storminess of the Gulf of Maine, make for a body of water that is prone to

<sup>45</sup>The bay still freezes over during cold winters, so conditions must have been far worse during the Little Ice Age, when the ocean waters off New England were much colder.

<sup>46</sup> Personal observation via tide chart, Bayside Marine Corp., 441 Washington Street, Duxbury, Mass., 02331.

large, fierce waves that can easily overwhelm smaller craft. A separate, incorporated Town, with its own meeting house, on the northwestern side of the bay thus was deemed necessary.

At the time of its incorporation, Duxbury's physical territory far exceeded that of the present Town, stretching as far as Bridgewater in the west, twenty miles into the interior. Early New England established its municipal boundaries by creating very large towns after settlement expanded beyond the colonial “metropole” – in this case, Plymouth, but for Massachusetts Bay, Boston. When these towns, by the same process, became unwieldy as a single corporate body, the process was repeated, until, today, the Commonwealth of Massachusetts is home to 351 towns and cities (312 and 39 respectively)<sup>47</sup>, each more or less the size of an English agricultural village. Duxbury, then, was one of these large, original towns of Plymouth County; from it were born the Towns of Pembroke and Hanson, in addition to the aforementioned Bridgewater (itself destined to split into several new municipalities). Thus, when we speak of the history of Duxbury, depending upon the date, we may mean different things, geographically speaking; before 1712, Duxbury included not only the present Town, but also Pembroke and Hanson – the latter of which, long known as the Second Precinct of Pembroke, only became a Town in 1820. My intention is to describe, in this chapter, the history during the Old Regime of that territory which was Duxbury after 1712. There may, of course, be some degree of overlap with neighboring Pembroke prior to 1712; however, I will do my best to keep the two Towns' stories intelligibly separate.

Duxbury today consists of 36.6 square miles, about 23 of them land, and 14 of them (mostly salt) water<sup>48</sup>. In the east, the Town is dominated by a long, narrow, barrier beach, that stretches seven miles from Brant Rock, in the north to Gurnet Point in the south. Neither of these two locales is

<sup>47</sup> [https://www.sec.state.ma.us/cis/cispdf/City\\_Town\\_Map.pdf](https://www.sec.state.ma.us/cis/cispdf/City_Town_Map.pdf). Towns are defined by having a Town Meeting form of government, either direct or representative, not by population. Cities typically possess a mayor-council form of government. Thus, certain towns, like Framingham, have a much larger population than certain cities, such as North Adams.

<sup>48</sup> Figures from the Town of Duxbury's website, accessed 10/29/15:  
[http://www.town.duxbury.ma.us/Public\\_Documents/DuxburyMA\\_WebDocs/about](http://www.town.duxbury.ma.us/Public_Documents/DuxburyMA_WebDocs/about).

actually in the Town of Duxbury; Brant Rock is a village of Marshfield, Gurnet Point – “The Gurnet” to locals (the name coming apparently from an English word for the snout of a cod) a village of Plymouth that dwindles to a few intrepid souls in the winter. But the vast majority of the long beach which stretches between them is in the territory of Duxbury. While seven miles long, the beach is nowhere wider than a quarter of a mile. A central ridge of dunes divides the dynamic, wild, and oceanic eastern shore of the beach from the placid shore of the western side, which borders on the bay. The beach is mostly low-lying, though less so as one travels south along it. About halfway between today's swimming beach and the Gurnet, a low, storm-battered growth of cedars and scrub oaks called High Pines provides shelter from the storm. The southern end of the beach is dominated by the glacial hill that is Gurnet Point, home to a lighthouse and, during the Revolution and the War of 1812, Fort Andrew, garrisoned by Plymouth County men. From its now-grassy earthworks, 70 feet above the rocky surf, one can look out at Provincetown, thirty miles across Cape Cod Bay at the very tip of that peninsula. The Gurnet is the hinge of an “L” that terminates in the sands of Saquish Head, an island when Champlain visited the Bay in 1614, but attached by the currents over the decades to the main stem of the beach. In the lee of this “L” sits Clark's Island, the true Plymouth Rock.

To the west of the beach lie the relatively protected waters of Duxbury Bay. This bay is fringed by salt-marshes, including the Great Marsh, which divides Duxbury from Green Harbor and Brant Rock in Marshfield. It is dotted by several “islands.” Surrounded on four sides by water and marsh, these deposits of glacial till, unlike the peat soils of the marsh, support trees and lowbush blueberries. These were and are highly valued locales. In 1747, for instance, the proprietors of the Town's common lands sold Little Wood Island to James Glass for £8 in Old Tenor currency; it is still occupied, seasonally, for swimming, fishing, fowling, and sailing.<sup>49</sup> These marshes are a critical link in the

<sup>49</sup>Proprietors of the Commons of the Towns of Duxbury and Pembroke, March, 1748, in George Etheridge, copyist, *Copy of the Old Records of the Town of Duxbury, From 1642 to 1770, Made in the Year 1892* (Plymouth, Mass.: Avery and Doten, Book and Job Printers, 1893), 284. Henceforth *ORD*.

ecosystem of the northwest Atlantic. Here, juvenile game- and food-fish prey on the swarming minnows (mummichogs) and forage fish that sweep in on each tide, growing larger over the course of a season before taking to more open waters beyond The Gurnet.

That the marshes were highly valued by both American Indian peoples and the English settlers is clear. Indian peoples must have frequented the Great Marsh between Green Harbor and Duxbury Bay well into the historic period, hunting the hundreds of thousands of waterfowl drawn to the Marsh, in the midst of the great Atlantic flyway on their long journeys between the tropics and the Arctic. For avian as well as primate visitors, the Great Marsh must have seemed a calm and grassy oasis, mere yards away from the raging Atlantic.

The English soon found the Great Marsh, like the other salt- and fresh-water wetlands of Plymouth County, essential for their project of transforming the pre-Contact, Amerindian-managed landscape into a facsimile of a pastoral, English countryside. The original grants of the Commons to the heads of the first households included access to grazing land; that salt-marsh was early viewed as valuable property for this purpose is evinced by a deed from 1650, thirteen years after the Town's incorporation. In the deed, dated January 16<sup>th</sup> (Old Style), John Stacy, of Duxbury, “do[es] acknowledge to have made over, and sold, all my right, title and interest in four acres of meadow land, be it more or less, lying upon the North side of that land called Pine Point” – a peninsula on the Great Marsh, still so named – to another planter of the Town, a certain Stephen whose last name is left blank in the records . Unfortunately, the price is not included in the deed.<sup>50</sup> The Great Marsh, with its avian and piscine riches, was a vital food-source for the Wampanoags, part of the reason they came each summer to the shores of the place they called Mattakeesett (“the little fishing place”); the shores around Morton's Hole and Kingston Bay were named Adeenah (A-dee-nah), “a good place to camp” -- today

<sup>50</sup> George Etheridge, copyist, *Copy of the Records of the Town of Duxbury, From 1642 to 1770, Made in the Year 1892* (Plymouth, Mass.: Avery and Doten, Book and Job Printers, 1893), 10.

the name of the Town of Kingston's Landing on the Jones River. Criss-crossed by hundreds, if not thousands, of streamlets and salt-creeks, the marsh is bathed twice a day by the tide; both the high marsh, beyond the highwater mark, with its meadows of *Spartina patens* (saltmarsh hay), and the low marsh, below highwater, with its dense growth of saltmarsh cord-grass (*Spartina alterniflora*), were useful to the colonists as cattle feed. At first, this meadow was open range, though privately owned. Various lots were rented from the Town during the 17<sup>th</sup> and 18<sup>th</sup> centuries, while other pieces were sold outright when the Town was in want of funds. However, these sales were almost always to a fellow Townsman, occasionally to someone from a neighboring town, but, in this clannish society, not outsiders. By the 19<sup>th</sup> century, though, we see more intensive use of this resource, by local farmers gathering the salt-hay as it floats at high tide, especially during the autumn Spring tides (the four highest tides of the year, a result of lunar gravitational pull; the name has no connection to the season). They used a specially adapted boat called the gundalow, floating along the marsh at high tide, gathering the floating hay, which also supplied the cattle with necessary salt. Duxbury historian Katherine Pillsbury describes the craft as "wide-bottomed" and "shallow.... These boats drew little water and could be rowed or poled, so were especially adapted to the marshes." According to Pillsbury, "they could carry up to eight tons of hay, brought aboard over long gangplanks."<sup>51</sup>

The thousand acres of the Great Marsh served as the physical bridge between the barrier beach on the east, Marshfield to the north and northeast, and the mainland of Duxbury on the west. There, several small streams flowed into the Bay; north of the 400 acre peninsula called Powder Point, these streams made their way to the Bay via the Great Marsh, particularly via the Back River which flowed –

tidally – to the north of the Point. South of Powder Point, streams flowed directly into the bay. The

<sup>51</sup>On the ecology of the New England salt-marsh, see John M. Teal, *The ecology of regularly flooded salt marshes of New England: a community profile*. U.S. Fish Wildl. Serv. Biol. Rep. 85(7.4), 1986. 61 pp.; on the gundalow, see Katherine H. Pillsbury, in Katherine H. Pillsbury, Robert D. Hale, and Jack Post, eds. *The Duxbury Book: 1637-1987* (Duxbury, Mass.: the Duxbury Rural and Historical Society, 1987), 32. Gundalows were also used extensively on the tidal rivers of New England north of Cape Ann, such as the Piscataqua or the tidal rivers of southern Maine. There, they reached lengths of thirty feet or more. See [www.gundalow.org](http://www.gundalow.org).



mouths of these latter creeks were and are fringed by their own salt-marshes, a product of their own alluvial depositions. These small streams – dozens in Duxbury alone, hundreds over the course of the entirety of the Bay – created a richly productive ecological zone, a large, relatively shallow, and highly estuarine embayment with ideal conditions for a number of kinds of aquatic life. Anadromous fish, which will become a central motif of this work, teemed in the waters in the fall and spring – not only herring and shad, but also the sizable and prized striped bass, while bluefish, not quite anadromous, stirred the shallows during late summer. Deep channels, usually surrounded by much shallower waters, lead to Cape Cod Bay, allowing access for deeper benthic and pelagic species to the rich waters of the bay, and the human inhabitants of its littoral access to the rich fisheries of the Gulf of Maine. Lobsters crawl along the rocky bottoms of these channels. A plenitude of highly productive flats, washed both by the fresh outflow of the shore and by ten feet of tide twice a day, made for a shell fishery that was among the most productive in New England. Indeed, “Plymouth Clams”, shipped across the Atlantic in the sawdust-strewn, ice-packed holds of merchantmen in the 1850s, became the rage of London and Paris high society; today, Island Creek oysters, raised in Kingston Bay, appear on the menu of the White House.<sup>52</sup>

On the western shore of the Bay, a number of streams flow into the bay. By far the most significant in the lives of the first Englishmen to build their homes here was the Mill Brook, which flows into the Great Marsh near Duck Hill, on its northwestern edge, and gave birth to a village around its banks, Millbrook, which still stands, providing candy, pizza, and ice cream to the students of Duxbury High School, which stands a quarter of a mile east of the village on the site of the Old Delano mansion. South of Millbrook, and dividing Powder Point from the rest of the coast, flows the Bluefish River, a tidal stream like its neighbors. Though it is a significant obstacle to land travel – and was more

<sup>52</sup>This knowledge is widespread locally.

so four centuries ago, as its marsh has grown in the intervening years – it rises only about a half a mile from the sea, and flows for little more than a mile. A short creek drains the neighborhood of Eagle's Nest, on the Nook Peninsula, east of Captain's Hill.<sup>53</sup> Short brooks drain the old lands of the Howland and Wadsworth families, flowing into Morton's Hole. Finally, Island Creek, in the southwestern corner of the Town, flows a mile and a quarter from Island Creek Pond, the only Great Pond (that is, a pond of more than ten acres, a legal commons for fishing and hunting from the colonial era through the present in New England) within modern Duxbury (Pembroke, formerly the western district of Duxbury, is home to a number of Great Ponds). This stream hosts what was, at least in historical times, the Town's most significant Atlantic herring run.

The shoreline is dominated by several peninsulas – Powder Point has been mentioned above – and a sizable eminence, Captain's Hill, that stands a steep 181 feet over the bay on The Nook, a peninsula, that, confusingly enough, shares a name with the body of water on one side of it. It, like everything in Plymouth County, is a product of the glacier, and its central ridge lies along the glacial lobe's longitudinal axis of advance, north-northeast to south-southwest. As with many hills throughout the region, it is a pile of till bulldozed and deposited by the glacial lobe. This hill dominates the western portion of the peninsula only; the eastern two thirds are low and exceptionally arable for a country of such generally poor soils (a stubborn combination of rocky, sandy, and clayey). Justin Winsor, in his 1849 *History of Duxbury*, states that the peninsula “contains about two or three hundred acres of good soil, little inferior to any in the country in fertility.” He observes that other parts of Duxbury were

<sup>53</sup>Somewhat confusingly, the peninsula on which Captain's Hill sits, was formerly called “the Nook”, and the body of water to its west, an arm of Kingston Bay, called “Morton's Hole”, after an evidently large bathymetric depression in the inlet. Morton's Hole was also the name of the village at its head, today called Hall's Corner, and the commercial center of Duxbury today and the location of the First Meetinghouse in the 17<sup>th</sup> and 18<sup>th</sup> centuries. By the second half of the 20<sup>th</sup> Century, “the Nook” begins to appear on charts as the name of the inlet formerly called Morton's Hole; the peninsula is usually referred to as either “Captain's Hill”, its drumlinoid eastern side, or “Standish Shores”, its western part. Either may be used metonymically by contemporary inhabitants for the peninsula as a whole.

marked by “sandy and unproductive” soils of which “a considerable part [were] in no state of cultivation”. By way of contrast, “this peninsula is furnished with a deep and fertile soil”; Winsor goes on to say that “the same may be said of the highland on the Gurnet, Saquish, and many other similar spots around the bay, where the soil is in immediate proximity to the sea.” In fact, Clark's Island, the 'first Plymouth Rock' (here the Pilgrims made their first Sabbath on land) before which Thoreau got stuck, boatless and barefoot, on the flats in the face of an onrushing flood-tide (a foolish landsman's decision, to walk the flats of the Bay, one that nearly drowned him), enjoyed soil of rare delight: “Clark's Island in some parts possesses a mould, which if equalled, is scarcely surpassed in the county; and while the northern and western sides offer the most desirable qualities for pasturage and grain, its southern and eastern declivities [that is, in the lee of Saquish Neck and the Gurnet] present a perfect garden, abounding with trees, through whose foliage, even during the summer's hottest months, stir the breezes from the sea.” Thus, in later years when British frigates, “cruising between the Capes” Cod and Ann, would demand fresh, scurvy-allaying fruit, the glacial-sculpted gardens around the bay served as a ready orchard.<sup>54</sup>

Given this fertile and clement spot, separated from the mainland of the continent by a narrow, marsh-fringed neck, it is not surprising that it was an early location of the original English alienation of the land from its Algonquian inhabitants. It is perhaps fitting, then, that this task of conquest was undertaken by a most martial man – Captain Myles Standish, the military leader of Plymouth Colony, formerly a soldier of (Protestant) fortune in the wars against the Spanish in the Low Countries, little over five feet tall, of flaming red hair, and comparatively limited religious convictions; certainly he was

<sup>54</sup>For the character of Plymouth County's surficial geology, see Jim Turenne of the Soil Survey of Plymouth County, “General Geology of Plymouth County”, at <http://www.nesoil.com/plymouth/geology.htm>.; On the fertility of the eastern portion of the Nook Peninsula, see Justin Winsor, *History of the Town of Duxbury, Massachusetts, with genealogical registers* (Boston: Crosby & Nichols; Samuel G. Drake, 1849), 23.

not a 'Saint', but rather, like several of the early settlers of the Town of Duxbury, belonged to the rather more secular and eccentric party of the 'Adventurers' in the colony.

Standish was significant in the Town's formative years in a number of contexts. He was the first settler recorded to move permanently, year round, to the land opposite New Plymouth across the bay.

## II: Self-rule: The Town Meetings and the Consolidation of an Agricultural Society

It has been remarked with some justice that the New England Town Meeting is a singularly democratic institution in the United States, if not the world; and though the degree of this democracy has been rightly contested by historians of the region, it is also true that, compared with their near neighbors – the neo-feudal Patroons of the Hudson River, and the seigneurial society of New France – the New England towns, through their Town Meetings, allowed for an exercise in political democracy that was rare, if not unprecedented, in the early modern Atlantic world. That this was a consensual democracy; that it was a white, male, and property-holding democracy; and that it was a democracy dominated by social, economic, and religious notables, does not change the degree of contrast with New England's neighbors to the west and north, or even with their more genteel compatriots in the Chesapeake.<sup>55</sup>

That said, the Town Meeting was not a democracy in the contemporary sense of the word. Church and State were fused, for one; and by the 18<sup>th</sup> century, when developments along English lines (as in Brendan McConville) led to a more Anglicized province, the Town Meeting began, by mid-

<sup>55</sup> There is a wide-ranging literature on the New England town. A small sampling might include: Charles S. Grant, *Democracy in the Connecticut Frontier Town of Kent* (New York: Columbia University Press, 1961); Kenneth A. Lockridge, *A New England Town: The First Hundred Years : Dedham, Massachusetts, 1636-1736* (New York: Norton, 1970); Robert A. Gross, *The Minutemen and Their World* (New York: Hill and Wang, 1976).

century, in John McMurrin's words, to reflect these larger trends towards a more hierarchical society. Nevertheless, the radical democracy of these meetings, combined with the rising Whiggery and republicanism of the middle decades of the 18<sup>th</sup> century, resulted in a revolutionary conflagration.

The first decades of Town Meetings betray a more rough equality, and considerably more basic political and economic concerns, than do the Town Meetings of the county in the middle years of the 18<sup>th</sup> century, before the beginning of the great controversy with Great Britain, when the domination by local elites is more established, more genteel and hegemonic. In this, they vindicate to some extent the historiographical vision of Frederick Jackson Turner. However, what is not incorporated into Turner's rather too neat and Midwestern-centered model of the frontier, is the fact that the shock of political and social revolution occurred in the heart of a settled, but nevertheless rural and mostly non-market, society. While this society was certainly provincial, and did not itself possess the density of population and the commerce seen in what I would call the Province's "home counties" – Suffolk, Essex, and Middlesex – it was not, by the 1760s and 1770s, a frontier society. So in this sense as well, the story of Plymouth County's politics is not entirely consonant with the Turnerian model of American development.<sup>56</sup>

Duxbury, with its original boundaries including what will become the Towns of Pembroke and Hanson, begins its political life with the practical questions of a society in transition from American forest to an English agricultural regime. At a Town Meeting in February (Old Style) of 1686, for instance, the Town "agreed to give Abraham Samson Junior liberty to improve three acres of land lying upon the South side of the way that goes to Bluefish river, as long as he sees cause to improve it by

<sup>56</sup>See Frederick Jackson Turner, "The Significance of the Frontier in American History" and "Sections and Nation" in Frederick Jackson Turner, *Rereading Frederick Jackson Turner: "The Significance of the Frontier in American History", and other essays/* with commentary by John Mack Faragher (New York: H. Holt and Co., 1994).

planting and sowing.”<sup>57</sup> At the same meeting, the Town gave Samuel Dillancy and Caleb Samson each “thirty acres of land on the Northerly side of Green harbor brook & a swamp that goes to Dingley's wolf trap, to them and to their heirs forever, provided that they settle upon it, otherwise it is to return to the town again.”

From these entries, the exigencies of a frontier agricultural society, short of labor and of settlers, can be clearly construed. The first grant of land, to Abraham Samson Jr., is, at three acres, relatively small – likely indicating valuable meadowland, as does the proximity to the Bluefish River. Moreover, this was a grant predicated upon some kind of useful “improvement” – evidence not so much of Lockean liberal proto-capitalism as of the communitarian ethos of the corporate New England town. Similarly, the grants to Samuel Dillancy and Caleb Samson – thirty acres, likely of wooded upland, with a few intervales along Green Harbor Brook – were predicated upon their settlement thereof, otherwise reverting to the common ownership of the Town. Finally, Duxbury, as would its daughter-town Pembroke and many others throughout the county, sought to exterminate agricultural pests, such as wolves. At the same meeting, petty jurors were chosen for the sitting of the trial court in Plymouth, as well as delegates to the Court of Assistants, an equivalent to the Governor's Council in Massachusetts Bay.

The communitarian nature of the New England Town was further attested by the Town's grant the next year, in June, 1687, when the Town made a grant of fifty acres of land “to Joseph Chandler's son John, who by Gods Providence has lost his hand...” Thus did the Town attempt to care for the halt and the maimed. Joseph Chandler was granted effective power over the lot, “lyng on the Easterly side of the South River, and Northerly side of the place called the Rocks...” It was further “[p]rovided that

<sup>57</sup> ORD, 175.

[Joseph Chandler] shall have liberty to sell, or otherwise improve the land for the benefit of the afore said child.”<sup>58</sup>

That August, a Town Meeting was called in order to regulate better the agricultural commons as the harvest season approached. “... [A]t this meeting, the Town of Duxborough agreed that no grass should be cut at the Common Meadows until the 18<sup>th</sup> day of this instant month upon the penalty of the loss of all the grass that any man shall cut before the time afore said upon the Common Meadow.”<sup>59</sup>

At that same meeting, a land transaction was recorded between the Town and several private inhabitants. “[W]e, the inhabitants of the town, do by these Presents, Let, Lease, and Set unto John Thomas and Peter West ... the tract of meadow between Gotum river and the Cut river, the full time of seven years from the date hereof...” However, in order to obtain this valuable land, lying in the Great Marsh between the head of Duxbury Bay and Green Harbor, both Thomas and West had to fulfill certain conditions: they were to pay the town thirteen shillings a year, and, moreover, to “debar themselves from cutting any grass any where else upon the Common Meadows” during the lease. They were also enjoined “to keep the afore said Meadow sufficiently fenced during the full term of seven years...”<sup>60</sup>

It was not only agricultural issues which occupied the attention of this micropolitan legislature. This was, after all, New England, and the maintenance of a learned ministry was one of the Town's most significant responsibilities; and if the character of the Old Colony was more heterodox, by several degrees, than the Bay Colony, it was nevertheless home to a faction – the Saints – that was even more Puritan than the Puritans, as it were. Thus, the ministry would be maintained. For instance, the Town voted in a meeting held on May 21<sup>st</sup>, 1688, “to raise their minister's salary by a Rate [that is, a tax], as

<sup>58</sup> ORD, 177.

<sup>59</sup> Ibid.

<sup>60</sup> Ibid. The Cut River, the first canal in British America, was a widened stream dug around 1638 through the peat of the salt-marsh, connecting Duxbury Bay with Green Harbor, and obviating the difficult and dangerous passage around The Gurnet and through the stormy Atlantic.

in times past, and have also appointed the Selectmen to make their minister's Rate this year." These selectmen – Lieutenant Alden, Francis Barker, and Edward Southworth – had just been chosen by the meeting earlier that day. In addition, "The Town at this meeting have agreed to lay out a piece of meadow, formerly called Bumps meadow, to be improved for the benefit of their minister, as the house and upland that was set apart for that use formerly."<sup>61</sup>

Later in the meeting, the perennial question of the use and preservation of the Town's Commons came before the attendees. "At the same town meeting, the town did also by vote, agree to leave the disposal of the Common Meadows for the benefit of the Town, to the Selectmen, that is to be understood, by hiring it out, provided they do not exceed the term of Seven years, and to be let to such as are inhabitants of the town, and do empower the above said Select men to take some effectual course for the preservation of the Town timber, bark, and cord wood." In addition, a part of a swamp held in common was granted to Thomas Dillancy for the more effectual passage of a highway near his house.

This same issue of scarcity and preservation of commons had evidently become more serious, because the Town again addressed it, this time on December 13, 1689. At that meeting, "the town did agree to empower the Town Council to make an order as firmly as they can against the Stray of all Town wood and timber, by sending it out of the town, and to empower men to see that the order so made is executed." But the strictures did not cease there. "And farther, the town does forbid any man to presume to cut either cord wood, or timber, except for their own particular use, upon the town Commons, from this day, until the town Council have published their order, upon the forfeiture of all such wood, or timber so cut."<sup>62</sup>

The seaside location of the town occasionally presented its inhabitants with problems of conservation not typically encountered in the inland towns. The notorious tendency of sand to migrate

<sup>61</sup> Ibid.

<sup>62</sup> Ibid, 180.



under the persistence of wind – aeolian erosion – was a severe problem in 18<sup>th</sup> century Cape Cod, denuded of trees. That it was also a problem in Duxbury is evidenced in the records. At a Town Meeting held on February 28<sup>th</sup>, 1703/4, “the town gave liberty to Mr. Southworth to fence the beach for defence of his meadow adjacent thereto.”<sup>63</sup>

In later decades, the generalised defense of the Commons would become particularized, centering around particular pieces of land. For instance, at a November 30<sup>th</sup>, 1739 Town Meeting – more than a century after the Town's formal incorporation – it was voted “that Jonathan Delanoe should take care of the Parsonage land to prevent the cutting or carrying off the wood belonging to the said land, and to prosecute any that have trespassed, or shall trespass thereon....”<sup>64</sup>

Meanwhile, however, the problems of the political and legal chaos associated with the Glorious Revolution intervened even at the level of the several Towns of the Old Colony. Unlike its neighbors in Massachusetts Bay, Connecticut, and Rhode Island, New Plymouth lacked a legally constituted, royally-assented colonial charter. When the *Mayflower* made its crossing in 1620, the intention of the combined company of Saints and Adventurers was to settle in land granted under a patent to the Plymouth Company, a joint-stock company, near the mouth of the Hudson River. However, with their late crossing, the colonists ran into the heart of Atlantic hurricane season, and were blown off course, north and east, to Cape Cod Bay. So far as the sailors and settlers knew, they were out of the territory of the Plymouth Company, and, therefore, beyond the laws of any state. Thus, the necessity of the Mayflower Compact, both to establish some modicum of civil order as well as to state overtly the allegiance of the small band to the Crown of England.<sup>65</sup>

<sup>63</sup> ORD, 201.

<sup>64</sup> Duxbury Town Meeting, Nov. 30, 1739, in Etheridge, ORD, 265.

<sup>65</sup> See Eugene Aubry Stratton, *Plymouth Colony: Its History and People, 1620-1691* (Salt Lake City: Ancestry Publishing, 1986).

Throughout the 17<sup>th</sup> Century, the Old Colony worked unsuccessfully to obtain a fully legal Charter. The settlement, with lands alternatively swampy and hilly, possessed few resources that could produce a cash commodity for export to the Old World, and struggled to pay its creditors. What it did pay was mostly in pelts, which led quickly to the trapping out of southeastern New England. Even during the relatively brief occasion of the colony's operation of a fur-trading post on the coast of Maine and in the Connecticut Valley, competition from wealthier and more experienced French and Dutch traders meant relatively slim pickings for the colonists at New Plymouth. For a long time, this extralegal basis of government in the colony remained a moot point: events in the British Isles occupied the intense attention of almost all parties involved – King, Parliament, creditors – during the middle decades of the 17<sup>th</sup> century. By the time of the final confrontation between King and Parliament in the 1640s, the colony, with its fellow Dissenting neighbors, exercised *de facto* independence; this was not always strictly speaking a good thing, as the military exigencies of settler colonialism forced even large colonies like Connecticut and Massachusetts, let alone smaller neighbors like New Plymouth or New Haven, into the United Colonies of New England during the Pequot War of the late 1630s. This relative independence was maintained through the Commonwealth and the Restoration, with the sybaritic Charles II more interested in Continental affairs and naval rivalry with the Dutch than micromanaging the affairs of distant, Dissenting, and relatively poor colonial subjects. While formally demanding the return of some actual or alleged regicides, the Crown largely ignored New England during the reign of Charles II.

James II, by contrast, possessed ambitions to centralise authority within the Three Kingdoms, along the lines laid down by Louis XIV in France. Moreover, in the Whig imagination, he was a crypto-Papist and harbored dark intentions of reintroducing Roman Catholicism to the English state. In New England, while the latter charges certainly did not endear James to his largely Calvinist subjects, it

was his and his lieutenants' attempts at absolutist consolidation of power that led to widespread dissatisfaction, and, ultimately, revolt against his authority. Sir Edmund Andros, the son of the Royalist Bailiff of Guernsey, had served the latter Stuarts as Governor of New York. James appointed him in 1686 to a newly (and, in the eyes of the colonists, extra-legally) constituted Dominion of New England, including Plymouth Colony, Massachusetts Bay, Connecticut, New Hampshire, and Rhode Island. The Dominion was eventually extended to New York and the Jerseys. Andros quickly grew infamous in the Towns of New England for his authoritarian methods and his Anglican sympathies; he alienated the religious hierarchy by asking to hold Anglican services in the Meeting Houses of several Massachusetts Towns, proceeding by force when the churchmen refused their consent. He also attempted to outlaw the Town Meetings, which issued stinging dissents against his attempts to raise imperial revenues (a shadow of dissents to come). Famously and apocryphally, he attempted to obtain the charter of the Colony of Connecticut, only to have it hidden from him in the celebrated “Charter Oak” in Hartford – now seen on the Connecticut edition of the U.S. State quarters.

Discontent with Andros ran so high in New England, that when word came in April, 1689, that James had fled England; that Parliament had taken effective control of the State; and that Mary, daughter of James II, and her husband, Willem of Orange, Stadtholder of the United Provinces, had been crowned co-monarchs, the people of Boston rose up in revolt, arresting Andros and his fellow administrators. Throughout New England, the previously established colonial governments and Town Meetings – many of which had continued to meet anyway – re-coalesced and reconstituted themselves. This process of persistent localism confounding outside authority marked Plymouth County in the 1690s just as it would in later decades.

This process could certainly be observed in Duxbury's response to the revolution in Britain, which came relatively shortly after the rebellion in Boston. Andros was overthrown on April 18-19; a

Town Meeting was held on April 30 in Duxbury to weigh the Town's response to the tumultuous events in Boston and throughout the British world.

The Town first “made choice of Benjamin Bartlett Sen. [Senior] and Deacon Wadsworth to be their agents, (upon the request of Mr. Thomas Hinkle) and together with the agents of other towns, to settle a Council to consider of such things as may be expedient for us under the present juncture of Providence until our former time of election, which useth to be on the first Tuesday in June.” Thus, the Town, like Plymouth Colony at large, was concerned first and foremost with establishing the legitimacy and legality of the established forms of civil government. Presumably, the Town was most concerned with the interregnum between the present, April 30<sup>th</sup>, and the formal reconstitution of the Colony at the beginning of June.<sup>66</sup>

The Town then reasserted its political, legal, and corporate rights and privileges. First, it stipulated that Mr. Hinkle, who had served as the Town's representative to the Dominion of New England's quasi-independent Council, should continue in office – but in that regard only: “We the inhabitants of the town of Duxburrough do desire that Mr. Hinkle and the rest of the old magistrates that do yet survive may be present Council according to the former limitation, and no other...” The Town continued its reassertion of ancient liberties, as well as the staking of claims on new ones: “and farther, our desire is that all those that have liberty to vote in our town meetings for the choice of deputies [to the General Court of Plymouth Colony] and others, may have liberty to vote in choice of Governor and Assistants, and if the Countys continue that all such may have power to choose their County assistants.” Amid political chaos – to the extent that the very form and continued existence of the counties of the colony were in question, having already been tampered with during the Dominion years – the Town very clearly sought the expansion of suffrage rights, to bring even the upper house of the legislature and the Governor under their purview. Finally, the townsmen demanded the return of the

<sup>66</sup>George Etheridge, copyist, Copy Duxbury Town Records, 179.

Town's corporate and legal documents: “We do also desire, that all our records may be recalled and secured by the present Council for us.”<sup>67</sup>

Subsequent to this extraordinary Town Meeting, a kind of temporary calm was restored to the Town as the complicated revolutionary settlement was worked out on both sides of the Atlantic. While the regular business of government, such as jury selection and election of colonial legislators, went on, the Town endeavored – as it had before the reign of Andros – to do its bit for the collective attempt to obtain a Charter for New Plymouth. On February 18<sup>th</sup>, 1691, for instance, “the majority of the town by vote, did agree to send to England in order to obtain a charter, by manifesting their willingness to do so.” In order to fund this relatively costly undertaking, “[t]he Town did agree that if the select men of the town, or any number of men in the town, will lend the town Twenty Pounds in Silver money, to be repaid in the same specie” after one year, “then the town do engage to see” those men “paid to their content the sum expressed.....” The Meeting further ordered that if they had to, the Selectmen were to borrow the money – a sign of the importance just one of the several towns of the colony placed on a charter.<sup>68</sup>

At the same February Meeting, they chose Rev. Mr. Ichabod Wiswell as their agent to plead the colony's cause in Britain. However, this was not a decision entered into by Duxbury alone: the meeting came in response to legislation from the General Court [legislature] of New Plymouth that sought to pool the expenses – as well as emphasize the importance – of sending an advocate to London: “This town meeting above mentioned was, in obedience to an act of Court holden 11<sup>th</sup> February, to consider what they would do in order to the procuring of charter, and also what instrument they would improve, and money they could raise toward the Public charge....” The total cost to the colony was estimated at £700 “in New England money.”<sup>69</sup>

<sup>67</sup>Ibid.

<sup>68</sup> Ibid., 181-182.

<sup>69</sup> Ibid.

Meanwhile, the day to day affairs of consolidating an English, agricultural, and Dissenting society on the western shore of the Atlantic went on. The Town thought it fair that Goodman Boney receive a new pair of shoes, paid for by part of the rent due for use of the Common Meadows. Ensign Barker and Josiah Holmes were chosen to sit as petty jurors on the County Court. Sometimes, the connection between the abstract and legalistic dickerings going on in London and the reality of frontier-agricultural life in the Northwest Atlantic basin was made clear; two worlds could become one. For instance, at a late autumn Town Meeting, on Nov. 24<sup>th</sup> 1692 (while Salem was mad with witches in the northern part of Massachusetts Bay), “The town agreed to raise Mr. Wiswell's maintenance, viz 50 pounds as expressed in the Town agreement, by rating the inhabitants of the town, in order there unto.” Moreover, in addition to taxing the freeholders of the Town for the maintenance of their virtual diplomat in Westminster, “At this town meeting the town agreed that the rent due to the town for the use of the Common Meadows for this year, should be improved to procure wood for Mr. Wiswald, by the select men.”<sup>70</sup>

For that year, the Town's charges consisted of ten shillings for the sweeping of the meeting house; £4 and 12 shillings to Mr. Wadsworth for 23 days at court; seven shillings to Peter West for three days as Grand Juror; £1 “To Mr. Southworth at Court.” Moreover, the Town evidently owed Southworth for more than just legal service, or it recorded that “the town reconed [sic] with Mr. Southworth at this town meeting, and his acco. With them is balanced, that is concerning Mr. Wiswald's house, and the glassing of the meeting house also.”<sup>71</sup>

In the many processes of physical transformation that comprised the actual activity – the real work and doing – of remaking coastal Norumbega as agricultural New England, the control of water resources probably occupied a position of *primus inter pares* among the concerns, and subjects for

<sup>70</sup> Ibid.

<sup>71</sup> Ibid., 183.

legislation, of all the Towns included in this study. Duxbury, as one of the “parent towns” of the Old Colony, is no exception. 1693 seems to have been a crucial year, for here appear two pieces of Town fluvial legislation that would act as harbingers of things to come, of the agricultural, ecological, political, and economic order that characterized southeastern Massachusetts, and Plymouth County in particular, during the years as a Royal Province.

First, at the spring Town Meeting (May 10<sup>th</sup>), “the town have given liberty to Robert Barker, his heirs and assigns, to make a Dam, and raise a pond upon Pudding brook, about a place commonly called Beaver Dam, and to keep it up during the time that they, or either of them shall see cause to keep up the mill.” The construction of this mill would hasten the development of Pembroke – then the western precincts of Duxbury – as an independent town in the first decades of the 18<sup>th</sup> century.

Second, “At this Town meeting, the town do agree, that if the fisher men of Duxbury, shall clear Island Creek brook, that said men shall have liberty then to get herring for bait from time to time, without molestation; and to that end the town do agree, that if any, either English or Indian, do hinder them herein, by making of weirs, or hindering the fish from coming to the Pond, or going down, they shall thereby forfeit five shillings for every time they so do, to be taken by distraint (from the person so transgressing) by the Constable, which the complainer shall have for his pains.”<sup>72</sup> Fluvial legislation relating to the maintenance of the several teeming anadromous fish runs of Plymouth County would occupy the single clearest locus through which to see the passage of common rights and ancient liberties into private hands in the mid-years of the 19<sup>th</sup> century.

Third, the Town sought to maintain the integrity of its Commons further, not just by the usual maintenance of wood and meadows, but also by vigilance over mineral resources. “At this meeting, the town are agreed that, if any man of the town do dig of the Towns Iron ore on the Commons, they shall give an account thereof to the Select men of the town, giving Six pence a ton for

<sup>72</sup>Ibid., 183-4.

all ore so dug, to the town's use.”<sup>73</sup> This ore-digging would become an economic mainstay of the economy of this highly glaciated region; protection of the valuable balls of ore in local ponds and wetlands for the Town's use and benefit would prove crucial, not only to the individual well-being of the town, but also to causes larger, even international in scope. Moreover, we can imagine that this ore must have been relatively plentiful in Old Duxbury, including not only Island Creek Pond, but also the several Great Ponds at Pembroke, and the Great Cedar Swamp in what is now Hanson, since there had been relatively little English, and no Wampanoag, use of it.

These three crucial fluvial, aquatic, or otherwise amphibious activities – saw- and grist- milling, fishing, and ore-digging – would continue to play a guiding role in the economic life of this agricultural society in the phase of its consolidation, and beyond.

The consolidation of this agricultural society continued during these years as a Royal Province. For example, land and water rights along the North River, for two miles (roughly between the bend of the river near MacComber Creek and the present crossing south of Rt. 53, the eponymous neighborhood of Two Mile) – both in the rich pasture and fine fishing of the salt marsh and in the tall trees, the pines and beeches and oaks, of the adjacent uplands – had earlier been held in common between Duxbury and Marshfield. As part of the settlement of the upheaval of 1689, and also by way of finishing old business, the Town agreed with its neighbor, Marshfield, to divide these lands. At an October, 1694, Town Meeting, it resolved as follows: ”therefore, we the town of Duxburrough, have voted and ordered that no person whatsoever shall cut any wood or timber, on the land belonging to Marshfield and our town, until those lands be divided....” The penalty laid forth was a sizable twenty shillings, for cutting any tree on these severally-held commons – or even part of one. However, the Meeting was careful to state a number of caveats; the law would only be as written if the land is

<sup>73</sup>Ibid., 184.



divided by “the last day of April next”; and, in a sign of the importance placed in New England political culture on the careful guardianship of established rights and privileges, “provided the owner does not infringe the liberty of any former grant.”<sup>74</sup>In later years, Scituate – beyond the marshes of the North-South River estuary and populated by commercially-inclined Kentish men -- would make a claim based on Old Colony liberties to these rich marshlands.

The life of old, undivided Duxbury continued in its agricultural circle. Yet, as in any society, politics was never absent. The next major decision that the Town faced – the division of the existing Town Commons, and the distribution of the multiple proprietorships of those Common lands – represented a significant step in the consolidation of the English agricultural regime in lands that had less than a century before been managed as part of a thriving Wampanoag horticulture and hunting-gathering complex. Quite simply, the division of the Commons followed inevitably from the passage of what Frederick Jackson Turner would have called “frontier conditions” in Duxbury; social historians will quickly, and rightly, point out that, at its material level, this is the outward sign of the increase in the town's population and density, remembering that 17<sup>th</sup> century New Englanders, with their cold climate and need for labor, were among the most fertile people on the planet at that time. From an ecological perspective, significant enough pressure must have been placed on the town's common lands and waters (the laws cited above regarding the maintenance of the Commons were passed for a reason, after all) that a shift to individual proprietorship would have been imagined to preserve these resources more efficaciously. In Marxian terms, this is, within Duxbury's microcosm of New England society, a crucial moment of alienation; not the original act of alienation, perhaps – this came, or was rather confirmed, in the English victory in 1676 – but an act of alienation nonetheless, and one that, for the

<sup>74</sup>Ibid., 184; on New England political culture's particular and enduring sense of 'liberty', and the ways this differs from other regional Anglo-American conceptions of freedom, see David Hackett Fischer, *Albion's Seed: Four British Folkways in America* (New York: Oxford University Press, 1989).

increasingly landless younger sons of the Old Colony, made frontier land – or the sea, or the militia – appear increasingly promising.

The first sign of this momentous step in the Town Records appears in the summer of 1699: “At a town meeting held at Duxburrough July 17/[16]99 The town have voted to make choice of a Committee of town to determine who are the proprietors of the towns Commons in Duxburrough.”<sup>75</sup> This committee would report on just who owned what in the undivided Town lands. The Town then formed a new body, consisting of “Lieut. Barker, Mr. Wadsworth and Mr. Southworth, to be a Committee to take a view of the town Commons and to bring a report to town what they judge dividable.”<sup>76</sup>

The first committee, tasked with ascertaining the true owners of the Common lands, reported to the Town on the 12<sup>th</sup> of September, 1699. Its members – Nathaniel Thomas, Isaac Little, and John Bradford -- reported as follows: “having met with the inhabitants of said town [Duxbury] at their usual meeting house ... and heard their several allegations and seen their records relating to the same, do determine as follows – That to say that the Commons or undivided lands in the said town, do belong unto the proprietors of the farm as lots, and other lands granted to particular persons by the Court, lying within the said township [do as well]....”<sup>77</sup> This was rather vague, and it was necessary for the Town to flesh out the details as the clemency of autumn along Cape Cod Bay turned to the blustery grayness of November.

Though no record exists of the report by the committee on the divisibility of the common lands, the Town felt certain enough to act by late autumn. It essentially decided upon a system of proportional ownership of the Commons based upon length of tenure and the size of a freehold (in acres). On Nov. 16<sup>th</sup>, at a Town Meeting called for the purpose, “the proprietor[s] of the Common and undivided land in

<sup>75</sup> Ibid., 187.

<sup>76</sup> Ibid., 189.

<sup>77</sup> Ibid., 189-90.

said town, have agreed by a major vote, that the rights and proprieties of each proprietor, shall be settled and stated as followeth, that is to each proprietors of a dwelling place erected before the year 1662, with twenty acres of land granted by the Court, shall have two shares, or proprieties, and to every hundred acres granted as aforesaid, shall have two shares or proprieties, and so proportionable for all such lands so granted, provided always that no odd quantity under twenty acres shall give the proprietors a right to vote relating to the premises aforesaid, but yet to be considered in partitie....”

The Town also allowed for the possibility of error, and left the list open to amendment: “which list with the above written we the abovesaid proprietors pass to an act[,] referring to any person that is under apparent wrong according to the rules above written, liberty to make his claim, and set forth his right at town meeting, within Six months and not after....” Finally, the Town decided that any proprietor-holding of 20 acres of land or more, “which hath been dwelt upon 20 years” prior, and held under whatever kind of grant”shall have a single share with what they have received of the town, and not otherwise.”<sup>78</sup>

Meanwhile, the affairs of this agricultural society continued with the regularity of the seasons. Representatives to the Provincial General Court in Boston and petty jurors for the Plymouth Courts were chosen. The widow Abigail Alden enjoined her neighbors and the Town to cease using her land as a cart-path and by-way, she allowing them “only by sufferance”.<sup>79</sup> The year before, in 1698, the Town had taken formal control of the barrier beach across Duxbury Bay in the process of settling its eastern border. Part of the boundary-line ran with Marshfield, through the Great Marsh and on to Green Harbor and the Atlantic. The 1638 canal – the first in British America – allowed passage through the Great Marsh between the protected haven at Green Harbor and the upper estuary of Duxbury Bay. It is

<sup>78</sup>Ibid.

<sup>79</sup>Duxbury Town Meeting, Dec. 4, 1699, in Etheridge, ORD, 190.

alluded to in the boundary description: the boundary meets the ocean “near where the lines cut between Marshfield and Duxburrow....” These lines, especially with the use of the verb “cut,” indicate the canal, still known as the Cut River today, and a convenient way to avoid the rigors, exigencies, and inconveniences – a watery grave not least among them – of making the dangerous passage round The Gurnet in inclement weather, even in the warmer months. However, The Gurnet must have been occupied, at least seasonally if not longer, at that time, as the records indicate that the eastern border continues down the beach “to the Gurnet house, excepting the Gurnet, Clarks Island and Saquaquash [Saquish Head], which are not to be within the jurisdiction of Duxbarrow....” Finally, the Town demonstrated its typically Novanglian regard for ancient liberties: “Saving also every man's propriety and right to him that is now in possession of any lands of meadows within the bounds, whether by grant, or purchase, without disturbance as touching propriety by virtue of this grant..” However, it was crucial to acknowledge that these places were “to be within the jurisdiction of Duxburrow township.”<sup>80</sup>

The Town became increasingly busy during the first decade of the eighteenth century, at least judging by the relative plenitude of records from the period. The issue of control over the Town's many waterways again occupied the Town Meeting. Captain Seth Arnold (and one or more partners) sought to erect a saw mill on Green Harbor Brook; at the Spring Town Meeting of 1700/01, “the ... town did by vote, give free liberty to the inhabitants of the said town of Duxbury to cut, and carry off any timber from the Commons of the said town, to the said Saw Mill, to keep said mill in Employment.” Here, then, is a powerful illustration of the communally-organized (as opposed to market-oriented) economy of 18<sup>th</sup> century Duxbury. On the one hand, the townspeople, using commonly held resources, are to have free use of a mill which the town consented to be constructed on a “public”, as it were, stream; on the other, the saw-mill on Green Harbor Brook is kept busy not by the exigencies of a lumbering-oriented market economy (as saw-mills will become throughout the rural North in the 19<sup>th</sup> century), but

<sup>80</sup>Duxbury Town Meeting, June, 1698, in Etheridge, *ORD*, 190.

by the use-demands of its operators' fellow townspeople. Here is a perfect example of the truth that Americans, *contra* Louis Hartz, did not spring fully formed from the Lockean brow. Instead, it discloses the process of what would today be called “economic development” and what was then called “improvement” guided by, for, and through the communal strictures of the Town; this commonality was overtly expressed via the keeping of the Sabbath religiously and via Town Meeting in the temporal realm, of course – but perhaps more profoundly, through the daily lived and intensely experienced commonality of life in an agricultural village just a few decades past its status as “the West” , as a dark and bloody ground.<sup>81</sup>

The Meeting of 1702 was, like that of 1693 a decade earlier, one fruitful of legislation. In addition to the direction of land swaps between individual settlers and other matters of real estate – including disbursements to certain individuals from the Town lands -- “the town have given liberty to Ensign Seabury to make a dam upon Island creek pond brook, provided, that he leaves a sufficient and free passage for the herrings up, and down, and also makes a sufficient [sic] cart way over the said brook.”<sup>82</sup> Again, the community granted a very specific liberty – the making of a dam on Island Creek – a mill-dam which remains, with repairs, today where Massachusetts Route 3A crosses Island Creek – the result of a confluence of public need and personal (for Ensign Seabury) gain. The fish, still important as a source of bait and, for the poor, for food, were not to be disturbed, nor was regular transportation over the stream to be disrupted – quite the contrary, as the cart-path to be constructed by Seabury served, from the perspective of the Town, as a useful ancillary to the main project of the mill. The granting of this liberty, finally, marks the continued demographic and ecological expansion of the settler-colonists of Duxbury; the town now boasted three mills, the first on the Grist Mill Stream at

<sup>81</sup>Duxbury Town Meeting, March 21<sup>st</sup>, 1700/01, in Etheridge, ORD, 191.

<sup>82</sup>Duxbury Town Meeting, June 15<sup>th</sup>, 1702, in Etheridge, ORD, 194.

Millbrook, the second on Pudding Brook in the North River valley, and the third at Island Creek, in the southwestern portion of the Town.

At this meeting, both the westward expansion of intensive, English-style agriculture into the hinterland of Plymouth County, as well as the Town's attempts to preserve its common resources there, become apparent. For in addition to the usual prohibitions –“that no person shall cut any wood, timber or bark upon any part of this towns commons” (other than logs to be sawed at the saw-mill on Green Harbor Brook) – the Town passed a new law: “Also that no person shall cut any green cedars out of any of the Cedar Swamp belonging to the town, for the space of ten years next, on penalty of paying one shilling for every stock so cut.” However, balancing its retributive with its distributive aspect, this micropolitan government “also enacted, that all timber trees that shall be cut or fallen after this time, and not be cut off and drawn within a year, after said trees are cut or fallen, the said trees shall be free for any inhabitant of this town to cut and drawn for their own use.”<sup>83</sup> Given that, in coastal New England during the Little Ice Age, wood was essential for living through snowy, windy winters, this was the sort of regulation of common resources that must have been read as a considerable boon by many of the poorer freeholders – if not confirming already established practice.

The first decade of the 1700s also saw the Town undertaking the construction of significant infrastructure in the form of roadways; though these routes for the most part followed Indian Paths, this “improvement” of these geographical corridors into something approaching an English country lane was the first step in a long process that would, in the 20<sup>th</sup> century, see these same paths paved, first with macadam, and then with asphalt. In May, 1701, for instance, Seth Arnold, Francis Barker, and Abraham Sampson , at “the request of Sundry of the inhabitants of the town of Duxburrow, laid out a high way of thirty foot wide, from North River, at a place commonly called Brick Kilns, to the county

<sup>83</sup>Ibid, 194.

road....”<sup>84</sup> A number of connecting roads were added, including one to Marshfield and one “to the great road that leads to Boston,” both thirty feet wide. The “great road that leads to Boston” could have been no other than the improved Old Bay Path, one of the first Pilgrim roads and before that a trail between Boston Bay, Plymouth Bay, and Cape Cod, traversing Massachusetts and Wampanoag territory. Another side road, to Mattakeesett (i.e. Pembroke), connected that burgeoning village with the Old Bay Path. This road, going through lands belonging to the Barker and Keene families, proceeded “up to the furnace at the herring ponds mouth [today's Furnace Pond],” also thirty feet wide. Finally, the Town directly connected its hinterland around Mattakeesett with the old, seaside settlements; the selectmen reported: “we as aforesaid have laid out a high way from Mattekeset brook, to the Mill brook as the road now goes.” This path, already in use (“as the road now goes”) would become Massachusetts Route 14, connecting Duxbury with the interior, peregrinating through the maple swamps and cranberry bogs of Pembroke, Hanson, and the several Bridgewater (the former New Duxburrough Plantation).<sup>85</sup>

When not directly building roads of its own, the Town found occasion to protest at what it perceived as injuries to its convenience of transportation by neighboring towns. At a Town Meeting held on February 16<sup>th</sup>, 1707/08, the Town responded to news that Plymouth intended to dismantle the bridge over the Jones River, and re-route the road further up the river valley, to where the stream was more narrow. Duxbury complained that the project, “if obtained will prove very injurious to the said town of Duxburrough, as well as some other towns, for preventing of the same the said town at their said meeting, do unanimously declare their dislike thereof, and desire that the said bridge and way may continue as formerly.” Nor did the issue die there. On December 15<sup>th</sup>, 1708, the Town Meeting “voted to petition the General Court for a continuance of the road of high way over Jones' River bridge, where

<sup>84</sup>Etheridge, ORD, 195.

<sup>85</sup>Selectmen of Duxbury, Nov. 20<sup>th</sup>, 1702, in Etheridge, ORD, 198.

it hath been formerly....”<sup>86</sup> By moving the crossing of the Jones upstream, Plymouth's action would increase the distance and travel time from Duxbury to Plymouth (by land; during the warmer months, travel by water – three nautical as opposed to ten English miles – was possible for those with access to a boat), the county seat and a significant entrepot for news, commerce, and conviviality.

However, the Town was sometimes itself to blame for sub-optimal upkeep of bridges. On more than one occasion, its neighbors evidently brought suit against it for failing to do its share of the upkeep on the North River bridge – presumably on the King's Highway (the Old Bay Path) to Boston.

If the years between the Glorious Revolution and the break with Pembroke are marked by frequent, at times frenetic activity at the level of the Town, the second and third decades of the 18<sup>th</sup> century were far more somnolent. Most public affairs, beyond the bare election of Town officers and choosing of jurors, concerned the Meeting House and the Ministry. The Ministry, of course, was central to the life of the New England Town, and that very centrality meant that, when a Town and a Minister grew divided against one another, the resulting controversy could be particularly bitter.

The 1730s is when the records first indicate the institution of Town bounties on agricultural pests, an indication of the increasingly intensive character of Anglo-American agriculture in Plymouth County. At a Town Meeting held on March 14<sup>th</sup>, 1735/36, the town voted, that there shall be paid out of said town's treasury to any and all persons, Three pence for each and every Crow-bill Black bird that shall be killed at any place or places, within the said town (except the salt house marsh or Beach,) at any time between the present time and the last day of May next....” In addition the Town would also pay three pence”for each and every Blue bird of that sort which usually destroy Indian corn....” [very likely Bluejays] between that day and the end of the ensuing October. In addition, the Town would pay

<sup>86</sup>Etheridge, ORD, 204, 206; for Wild Cats, see Etheridge, ORD, 263.



out six pence for every crow killed. Four years later, the town “voted that there should be paid out of their treasury Twenty Shillings for every Wild Cat that should killed within the said town the ensuing year, besides, what is allowed out of the Province.”<sup>87</sup>

However, the Town clearly distinguished between harmful pest species and those that were useful, or otherwise desirable. At the same March 14<sup>th</sup> Town Meeting, it was “voted to address the General Court, by a petition, in order to a regulation of fowling in and about the Salt bay in Duxburrrough, by reasons that for a want of prudent care concerning the matter, the wild fowl have almost forsaken the bay.”<sup>88</sup> Presumably the matter was appropriate for referral to the General Court because the “Salt bay” and its fringing marshes extended through the jurisdiction of several towns – Marshfield, to the north across the Great Marsh; Plymouth, around Clark's Island, the Gurnet, and Saquish Head; and Kingston near the mouth of the Jones River. Perhaps the severity of the problem – the birds’ having “almost forsaken the bay” – convinced the town that only a redress at the provincial level could effectively preserve the avian life of the bay.

### III:Old Tenor and the Currency Crisis

The 1740s witnessed the sustained rise of anti-establishment, Country Party sentiments in Plymouth County. This rising tide would, after the catalyst of war in the 1750s, emerge as full-blown Whig sentiment in the 1760s, and as unvarnished republicanism by the 1770s. In the 1740s, the cause which set the county at strife --in Duxbury but more especially in Pembroke – was, as it would be later in American history, a question of currency.

<sup>87</sup>Duxbury Town Meeting, March 14, 1736, in Etheridge, ORD, 249.

<sup>88</sup>Ibid.

Provincial Massachusetts, according to both Thomas Hutchinson and its more recent student, William Pencak, was characterized by a duality between uniquely pure Court and Country factions – uniquely pure in the sense that the “Court Party” was composed of the royalist (and frequently Anglican) permanent administration of the colony, while the Country Party spoke entirely from issues of localist concern. In between the two, but often tending towards the Country/popular party, were those expansionist merchants who would become leading Whigs in the 1760s. In the 1740s, the Court Party supported a hard money policy, while the Country Party – along with the expansionist merchants – favored a monetary policy more favorable to debtors. Both the expansionist merchants of Boston and the popular/rural faction acted out of a combination of self-interest and ideological commitments; in the case of the former, frontier settlement, and the merchants' backing thereof, militated against hard money. On the part of the Country Party – strongly associated with actual debtors – the desire for a weaker currency fulfilled both the immediate interest of debtors as well as the ideological impetus towards a strong periphery and weak center that has in some senses dominated American life to this day.

Despite pressures at the center for a tight monetary policy, the province had been forced by both the exigencies of war and the power of the Country faction to issue a number of “loans” or emissions of paper currency. Initial forays into the issuance of paper notes occurred soon after the Glorious Revolution, with heretofore unprecedented amounts of paper money being issued by the second decade of the 18<sup>th</sup> century. In 1714 the province emitted fifty thousand pounds worth of paper notes, to be managed at the capital in Boston; two years later, in order “That the husbandry, fishery, and other trade of the province might be encouraged and promoted,” another £100,000 in notes of public credit were released. However, outlying towns, distant from the several shire towns, evidently found a medium of exchange still wanting: in March, 1721, a statute was passed by the General Court emitting £50,000 to

be disbursed to each town in the province, in proportion to their contribution to the last provincial tax. In 1728, £60,000 more in notes were issued, likewise distributed through the several towns – including on personal security – at a rate of 6% for six years. George Bancroft, a hostile observer of loose monetary policy generally, remarked that specie disappeared, flowing en masse to England; “not even a silver penny was to be had; the small change became of paper.” By 1737, facing a radically depreciated currency, the Province issued 9,000 pounds of new tenor currency, to be exchanged at a rate of 3:1 old to new tenor; after five years, they were to be redeemed in specie (silver and gold). Bancroft reports that “when the time of redemption came round they were not paid off, but by a further repudiation four pounds for one was made the rate in exchanging the old tenor for the new.”<sup>89</sup>

All of the Towns of Plymouth County were affected by provincial monetary policy; as a predominantly agricultural region, they in general supported the soft money policy of the Country Party. In Duxbury's neighboring Pembroke, for instance – split off in 1712 from the mother-town – the Town evinced its dissatisfaction with the currency supply, which, in its view, was woefully inadequate. Indeed, the Town appointed a committee to investigate the scarcity of public credit at its annual meeting, held at Pembroke on March 24, 1741. Its purpose was “to take into consideration the Difficulties of times Respecting the Scarcity of the Bill of Publick Credit & the Perplexities & Difficulties the People of this Town are under in paying their Publick dues, and to make Report what may be proper for the Town to do thereon.” This committee, officially formed at the beginning of the Meeting, reported to it later that day, after the transaction of more business concerning, inter alia, herrings and the herring brook, and a brief adjournment for a quarter hour's break. The report stands as a striking example of the Country ideology in practice at the local level.<sup>90</sup>

<sup>89</sup> This history of colonial paper money emissions comes from George Bancroft's 1886 hard money tract, “A Plea For The Constitution of the United States: Wounded in the House of Its Guardians” (New York: Harper & Brothers, 1886).

<sup>90</sup> Pembroke Town Meeting, March 24, 1741; in the Pembroke Town Book, Office of the Town Clerk, Town of Pembroke, Massachusetts.

The Committee's understanding of the political economy of provincial Massachusetts was thorough and insightful. It reported that New England suffered from a lack of silver and other forms of specie, these being exchanged by merchants, sailors, and others for “Uropian” goods, and thus flowing out of the province and across the Atlantic. American merchants, the committee alleged, bought and hoarded silver in order to maintain lines of credit with their British factors; much of this silver they directly tendered to merchants in the Metropole. This, in the eyes of the Committee, directly impoverished their fellow inhabitants of the Bay Province by reducing the metallic base standing behind notes of public credit. In a demonstration of their thoroughly non-market *mentalite'* and moral economy, the Town alleged that the merchants' prodigality “was in consequence of our being by them over traded as afores'd to make gain to themselves.” The Province and the royalist clique that governed it ought not to punish the people at large by refusing to issue notes of public credit, which were useful to the “Country”.<sup>91</sup>

The committee denounced the resistance of the provincial hierarchy to these demands for public notes, at the same time expressing a latent anti-royalism that seems never quite to have disappeared in these colonies that had cheered and harbored regicides three quarters of a century before. After acknowledging that the Court Party were indeed acting on “His Majesties Strong & Repeated Instructions to his Governour here (our Constitution notwithstanding)...”; they further charged that the King and his party on this side of the Atlantic acted contrary to the spirit of 1688 and the British Constitution, by virtue of which “the people have a Right of thinking & Judging for themselves as well as the Prince.” Together, these extraordinary declarations – that the Court Party was acting both on royal orders *and* outside the bounds of the British Constitution (and the charter of the Bay Province) – were the sort that gave the truculent New Englanders, within the British Empire at least, a reputation as

<sup>91</sup>Pembroke Town Meeting, March 24, 1741.

puritanical crypto-republicans; one hostile observer described the average New Englander as having political opinions just this side of Praisegod Barebones, the puritan revolutionary.<sup>92</sup>

The freeholders of Pembroke continued their harangue, arguing, in a line that would find consonance with the views of the expansionist merchants of Boston and the 'River God' grandees of the Connecticut Valley, that the Court Party's failure to provide a large enough supply of money would leave the province in particularly dire straits in the case of war with the French and their American Indian allies. The Town, for its part, would accept notes – either notes from an established merchant, or notes based on landed or “manufactory” (milling and iron-working, presumably) operations – in payment for debts owed to it.<sup>93</sup>

In addition to Pembroke's anti-royalism, the anti-mercantile sentiments of the Town – sentiments aimed directly at the heart of what we are sometimes told were these men and women of the market – were strongly evident. The same Committee, presumably reflecting the view of the Town, argued that the purpose of merchants was to export superfluities and import necessities. “[B]ut that has been far from our case our s<sup>d</sup> Traders seeking only their own advantage and not that of the Country, by importing [over?] goods and at extravagant rates as aforesaid”. The committee continued with an anti-mercantile, anti-Court Party peroration: “Thus far they [the merchants] can't be said to be the fathers to the Country as they be Esteemed to be but are rather Enemies to the Country, and if continue so doing the Country will be further destroyed, or Engrossed by them.”<sup>94</sup> This was the expression of a thoroughly Country mindset, anti-market at its heart: trade exists to support the country broadly considered – any “engross[ment]” beyond this is a testament not only of mercantile greed, but indeed,

<sup>92</sup>Ibid; for a denunciation of New Englanders and republicans quite generally, see Anne Grant, *Memories of an American Lady, with Sketches of Manners and Scenery in America, As They Existed Prior to the Revolution*, (New York: Appleton & Co., 1846). Grant was a Loyalist from the Hudson Valley who published her memoir in London in the early 19<sup>th</sup> century.

<sup>93</sup> Pembroke Town Meeting, March 24, 1741.

<sup>94</sup> Ibid.

of treasonous design (“are rather Enemies to the Country”), a line of reasoning which would become increasingly powerful in coming decades. Finally, this was not the sort of mindset that could in the space of another decade – or even another five decades – transform into a *mentalite'* of market-capitalism.

Meanwhile, in Duxbury, the Town Meeting endeavored to collect its proportion of the money due on the fifty and sixty thousand pound loans. A May 1, 1739 Town Meeting, for instance, appointed a committee of Samuel Sprague, Moses Soule, and Joshua Delanoe “to call upon the trustees which the said town formerly empowered in their behalf for letting out their part of the Fifty thousand Pounds and Sixty thousand Pounds of loan money, some time since emitted by the Province of Massachusetts Bay, to bring the account in relating to the management of that affair....” The committee was directed to report at the next Town Meeting.<sup>95</sup>

Though it did not report at the next of several perfunctory meetings, it did report within the year – quite literally. At a Town Meeting held on Dec. 31, 1739, the aforementioned committee were named as the replacement for the now-deceased original Town trustees for the fifty thousand pound loan (appointed in the 1720s). The Town also empowered Sprague, Soule, and Delanoe to prosecute any inhabitant who refused to pay what he owed the Town for having taken out notes.<sup>96</sup> Similarly, the sixty thousand pound loan was dealt with by a separate committee during the annual Town Meeting the following spring.

The annual Town Meeting of 1741 saw the Town voting “that the Manufactory bills of credit that are now passing among many people in this Province, shall pass as sufficient payment to defray all town charges that may arise within this town the year ensuing.”<sup>97</sup> Thus, it seems reasonable to infer that the sentiments of neighboring Pembroke regarding a medium of exchange were shared by the

<sup>95</sup>Duxbury Town Meeting, May 1, 1739, Etheridge, ORD, 263.

<sup>96</sup>Duxbury Town Meeting, Dec. 31, 1739, Etheridge, ORD, 266.

<sup>97</sup>Duxbury Town Meeting, March 23, 1741, in Etheridge, ORD, 269.

inhabitants of Duxbury. While Duxbury did not leave as impassioned and overt a testament of its soft money, Country party sentiments, its actions suggest as much: throughout the 1740s, the Town reckoned its accounts in terms of Old Tenor, and demanded payment in notes of Old Tenor only, rather than the appreciated notes more recently issued. This occurred with such regularity that it suggests that either the Town had no choice but to use notes of Old Tenor from a scarcity of newer notes; or that the rural, largely agricultural community had no desire to use newer notes; or, as is more likely, some combination of the two. Thus in August 1743, the Town “also voted that David Alden should improve the town's salt meadow marsh this present year, paying for the rent or hire thereof Eighteen pounds and Five shillings at the years end. The true intent is, that all the above mentioned charges are all to be paid in the old tenor.” In 1746 the Town expenses amounted to £179, 18 shillings, and seven pence, “and the above said charges to be paid in paper money in the old tenor.” In March, 1748, the proprietors of the undivided lands still held commonly by Pembroke and Duxbury “voted that all the money paid in, or that remains to be paid for lands sold, or any other payments relating to the premises, should [be] reckoned [in] paper money in the Old tenor.”<sup>98</sup> The province may have emitted new bills, but in the countryside of Plymouth County, Old tenor still served as the prime means of exchange.

However, the currency's depreciation reached such a point that the Court Party – after debt forbearance and a revaluation of the new tenor to Old tenor at a rate of 4:1 in 1744 – was finally able to push extreme measures through the legislature. In February, 1748 (New Style), the Bay Province, according to Bancroft “invited the governments of Connecticut, New Hampshire, and Rhode Island to join in abolishing the use of bills of credit....” Finding no takers, the General Court abolished both Old and New Tenor notes on its own, of which it estimated £2,200,000 would be outstanding in the year 1749. That January,, the General Court passed an act redeeming bills of old tenor at forty-five shillings for one Spanish silver dollar; New Tenor notes would be redeemed at a ratio of eleven shillings, three

<sup>98</sup>Etheridge, ORD, 284.

pence per silver dollar. This deeply satisfied the Court Party and the more conservative of the merchants, who saw the province's credit return -- indeed, becoming the steadiest in America, according to Bancroft.<sup>99</sup>

However, the extinguishing of the debtor-friendly currency regime – its foes would label it easy money – by the Province occasioned suffering, disaffection, and – in the eyes of the Court – seditious, if not treasonous, acts. These formed part of what sociologist Charles Tilly would call Plymouth County's “repertoire of resistance,” a wide-ranging series of individual and crowd actions and performances that are the vehicles of crowd action – in the 18<sup>th</sup> century Atlantic and elsewhere. In particular, sung and broadside balladry acted as an expression of popular dissatisfaction with the new currency regime.

In 1750, a popular ballad was anonymously printed as a broadsheet and distributed throughout the Bay Province, describing the change in monetary regime from a popular and satirical standpoint. According to a later proclamation by Lt. Gov. Spencer Phips, Esq., the publishers, distributors, and probable authors were Forbes Little, of Little-Compton (on the Rhode Island border), and one Robert Howland, of Duxbury. Entitled “A Mournful Lamentation For the Sad and deplorable Death of Mr. Old Tenor, A Native of *new-England*, who, after a long Confinement, by a deep and mortal Wound which he received above Twelve Months before, expired on the 31<sup>st</sup> Day of *March*, 1750.” Bearing the further inscription “*He lived beloved, and died lamented*” – the sheet instructed the reader to sing the ballad “to the mournful Tune of, *Chevy Chace*.” The ballad in its entirety I have transcribed in the footnote; for closer reference in the following discussion, please find it there.<sup>100</sup>

<sup>99</sup>Bancroft, “Plea for the Constitution”, 21-22.

<sup>100</sup>Old Tenor ballad, broadside, American Antiquarian Society, accessible via Evans Digital Archive. I have transcribed the words below:

A doleful tale prepare to hear,  
As ever yet was told:  
The like perhaps, ne'er reach'd the ear  
Of either young or old.  
'Tis of the sad and woful death



The ballad, lamenting the passage of Old Tenor currency in the personification of “Mr. OLD TENOR”, presented the economic, political, and social needs fulfilled by the paper money. The cheaper currency not only sustained the inhabitants of the Bay Province, procuring “mutton, beef and pork, And everything we eat,” it also allowed more sensual delights, “mak[ing] our wives and daughters fine,” and paying for the “costly wine” of the rich and the cheap flip and toddies of the poor.

Of one of mighty fame,  
Who lately hath resign'd his breath,  
OLD TENOR was his Name.

In vain ten thousands intercede,  
To keep him from the grave;  
In vain his many good works plead;  
Alas! They cannot save.  
The powers decree, and die he must,  
It is the common lot,  
But his good deeds, when he's in dust,  
Shall never be forgot  
He made our wives and daughters fine,  
And pleasèd every body;  
He gave the rich their costly wine,  
The poor their flip and toddy.  
The labourer he set to work;  
In ease maintain'd the great:  
He found us mutton, beef and pork,  
And every thing we eat.

To fruitful fields, by swift degrees,  
He turn'd our desert land:  
Where once nought stood but rocks and trees,  
Now spacious cities stand.  
He built us houses strong and high,  
Of wood, and brick and stone;  
the furniture he did supply;  
But now, alas! He's gone.

[Illegible]  
One of their riches  
Their illegible lace and [illegible illegible]  
And [illegible] their velvet breeches.

Led on by him, our Soldiers bold,  
Against the foe advance;  
And took, in Spite of wet and cold,  
Strong CAPE BRETON from *France*.  
Who from that Fort the French did drive,  
Shall he so soon be slain?  
While they alas! Remain alive,  
Who gave it back again.

Indeed, the author of the ballad attributes the physical transformation of the land itself to Old Tenor (though whether or not the physical transformation in fact created the currency, or the currency created the physical transformation, is a difficult question), turning a “desart land” into “fruitful fields,” erecting cities where “rocks and trees” alone once stood, constructing houses and filling them with furniture. Perhaps most significantly, the balladeer attributes to it – not incorrectly, and certainly in line

From house to house, and place to place,  
    In *paper doublet* clad,  
He pass'd, and where he shew'd his face,  
He made the heart full glad. But cruel death, that spareth none,  
    Hath rob'd us of him too,  
    Who thro' the land so long hath *gone*,  
    No longer now must *go*.

In *Senate* he, like *Cæsar*, fell,  
Pierc'd thro' with many a wound,  
He sunk, ah doleful tale to tell  
    The *members* sitting round.  
And ever since that fatal day,  
    Oh!, had it never been,  
Closely confin'd at home he lay,  
    And scare was ever seen.

Until the last of *March*, when he  
    submitted unto fate,  
    In *anno Regis* twenty three,  
    *Ætatis* forty eight.\*  
Forever gloomy be that day,  
When he gave up the ghost:  
For by his death, oh! Who can say  
    What hath *New-England* lost!

Then good OLD TENOR, fare thee well,  
    Since thou art dead and gone;  
We mourn thy fate, e'en while we tell  
    The good things thou hast done.  
Since the bright beams of yonder sun,  
    Did on *New-England* shine,  
In all the land, there ne'er was known  
    A death so mourn'd as thine.

Of every rank are many seen,  
    Thy downfall to deplore;  
For 'tis well known that thou hast been  
    A friend to rich and poor.  
We'll o'er thee raise a SILVER tomb,  
    Long may that tomb remain,  
To bless our eyes for years to come,

with popular feeling in New England around 1750 – the military success at Louisbourg on Cape Breton in 1745; despite the fact that this success was traded away in the Treaty of Aix-la-Chapelle as part of a continental realpolitik: led on by Mr. Old Tenor, New England's fleet and soldiers captured “Strong CAPE BRETON from *France*.” With considerable bitterness, then, did the New Englanders, in the ballad's image, raise “a SILVER tomb” over Old Tenor, satisfying the eyes, but little else.

The culture of popular balladry was one of the mainstays of informal expressions of public opinion in mid-18<sup>th</sup> century Massachusetts. Just as Old Tenor currency would find those to sing it eager paeans, other topics of public concern frequently made their way into the lungs and pipes of country chanters. For instance, in addition to several more ballads on the topic of Old Tenor Currency, a poem (in ballad form, though not naming a tune) appeared as an anonymous broadside about 1747, commenting on the removal of the Bristol County shire seat to Taunton, Massachusetts, and the cession of Bristol, Mass., to Rhode Island. Though the poet esteemed the locale at least somewhat fair in terms of distance from other Towns, it was the swampy nature of the country that most provoked his wit: “The County round to *Taunton* bound,/ There to hold their Court,/ In fine Attire, rode in the Mire,/ And so besmear'd with Dirt.” He continued: “For you may know, that Land is low,/ That when you ride that Way,/ You must take Care as you draw near,/ That miery Pit of Clay.”<sup>101</sup>

But wishes ah! are vain.

And so God bless our noble state,  
And save us all from harm,  
And grant us food enough to eat,  
And cloaths to keep us warm.  
Send us a lasting peace, and keep  
The times from growing worse,  
And let us all in safety sleep,  
With SILVER in our purse.

\*Mr. OLD TENOR was born in the year 1702.”

<sup>101</sup>Anonymous Broadside, “Some remarks on the settlement of the line....”, n., c. 1747 Copy at Evans Early American Archive via RIHS.

These ballads had the capacity to wound deeply in this small society. The Old Tenor ballad particularly outraged the Court Party. By a proclamation of April, 1751, Lt. Gov. Spencer Phips proscribed its authors, including Howland of Duxbury. Phips described the ballad, “wherein are contained many Expressions horribly prophane and impious, and such also as reflect the greatest Indignity and Contempt upon the Authority of the Legislature, and tend very much to weaken, if not subvert the happy Constitution of this Government....” The Lieutenant Governor, “With the Advice of his Majesty's Council, and at the Desire of the House of Representatives, hereby require his Majesty's Justices of the Peace, Sherriffs, and other Officers, with other his Majesty's Subjects, to use their utmost endeavors for the seizing, apprehending and securing” the authors.

And indeed, by 1750, Old Tenor's days were fading in Plymouth County and in Duxbury. The Town reckoned that year that it owed the departing minister, Samuel Veazie £147, 2 shillings and three pence “lawful money” – that is, provincial silver. However, as in other matters great and small, ensuring compliance with and enforcement of the provincial laws was a matter for the several towns, ensuring that the power of the local metropolitan elite in Boston would always be refracted through the will of the Towns, and usually unevenly enforced. Thus, later that summer, the Town voted to accept the Town charges in either lawful money or Old Tenor.<sup>102</sup>

Though the inflationary currency regime favored by the Country Party, and country towns such as Duxbury, was effectively cut off by the early 1750s, the mobilization of local sentiment, and the flexing of local political muscle, that struck a bitter, defiant note in 1750 would return, after the the extensive travails of the French and Indian War, to thunder its outrage in the crowd actions of 1765 in resistance to the Stamp Act. These popular demonstrations mark the transition point between Duxbury in the pre-revolutionary, Old Regime society of Provincial Massachusetts, and Duxbury in the age of

<sup>102</sup>Duxbury Town Meeting, July 25, 1750, in Etheridge, ORD, 305.

(increasingly revolutionary) Atlantic republicanism. The currency crisis served as a powerful prologue and harbinger.

#### IV: Towards the Stamp Act:

Meanwhile, the regular affairs of this North Atlantic English agricultural society continued their round of sunshine and snowfall, of rising and falling tides. The Town occupied itself, as it did intermittently, with settling a new minister and constructing a new Meetinghouse nearer the geographical center of the Town, on John Chandler's land (today near the intersection of Massachusetts Route 53 and Chandler Street), more easily accessible to the inhabitants of the villages of West Duxbury, Ashdod, and North Duxbury. Affairs of church and state remained thoroughly intertwined; in the spring of 1760, for instance, Ichabod Simmons, Elnathan Weston, Thomas Weston and David Delanoe were appointed by the Town “to take care of wretched boys on the Lords day.”<sup>103</sup> The regulation of the Town's free school came before the meeting in 1757, it being “voted that the school that is now kept at the North part ... of the town, should be followed and kept in each quarter part of said Town successively as their term comes....” In a reminder of the astronomical ordering of this agricultural society, it was enjoined “and so to go round with the Sun, for the future.”<sup>104</sup>

As always, the preservation of the various Town commons occupied the Meeting. Like its daughter-town Pembroke, Duxbury continued to devote significant attention and care to the regulation of the Town's several herring runs, with the largest at Island Creek, but others extant as well, with the records mentioning Green Harbor Brook's being in possession of a run. In all likelihood, the Bluefish River also hosted a spawning run of the anadromous fish, and other records (see below) mention a run on the Grist Mill Brook (i.e., Duck Hill River). At the annual Town Meeting in March of 1757, for

<sup>103</sup>Duxbury Town Meeting, May 23, 1760, in Etheridge, ORD, 325.

<sup>104</sup>Etheridge, ORD, 320.

instance, the regulations were quite specific. “Mr. Blanie Phillips and Thomas Weston were chosen to see and take care of the herring brooks and to see that no persons catch any herring upon any days this year only excepting Mondays and Fridays, and then between Sun rise and Sun set that herring are allowed to be caught....” In addition, the herring were to be caught “only by or near the tails of the Mills.”<sup>105</sup>

On the very eve of the Stamp Act, herring occupied the immediate attention of the Town: “Deacon Peleg Wadsworth and Thomas Chandler were chosen to take care of Island Creek Herring Brook, and the laws they are to see that they are observed about the herring....” As in previous decades, and as in neighboring Pembroke, the fishery regulations were highly specific, balancing milling, fishing, and agricultural interests; “but the town voted that the water may be stopped till the 15<sup>th</sup> day of April, and no longer, and the town voted that the herring must be caught no where upon the said brook, but within 10 rods of the mill tail, and but one day in the week during the time limited by law, and that is every Monday in the week in the day time between the Sun rise and Sun set....” A separate committee was chosen to “take care of the herring brook upon the Grist Mill Stream,” with different regulations from those in effect on Island Creek: there, the stream would be opened for the herring run by April 10<sup>th</sup>; as a shorter river with a longer history of intensive milling use, it is probable that the Mill Stream's water temperature reached the requisite point for the herring to begin their upstream migration earlier in the spring than Island Creek. Fish were only to be caught on Mondays between sunrise and sunset. Moreover, the fish were “only to be caught below the country road, and not below the old Waste Way....” Finally, the committee was to ensure that the fingerling herring could pass adequately downstream at the summer's end.<sup>106</sup>

<sup>105</sup>Duxbury Town Meeting, March 21, 1757, in Etheridge, ORD, 320-21.

<sup>106</sup>Duxbury Town Meeting, March 25, 1765; in Etheridge, ORD, p 331-2; several men of the Town were excused from paying the fines associated with these laws at a May, 1765, Town Meeting.

Even after the Stamp Act crisis broke, the humble work of stewardship continued in the Town. In the March Town Meeting of 1766, “the town voted that Col. Gamaliel Bradford should prefer or present a petition to the General Court in order to prevent the distraction [destruction] of the Bass in North river in the winter season....” Moreover, the cattle – likely belonging to the aristocratic Winslows of Marshfield – were evidently over-grazing the beach, allowing the dunes to erode from the drubbing of wind and waves, and threatening the protected haven of Duxbury Bay. A similar phenomenon occurred, more dramatically, in the latter 20<sup>th</sup> century, when actual driving with so-called 'beach buggy' automobiles so destroyed the protective dunes that the Beach was breached in the No-Name 'Perfect' Storm of October, 1991, necessitating repair by the Army Corps of Engineers and the subsequent banning of any activity on the dunes, as well as an annual beach-grass planting. The Town directed Col. Bradford to “present a petition to the General Court in order to prevent the cattle from feeding on the beach in order to secure or save the harbor....” The Town appointed Bradford its agent in the matter.<sup>107</sup>

The Stamp Act was received with outrage in Duxbury as in the other towns of Plymouth County and the Province – indeed, as throughout British America. The Town held a special meeting in October of 1765 to register its resistance; this meeting, and the crowd actions associated with it, would mark the effective turning point between Duxbury in the Old Regime and the openly republican Town that emerged out of the revolutionary wreckage of the old order.

The gravity of the meeting, held on October 21<sup>st</sup> – just as the red maples in the swamps and sugar maples in the uplands would reach the peak of their yearly glory – was revealed in the very purpose of its being called: “The said meeting was to see whether or no the Town would willingly comply or unite with the late act of parliament and rest contented with the stamp act as it now stands

<sup>107</sup>Duxbury Town Meeting, March 31, 1766; in Etheridge, ORD, 335.

with the English empire in America....” The alternative open to the Town was to “show their resentment against said act, and to use any measures or means that they shall think proper for to prevent said acts being imposed upon us, by giving their representative instructions to stop said act, or to use any other means they shall think proper.” In addition, the meeting was moderated by the town's representative at the General Court, Major Briggs Alden.<sup>108</sup>

At that point, a momentous vote was taken.

“And then the vote was called by the Moderator to see if they would receive the Stamp act, and it was voted in the Negative.” After this explosive development, the Town immediately appointed Capt. Wait Wadsworth, Capt. John Wadsworth, Ebenezer Bartlet, Isaac Partridge and Ezra Arnold “their committee to prepare a draft, and to give their reasons why the Town would not accept of said act, and to show so far as they were capable of it.” The Meeting was adjourned to the 23<sup>rd</sup>, two days later.

On the 23<sup>rd</sup>, the Committee gave Maj. Alden instructions as the Town's representative to the General Court. That the instructions were both highly formal and written, at length, in the Town's primary political record-book demonstrates just how seriously Duxbury, and the other yeoman towns of Plymouth County, took the imperial crisis. The instructions are made out “To Briggs Alden Esq Representative of the inhabitants of the Town of Duxburrough in the Great and General Court of the Province of Massachusetts Bay, in New England.” This formality occurs nowhere else in the records of the Town in the monarchical era, or indeed, in the era of New Plymouth; the closest approximation was the crisis of legitimacy during the Glorious Revolution, eight decades before. But the Stamp Act, and its implications, were for the Town something new under the sun.

The typically laconic tone of these Yankee Town Meetings changes entirely. “Sir,” the committee's instructions address Alden, continuing to remark that “[w]hilst all America is in a ferment,

<sup>108</sup>Duxbury Town Meeting, October 21<sup>st</sup>, 1765; in Etheridge, ORD, 333.



and every patriotic Breast is glowing with resentment at the heavy and intolerable burdens imposed upon us by the late Act lately passed in Parliament of Great Britian [sic], We your constituents, the free holders and other inhabitants of the ancient and first incorporated Town of Duxburrrough,” – rarely did the Town find it necessary to pull the trump of its relative antiquity; this must have been a great occasion – “think it their incumbent duty to inform you of their sentiments upon this important and alarming affair, that you, Sir, may be able in the approaching session of the Grate and General Court, to act according to their declared minds.”<sup>109</sup>

The Town's declared mind was decidedly against the Act. “We esteem the said Stamp act to be unconstitutional and subversive of the rights and privileges of his Majesty's American Subjects....” It was “contrary not only to the Royal Charter granted to our Ancestors, and to Magna Charter, the great Charter of British liberty,” but it was contrary to the norms of the United Kingdom, and “likewise to the grand prerogative of human Nature, and to that liberty wherewith Our Blessed Lord hath made us free....”<sup>110</sup> Here then, was a declaration of human rights ten years before the Declaration of Independence, a declaration, though, couched in the language of Enlightenment New England's particular view of human rights, reliant on (especially constitutional) precedent, and, ultimately constitutive of human identity itself – reliant, at a distant level, on divine Providence; this was Massachusetts, after all, even if it was the Old Colony.

The town predicted “that if this act should take place in this Province in the present distressed condition, we should be involved in inevitable ruin.” The Town “therefore enjoin[ed] and instructe[d]” Maj. Alden “that you neither directly nor indirectly be aiding, favoring, countenancing, assisting or any other ways instrumental in promoting the putting the said Act in execution....” Rather, he was to “oppose the same with all the eloquence and address you are master of, and that you use your utmost

<sup>109</sup>Instructions of the Committee.... at Duxbury Town Meeting, Oct. 23, 1765; in Etheridge, ORD, 334.

<sup>110</sup>Ibid.

endeavors too vindicate our precious rights and privileges....” In another, quite New England reminder of the townsmen's long habitation of the Atlantic's western shore, and long opposition to that *bete noire* of the Whig mind, Stuart absolutism, the instructions alluded precisely to “those privileges for which our fore fathers bled, for which those Heroic spirits bid adieu to the tyranical [sic] government to the ill boding name of the Stuarts, travelled the vast Atlantic, and sat down in these then deserts of America, and for which Sir, we their descendants esteem dearer to us than our lives.” The committee continued its charge, giving evidence of the crowd action which had greeted the Stamp Act at Boston, and showing strong sympathy with it: “We likewise enjoin it upon you [Maj. Alden] to oppose in the strongest manner any motion or motions that may be made in the General Assembly, to make a relation or compensation for the riotous proceedings at Boston.”<sup>111</sup>

Similar denunciations and instructions were being issued throughout British America. So vociferous were these demonstrations that the Grenville ministry fell and at the instance of the new Pitt ministry, Parliament voted for a repeal of the Stamp Act in January, 1766. News reached New England in early Spring, and at the annual Town meeting that March, a full half of the town's powder was voted to be used for celebrating the repeal. Indeed, on this occasion, as on others, the people of Duxbury engaged in 'typical' 18<sup>th</sup> century crowd action, as had the inhabitants of Boston whose riotous response to the Stamp Act elicited the Town's sympathy. Justin Winsor, writing eight decades later, described the scene:

Soon after the arrival of the news, it was proposed that there should be a meeting on Captain's hill. Accordingly great numbers assembled, formed themselves into a procession, paraded around the town, and finally marched to the hill, whither they brought six carriage guns and fired a salute. They also carried to the summit effigies of Lords Grenville and Bute, and hung them upon a gallows, which they erected for the occasion. They now selected an orator in the person of Joseph Russell, whose simple wit, and unadorned language, as he addressed himself to the images before him, caused considerable merriment, and his untutored gestures with the exceedingly comic appearance of his figure, caused a forgetfulness of the true solemnity of their rejoicings. Turning to the effigies he began, “Gentlemen, you see now what

<sup>111</sup>Instruction to Maj. Alden, in Etheridge, ORD, 334.

you've come to. You remember Haman and Mordecai, do ye? You tried to make slaves of them that ought to be free, and you come to the gallows yourself that built it for us, ye have! Such men as you don't have any fear. And there ye are before the gallows for being so set in your own ways! It would ha' been just upon ye, if they had taken that paper ye sent over to us, and wrapped ye up in it and burnt ye up, it would! But 'twould have been too honorable a death for ye. The gallows was what ye deserved, and there ye are now hanging before us, ye are. You're spited at home and abroad, indeed ye are. Your own kith don't like a traitor, they don't I know." The effigies which had during this time been burning now fell to the ground, and Russell continued, "There I thought your station was below. I didn't think it was above. If ye'd been an honest old ditcher as I am, ye'd never come to this, ye would n't."

The rest of the day, according to Winsor, was spent in relaxation celebrating the repeal.

Though the Town records do not betray it, crowd action of this sort seems to have been, if not typical, at least a part of the repertoires of resistance and regulation that belonged to the society of 18<sup>th</sup> century Plymouth County. The Rev. Benjamin Kent noted, and Justin Winsor reported, that the same Joseph Russell ("Joe", to Winsor) was a participant in at least one other crowd action; given the description of Russell, it is entirely possible, if not likely, that he took part in more. Note here also the relatively casual quality of crowd action, one that jibes with the descriptions proffered by that holy trinity of 18<sup>th</sup> century crowd studies, E.P. Thompson, Charles Tilly, and George Rude':

Another story is told of Joe, equally humorous. It happened that there had been a "skimmington fooler," as it was called, in which a man had been ridden on a horse, followed by a crowd of men and boys dressed in the manner of negroes. The person had been cruel to his family. Some of the individuals were afterwards prosecuted by the king's attorney at Plymouth; and, while the trial was going on, Joe was called as a witness. Taking the stand he began to relate several laughable stories, which vexed the attorney, who appealed to Gen. Winslow, the presiding judge, and said, "Is it sufferable that this man should stand here and talk so." The General however who was much amused suffered him to finish his talk. The attorney then asked him, if he could not think of any one, who was engaged in the affair, when Joe turning to the General, said, "Yes I do. May it please your honor 'twas you." "Me!" replied the Judge, "why did you think it was me!" "O!" returned Joe, "he was dressed in a great surplice, and looked very like you, how he did." The Court now joined heartily in a laugh, and the old General, laying aside the dignity of his office, engaged in it loudly as any of them.<sup>112</sup>

Plymouth County, then, was no stranger to crowd action. In the coming decades of resistance, revolution, and republicanism, crowd action of this sort would become central to the political life of the county.

<sup>112</sup>Ibid., Winsor quoting from the notes of Rev. Benj. Kent.

As the 1760s dawned, then, Duxbury was firmly ensconced in the Old Regime – of the Country Party, to be sure, but nevertheless a constitutive and vital element of the old order. In the decades following the Stamp Act, this old, hierarchical order would be overthrown, and replaced by a ready republicanism, influenced by the Commonwealth ideology of the more articulate of the Puritan revolutionaries of the 17<sup>th</sup> century. This overthrow would involve physical violence and changes in the land. However, while the various indices of production would change (e.g., more iron would be dug from the ponds and bogs in order to cast cannons), this would remain a non-market society, one, that is to say, not primarily motivated in economic or spiritual terms by a market mentality. Only later decades would witness that revolution.

### Chapter 3: Pembroke, Massachusetts, in the Old Regime, 1691-1765

It is a distinctive feature of life in Plymouth County that, unlike other regions of the United States being swept by market revolution, it – like the counties of E.P. Thompson's rural England – had known settled agricultural lifeways for many decades before market forces began their conflagrating sweep; unlike, say, the Red River metis peasantry described by Gerhard J. Ens, the inhabitants of the several towns of Plymouth County had known more than two decades of peasant economic organisation, combined with a distinctively democratic (and literate) political culture.

Of course, prior to all of this were the first inhabitants. Occupation of southeastern New England by American Indian peoples began at least 4,300 years before the present. There is evidence of an Inuit-like, Archaic culture in the region, living at the edge of the retreating glaciers on a margin of tundra and taiga. One of their campsites has been located near Assawompsett Pond, the largest lake in the County (and in the Commonwealth, if the man-made Quabbin Reservoir is excluded). An object

that has been described as a crescent-shaped knife, with another possibility being a fishing lure, has been found.<sup>113</sup>

The Ponds of Pembroke – that neighborhood known once upon a time as Nemattakeesett to the eastern Algonquians who lived in Plymouth County during the Contact period -- stretch from Oldham and Furnace Pond, and the other ponds of Pembroke, and through several Cedar Swamps to Monponsett Pond, a large lake nearly evenly divided into eastern and western portions by a series of long peninsulas and islands. Monponsett Pond was the dividing line between Massachusett and Wampanoag hunting grounds, with the former people – greatly reduced after the plague of the 1610s – possessing usage rights of the northern and western shores of the Pond, and the Wampanoags to the eastward and south. This spot constituted a kind of fulcrum point around which revolved the lives of the semi-nomadic, Algonquian-speaking horticulturalists and fisher-gatherers of that portion of coastal Norumbega which would become mid-Plymouth County. Here, in the early spring, the band would move from the inland swamps with ice-out, moving over the pond country towards the streams that flowed from it. These streams, especially the Herring Brook, would swarm with alewives, blueback herring, and later in the spring, shad, providing the band with a much-needed respite from late winter leanness in New England. After these great fish runs came predatory game-fish, especially the prized striped bass (*Morone saxatilis*), a large and valuable food fish, which would travel up the coastal rivers after the smaller herrings and shad. These bass were taken in profusion by the Wampanoag and Massachusett peoples of southeast Massachusetts in the late spring and early summer. Indeed, the colonists at New Plimoth give evidence of such in *Mourt's Relation*, when they describe multiple occasions of Indian bass-fishing. The English, being engaged in an embassy to Massasoit at his seat on

<sup>113</sup> Town of Hanson, Massachusetts, Historical Committee, *History of the Town of Hanson*, 1959, ch. 1. On the catastrophe of the plague among the Massachusett, see Dane Morrison, *A Praying People: Massachusetts Acculturation and the Failure of the Puritan Mission, 1600-1690* (New York: Peter Lang, 1995).

Narragansett Bay, were guided westward by Tisquantum, the first of a trail of ill-starred culture brokers in southeast New England that would end with John Sassamon beneath the waters of Assawompset Pond in 1675. The party passed through the village of Nemasket, near the Old Wading Place in Middleboro, on the river eponymously labeled the Nemasket, and continued westward, the trail coming to a place called Titicut, on the Taunton River, two miles southwest of its confluence with the Nemasket. The party “came thither at Sunne setting, where we found many of the *Namascheucks* (they so calling the men of *Namaschet*) fishing upon a Ware which they had made on a River which belonged to them [ i.e., the Taunton], where they caught abundance of Basse. These welcomed us also, gave us of their fish, and we them of our victuals....”<sup>114</sup>

Later, after the party's arrival at Sowams, the village of Massassoit on Mt. Hope Bay where the Taunton flows into Narragansett Bay, the Englishmen reported that Massassoit “brought two fishes that he had shot, they were like Breame but three times so bigge, and better meate.”<sup>115</sup> These, the editor/annotator makes a good case for being striped bass, noting that Feffenden's *History of Warren, R.I.* identified them as such from their habit of feeding near the surface, and that Roger Williams stated “They kill Basse (at the fall of the water) with their arros, or sharp sticks, especially if headed with iron, &c....”<sup>116</sup>

In 1662, Major Josiah Winslow purchased much of what later became the Town of Pembroke from Massachusetts sachem Chickataubut. One thousand acres proximate to Oldham and Furnace Ponds were reserved for the sachem and his descendants. Like much of Plymouth County, the town was on the front lines of King Philip's War, with the firing of houses in what became the neighboring town of

<sup>114</sup> Henry Martin Dexter, ed. *Mourt's Relation Or Journal of the Plantation at Plymouth* (Boston: John Kimball Wiggin, 1865), 102.

<sup>115</sup> *Ibid.*, 108.

<sup>116</sup> *Ibid.* See footnote 354.

Halifax, and possibly even Colonel Bradford's House, less than a mile from the bay on the lower reaches of the Jones River in what would become the Town of Kingston.<sup>117</sup>

## II: Physical Geography of Pembroke

When Pembroke – originally Brookfield – was set off from Duxbury after years of conflict in 1712, its physical area encompassed that of both modern Pembroke and its western neighbor, and formerly the western precincts of Pembroke, Hanson. Thus, at that time, the Town consisted of more or less 39.2 square miles (there were other territorial arrangements over the years between the several towns of the county that render this number more or less approximate) , centered around the Ponds of Pembroke (Namattakesett), several large lakes lying at the top of the watershed of the North River and its valley. These ponds, all of which are relatively shallow (around 10 ft., with maximum depths near 13 feet), are fed by local rivulets and their own springs; they also discharge into the Herring Brook, which joins the Indian Head River, rising in an upland to the north of the Ponds, to form the North River. This river becomes tidal a few hundred yards after the confluence of the former two streams, winding through expansive and ecologically rich salt-marshes and meadows that mark the northern border of Pembroke. Because they are one of the crucial source-waters for the North, the Ponds are the end each spring of the migration of the several anadromous fish species of the Gulf of Maine – the alewife, the blue-backed herring, the shad. The land to the east of these ponds is 21<sup>st</sup> century Pembroke; the land to the west, Hanson. To the east, the land is rolling and intermittently brokenly hilly, with a large drumlin, Mile Hill, sitting in the northeast corner of the Town. The western portion is dominated by lowlands, and especially the northern half of the Great Cedar Swamp; this swamp, extending into

<sup>117</sup> Litchfield, *Ancient Landmarks of Pembroke*; on Bradford, see T.B. Drew, *Historical Sketch*, (Kingston, Mass.: 1876).



neighboring Halifax, has today been cut down and given over to cranberry agriculture, but it was then a critical feature of the Town's physical space and ecological and economic life.

Taking the eastern section of the Town first, the eastern borders lie upon political lines first agreed upon -- though subsequently subject to several revisions -- when the Town was set off from Duxbury in 1712. Starting along the shore of the North River in the northeast corner of the Town, the border with Marshfield, and then with Duxbury, runs through and along rough, wooded, glacially formed hills, low in ultimate elevation, but still uneven and quite steep in proportion; important among these is Mile Hill or Long Hill, so called because of its ovoid elongation, nearly over the space of a mile -- features typical of the glacially bulldozed drumlins. Running first southeast and then southwest, the border encompassed the villages of both North and East Pembroke, the former down the valley of Pudding Brook from the latter, which sat near the common meeting point of Duxbury, Marshfield, and Pembroke. Pudding Brook, fed by McFarlane Brook, a small, swampy stream running southward into Pudding Brook, flowed north-northwest towards the North River, meeting with the Herring Brook just before the latter's confluence with the Indian Head to form the North. Along these latter two streams, quite high land, good for pasturage, falls precipitously to a hemlock-shaded gorge where the Indian Head cuts through bedrock.

Continuing southwest, the border with Duxbury cut across the far upper valley of Pine Brook, a tributary of the Jones River that emptied into Kingston Bay; it then swung east-southeastward to meet the Brook itself, continuing along its western bank until finally swinging back westward to encompass the northern end of the approximately 600 acre Jones River Pond, the source of that stream, today called Silver Lake, and the primary source of water for the City of Brockton (pop. c. 100,000). The border continued westward on the western shore of the lake, running just south of the Stetson Pond, the southernmost of the Ponds of Pembroke, and continuing westward and changing watersheds, touched

Monponsett Pond – a lake of about 1,000 acres and in the upper headwaters of the Taunton, flowing to Narragansett Bay, before continuing west through the Great Cedar Swamp.

### III: Formation of the Town and Early Political History

After the successful, decades-long agitation for separation of the interior villages of Duxbury, centered around the settlements at Namasakeesett, by the large ponds that provided the headwaters of the North River, the issue was decided by an Act of the General Court, which called for the incorporation of a new Town. The Town was originally named Brookfield (perhaps an allusion to the predominant geographical features of a town encompassed by and intersected with rivers and their attendant meadows), only being changed to Pembroke subsequently (supposedly in honor of the Earl of Pembroke; it has also been suggested that it was after Pembroke College, Oxford, apparently the alma mater of one of the founders).

Being composed of literate New Englanders, the Town carefully recorded its first corporate act in the first entry in the Town Book, on the 7<sup>th</sup> of January, 1712 (Old Style); Mr. Joseph Stockbridge was the Moderator. As its first act, the Town selected Lieutenant Josiah Barker, of the locally prominent Barker family, to adjudicate the boundaries with the now-diminished parent-town of

Duxbury.<sup>118</sup>

<sup>118</sup> Pembroke Town Meeting, January 7<sup>th</sup>, 1712, in Pembroke Town Book, Office of the Town Clerk, Pembroke, Massachusetts. Stockbridge's position as Moderator is not literally indicated, but Stockbridge's name is included in the position for the name of the Moderator in the vast majority of other meetings of both Pembroke and the other Towns in this study. Therefore, I do not believe it an unreasonable supposition that Stockbridge served as the first Moderator. Duxbury had also experienced the “loss” of Bridgewater (New Duxburrough Plantation, in the upper Taunton valley) in the 1650s.

This was evidently a somewhat perfunctory occasion, as the Town held a second, larger meeting early that spring, in accordance with an already-developed New England tradition. At the end of March, the Town chose selectmen (Francis Barker, Joshua Cushing, and the above-mentioned Joseph Stockbridge). It also attended to the vital business of setting up the basic and essential institutions of the Town, such as the Meeting House and the disposition, and preservation, of common resources. Thus “it was also voated that the present select men should settle bounds between the Commons whare the metinghouse stands”, near the “Afsd. Barkers land and also to lay out any way” by “Afsd. Barker's land whare it might be thout moast [convenient] for the publick and least prejuditiall to the owners of the land.” The Selectmen were directed to report back to the Town at the next Town Meeting.<sup>119</sup>

As in neighboring Duxbury, these years, in the second decade of the 18<sup>th</sup> century, were in many cases devoted to the construction of essential infrastructure throughout the county. The next year, in a Town Meeting of February 5<sup>th</sup>, a full £5 was voted “to Captain Cushing for building the bridge between the herring ponds”; these ponds, the source of the Town's herring brook, constituted both a vital public commons and a transportational bottleneck. To Joshua Cushing, the Town Meeting voted £2 for the upkeep of the Town animal pound. In addition, Francis Barker, another member of the local elite, received £2, 12 shillings for a set of law books – a sign that, where in Iberian America, one would find notarial records and paraphernalia, here there were lawyers.<sup>120</sup>

<sup>119</sup> Pembroke Town Meeting, March 31, 1712, in Pembroke Town Book.

<sup>120</sup> Pembroke Town Meeting, February 5<sup>th</sup>, 1712/13.

By the 1720s, the rhythm of the Town's self-government was well-established. At the annual Town Meeting in late March, 1726, in a ritual that had become customary, “It is voted, swine to run at large yoked and ring<sup>d</sup> accord<sup>g</sup> to Law....” Samuel Keen, Elias Magoone, and Abraham Pearce were chosen “hog reves.” ....

The annual Town Meeting of 1720 was marked by matters typical of that decade. On May 16<sup>th</sup> of that year, Captain Thomas Barker was elected to the General Court, and in a sign that the effective diffusion of education was coming more to the fore of the Town's collective mind, it was “voted that the school should be kept at Backs End of the Town five months and a half.” At the same meeting “it was voted, That if any ram shall be found running at large without his Inclosoar upon y<sup>c</sup> Commons or high ways after the First Day of August next Ensuing until the 10. day of November following, all such ram oor rams so found shall be forfeited....” This bylaw, clearly designed to prevent wandering ungulates from freely grazing on the village's crops during the harvest season, indicates that free-range grazing was, if not necessarily the norm, at the very least widely tolerated and indulged in in this relatively recently settled agricultural society. Moreover, the townspeople's minds were concentrated by the law's further stipulation that the forfeited livestock would be distributed thusly: “The one Mojaty [moiety, i.e., one half] to y<sup>e</sup> person y<sup>t</sup> takes him up and y<sup>e</sup> Mojaty to the poor of this Town....” The act was to continue “Annually for Five years.” Finally, the Meeting voted that three men should be chosen to inspect the highways and the Common lands, to see if any “Incroachments” had been made; an indication not only of the Town's practical determination to guard its common liberties, but also perhaps a memory, deep in the folk consciousness, of enclosures on the other side of the Atlantic.<sup>121</sup>

<sup>121</sup> Pembroke Town Meeting, May 16, 1720. See Allan Kulikoff, *From British Peasants to Colonial American Farmers* (Chapel Hill, NC: University of North Carolina Press, 2000).

The Town Meeting of 1729 was held unusually early, on the 9<sup>th</sup> day of February (O.S.). Captain Thomas Barker was chosen moderator, while the Town made choice of Mr. Solomon Beale to defend against “the action Common against this Town, by Joseph Fish, Gent[leman], for keeping school, or agree with him....” This action – the Town's dilatory payment of the schoolmaster – indicates that the Town, while certainly a more communitarian society than the early 21<sup>st</sup> century United States (a low bar, to be sure), was neither precisely a “peaceable kingdom.” Rather, then as now, a real contest of material interest took place within the framework of certain communitarian structures, such as the Town Meeting.

Capt. Francis Barker, kinsman of the Moderator, was paid one pound “for 2 days Running the line betwixt Duxboro and this Town”, while two pounds and sixteen shillings were paid to the above-mentioned Solomon Beale “for 258 [feet] of 2<sup>1/2</sup> Inch plank at Mill and Carting y<sup>e</sup> same to y<sup>e</sup> bridge near y<sup>e</sup> Old Forge....” Thus, in addition to the very real tasks of administering the institutions of Town life, such as the schools, the Town Meeting also concerned itself with the physical and psychological processes of inscribing an English agricultural landscape on lands that had not been English a century before. Both the making of the boundary with Duxbury, and the cutting of the planks for the Town's use in producing English-style structures, in their own way, contributed to this project.<sup>122</sup>

That November, the Town considered the matter of debts it owed; its manner of dealing with these debts is instructive. The Town “allowed” £3:00:0 to Mr. Thomas “for Interest of y<sup>e</sup> Money unpaid in the past & till March next....”<sup>123</sup> Proponents of the idea, going back to Louis Hartz but more recently revived by scholars such as Winifred Barr Rothenberg, that early America was more or less a capitalist, or market, society, might conclude that this early indication of interest payments is a vindication of their claims; but interest alone does not a market society make. Indeed, if any society in which some

<sup>122</sup> Pembroke Town Meeting, February 9<sup>th</sup>, 1729.

<sup>123</sup> Pembroke Town Meeting, Nov. 1729. Also notable at this meeting is the mention of a man named Spanish Brown, evidence, at an early date, of the multi-ethnic character of the community.

notion of interest were operative is to be considered a market society, the definition of the latter must stretch to the breaking point; for it must extend the category of capitalism to encompass, for instance, the economic world of the ancient Mediterranean. In fact, interest payments, like trade – both domestic and foreign – have been features of both capitalist and non-capitalist economies alike, from the Roman Empire to the U.S.S.R.<sup>124</sup> What is notable in the instance of Pembroke, Massachusetts, at the end of the third decade of the 18<sup>th</sup> century is precisely how non-capitalist the interest under discussion appears. A vague and unspecified amount of “Money unpaid in time past” – and due through the next March, the next fiscal year as it were – is referred to; and £3 interest is paid to its lender; but no rates of interest are ever mentioned, nor any specific terms or length of the loan. Finally, the purpose of the loan, though never explicitly mentioned, appears to be rather closer to communitarian notions of the common obligation of all freeholders in the Town than it does to the overt, rent-seeking behavior of 21<sup>st</sup>, or even 19<sup>th</sup> century, capitalist investors.

The next year, the annual Town Meeting was divided in half; the initial meeting was held on March 2<sup>nd</sup>. During this meeting, only the essential offices of State, as it were, were filled. Aaron Soule was chosen Moderator, as well as one of the three Selectmen (the others were Samuel Jacob[?] and Solomon Beale). John Keen was chosen constable in the “sted” of Isaac Taylor.<sup>125</sup>

The substance of the Town's business was dealt with at a second meeting on March 30<sup>th</sup>. In a sign that the Town was engaged in the maintenance of the infrastructure of this reproduced, English agricultural society, Captain Francis Barker was “chosen to Joyn in Conjunction with y<sup>e</sup> agent of Hanover to mend the North River Bridge, according to order of Court.”

<sup>124</sup> See, for instance, Louis Hartz, *The Liberal Tradition in America: An Interpretation of American Political Thought Since the Revolution* (New York: Harcourt, Brace & World, 1955); Winifred Barr Rothenberg, *From Market-Places to a Market Economy: The Transformation of Rural Massachusetts, 1750-1850* (Chicago, University of Chicago Press, 1992).

<sup>125</sup> Pembroke Town Meeting, March 2, 1729/30.

The Town's business also concerned the still extant aftermath of the final English conquest of southeastern New England over fifty years before: the Indian inhabitants of Pembroke. The Town voted Elisha Bisbe “agent for this Town to Inquire of y<sup>e</sup> Gent men of Boston that ar Commis<sup>r</sup> for y<sup>e</sup> Indians if they will allow this Town for y<sup>e</sup> room y<sup>e</sup> Indians have y<sup>e</sup> Meeting House.”<sup>126</sup>

Finally, in a reminder of the hold the Meeting House exerted over the Yankee mind in this time and place, the Town busied itself with lengthy discussions of the disposition of pews in that Meeting House. Pews were formally opened to the highest bidder – a sign not necessarily of capitalist transformation, but a situation in which the bylaws of the community reflected the very real division of 18<sup>th</sup> century Anglo-American society between the better sort, the middling sort, and the poor; the pricing scheme for pews was far likelier to ensconce already established families, like the Barkers and the Soules, than to allow for the not-yet-existent capitalist bourgeois parvenu access to the forefront of society. Indeed, in a sign that Pembroke on the edge of the 1730s was still a traditional, corporate society, the right to bid for pews was limited exclusively to freeholders of Pembroke. This communitarian aspect of life in 18<sup>th</sup> century Pembroke is thrown into further relief by the additional vote of the Town, “That part money that y pews were sold for shall be to Discharge y<sup>e</sup> poor mens rates towards y<sup>e</sup> building the Meeting House, that are releas<sup>d</sup> this Meeting.” Progressive taxation, a feature of Hanoverian Britain, was reproduced, at least in this microcosmic sense, in New England.<sup>127</sup>

The task of transforming the lands around the ponds of Nemasakeesett into an English agricultural landscape continued apace. At a meeting later that year, on the 17<sup>th</sup> of June, the Town “Vot<sup>d</sup> 20<sup>s</sup> per head to any person that belongeth to this Town that shall kill any wild cats in this Town between this day & y<sup>e</sup> 1<sup>st</sup> of March next, and bring the head to one of the select men.” That wild cats –

<sup>126</sup> Pembroke Town Meeting, March 30, 1729/30

<sup>127</sup> Pembroke Town Meeting, March 30<sup>th</sup>, 1729/30; June 8<sup>th</sup>, 1731.

presumably bobcats, but also with some likelihood of roaming cougars – still prowled the swamps and forests of Plymouth County underscores how short the distance was between 18<sup>th</sup> century Pembroke and frontier conditions. Moreover, the problem of wild cat predation upon livestock and other farm animals was not a passing one. The Town voted two years later a similar “premium of 20<sup>s</sup> per head of wild Cats that shall be killed within this Town by y<sup>e</sup> Inhabitants within one year.”<sup>128</sup>

Nor were wild felines the only problem species from the point of view of this agricultural society. Later in the 1730s, at the annual Town Meeting at the end of winter, it was “voted to give two pence per head from y<sup>e</sup> 7<sup>th</sup> March to y<sup>e</sup> 10<sup>th</sup> of May for Blew Birds Cal'd Jay Birds Black Birds Woodpeckers Squirels Chewits Crows & Red Thrashers killed, within y<sup>e</sup> Town by Inhabitants Thereof & one penny per head y<sup>e</sup> Rest of y year to be out of y Town Treasury where of Heads are to be carried in.”<sup>129</sup> The greater bounties paid during the planting season for bluejays, crows, and other birds and animals likely to eat newly seeded crops, underscored the crucial importance placed on the success of the agricultural year at its outset. Of course, that there was an extra bounty paid out might cause certain naïve enthusiasts of the market to detect the operations of classically liberal economics here; but one might as well decry it in the operations of a Roman general disbursing differential bounties to his troops.

On November 30<sup>th</sup>, in a pattern that characterized the Town's political and communal calendar for the majority of the 18<sup>th</sup> century, a final Town Meeting was called, dealing primarily with budgetary matters, but also with miscellaneous business left unfinished throughout the year. Providing jurymen was one of these latter. Isaac Turner, for instance, was chosen for the trial jury “at his Maj<sup>ties</sup> Inferiour

<sup>128</sup> Pembroke Town Meeting, June 17<sup>th</sup>, 1730.; June 8<sup>th</sup>, 1731. Hezekiah Keene and Rouse Howland were both paid £1 “for a wild Cats head” at the latter meeting.

<sup>129</sup> Pembroke Town Meeting, March 7<sup>th</sup>, 1736.



Court of Com. Pleas to be holden at Plymouth on the 3<sup>rd</sup> tuesday of December next....”<sup>130</sup> Thus, the operations of the royal provincial government extended even into this relatively remote community.

As for budgetary matters, £20:00:00 were paid out to Rev. Mr. Daniel Lewis “for his support”. Moneys – or rather materials worth this amount, as this was almost certainly given in 'country pay' of cord-wood and corn and other real products of the land – were also disbursed for the support of those within the community who were incapable of supporting themselves. The household of Samuel Ramsdell was recompensed for nursing the child of the Widow Hayford from “y<sup>e</sup> 11<sup>th</sup> of May to y<sup>e</sup> 13<sup>th</sup> of June”; Dr. Loring was paid £6 “for his Doctring y<sup>e</sup> Wid<sup>w</sup> Hayford”; and further money was provided to the Widow Margery Crooker to sustain her. Six years later, Isaac Barker was granted 3£, 10 shillings “for keeping a stranger y<sup>t</sup> Died att his House & his Burial sd Barker paying also for y<sup>e</sup> winding sheet[.]”<sup>131</sup>

These payments to the sick, the weak, the poor, and the unlucky were no aberration, but rather an essential part of the communal compact that constituted the 18<sup>th</sup> century New England Town. The Town constituted the primary source of what might today be called social welfare services; in this respect, it was a force outside, and often opposed to, any kind of market *mentelite*'. Common concern for the weakest members of the community was expressed, albeit imperfectly, in legislation and action by the town. This, too, was an aspect of the corporative order.<sup>132</sup>

On one occasion, extremities of misfortune and importunity drove Resolved Stetson, “of this Town, an Impotent poor man”, ultimately because of his lameness, to sign over his estate and, indeed, himself, to the care of the Town, both “for y<sup>e</sup> care of & subsisting him & getting proper help of or by

<sup>130</sup> Pembroke Town Meeting, Nov. 30<sup>th</sup>, 1730.

<sup>131</sup> Ibid; Town Meeting, Sept. 15, 1736.

<sup>132</sup> Town Meeting Sept. 5, 1737

Doctors:” Joseph Ford and John Magoon were voted to take care of the monetary aspects of the unfortunate Stetson's case.<sup>133</sup>

This thorough-going communitarianism had its dark side, especially for unpopular, unusual, or unfamiliar individuals. The traditional practice of “warning out” – that is, of legally remitting a person in colonial New England back to their “native” Town – occurred in 18<sup>th</sup> century Pembroke and other towns in Plymouth County. In 1739, for instance, it seems that insufficient common resources drove the Townsmen of Pembroke to warn out several individuals: “And whereas itt is Suggested to y<sup>e</sup> Town y<sup>t</sup> Bethiah Rogers & sd wife and children of Thomas Elmore being in a suffering Condition for want of Food & Raiment who having Formerly been Warn'd out of Town pursuant to law voted y<sup>e</sup> select men Enquire Into y<sup>e</sup> matter & take y<sup>e</sup> [step] by law provided & send y<sup>m</sup> to y<sup>e</sup> Town from whence they came.”<sup>134</sup>

While New England, and Massachusetts Bay especially, have been rightly noted for their relatively highly developed system of common schools in the colonial period, the Old Colony appears, if not a laggard, at least not motivated with the same educational zeal as the Home Counties of the Bay Colony. Several of the towns of the County, including Pembroke, frequently found themselves being hauled before the General Court (which at this point still maintained some judicial functions) for failing to meet provincial standards. Thus the Town voted on the 1<sup>st</sup> of February, 1730/31, that Elisha Bisbee should represent the Town in one such case; Bisbee was “Chosen to answer this Town's presentment for this Towns not keeping a Gram<sup>r</sup> school” as mandated by provincial law going back to the 1640s.<sup>135</sup>

But the Town's reluctance to defray the costs of education continued throughout the decade.

While 10 pounds had been disbursed to the school-teacher earlier in the year, and a committee chosen

<sup>133</sup> Pembroke Town Meeting, March 28<sup>th</sup>, 1739.

<sup>134</sup> Pembroke Town Meeting, March 28<sup>th</sup>, 1739.

<sup>135</sup> Town Meeting, Feb. 1, 1730/31

to locate a spot for a school farm, nevertheless, at a Town Meeting held on the 14<sup>th</sup> of December, 1736, “their was a vote Cal'd to se whether y<sup>e</sup> Town would have a grammer school & itt passt in y<sup>e</sup> negative.” Instead, the Town voted that the already extant school and school-master “should stand for the present”. In 1738, the Town paid for that decision. It was forced to appoint “one or more of y<sup>e</sup> select men [to] answer as agent or agents of the Town” for “y<sup>e</sup> presentment for want of a grammer school” at the Court of the General Sessions of the Peace, in the County Seat at Plymouth.<sup>136</sup>

Later that year, in addition to voting the Rev. Mr. Daniel Lewis £150 above his normal salary, the Town “voted yt ye school should be Kep 4 month In ye middle of ye Town at 4 months at Each End ....” Forty pounds were voted for the support of the school for that year. Thus, the Town did indeed bend, at least somewhat, to the provincial will emanating from the General Court and the Governor in Boston.<sup>137</sup>

Similar patterns of a settled, New World, English agricultural society prevailed throughout the 1730s. The physicality, the roughness, of life before the machine age becomes evident, as when the Town granted 17 shillings to John Keene, Junior, “for Carrying the Wid<sup>w</sup> Hayford to Goal [jail] and Clearing the Herring Brooke.”<sup>138</sup> Whatever her reason for going to court, the Widow Hayford could not make it there on her own. The lengthy, strenuous, cold, and wet process of “clearing” the Herring Brook – that is, removing obstructions like rocks, logs and branches, deposits of silt or sand, and other detritus of the fierce New England winters – was a young man's task; it was, nevertheless, crucial for the maintenance of the herring run on which the Town relied toward the beginning of Spring. Elisha

<sup>136</sup> Pembroke Town Meeting, September 15, 1736; 14 December 1736; May 15<sup>th</sup>, 1738.

<sup>137</sup> Pembroke Town Meeting, Nov. 13, 1738.

<sup>138</sup> Pembroke Town Meeting, Sept. 11, 1732.

Bonney and Comfort Bates were voted seven shillings and nineteen shillings, respectively, for clearing the Brook five Septembers later.<sup>139</sup>

Indeed, the Town grew increasingly concerned with herring and other anadromous fish as the 18<sup>th</sup> century wore on. With the Town duly incorporated for twenty years, and settled for nearly seventy, ecological pressures, including on the anadromous fishery, must have become increasingly significant, enough so that public action to preserve the common resources of the country was deemed necessary. Thus, in May, 1736, it was voted at a Town Meeting “that Capt. Cushing & Lew<sup>s</sup> Jacob be the men to treat with y<sup>e</sup> Town of Hanover about y<sup>e</sup> Fish going up Indian Head River.”<sup>140</sup> Indian Head River, as the upper course of the North River, rises in the ponds of western Pembroke, in what is today's Hanson (not the Ponds of Namasakeesett/Pembroke, though these, through the Herring Brook, connect with the Indian Head to form the North). Similarly, the Town voted in the spring of 1738 “y<sup>t</sup> Henry Joslin Israel Turner & Isaac Bonney Jun'r should Draw up some<sup>th</sup> about Regulating y<sup>e</sup> Fish & to present it to Town next Town Meeting....”<sup>141</sup>

The next year, at the annual Town Meeting, Ebenezer Barker, Comfort Bates, John Bonney, Jr., and John Keene, Jr., “were Chosen to clear y<sup>e</sup> Herring Brooke that y<sup>e</sup> Fish have a Free passage up & Down & to see y<sup>t</sup> They are not wasted & unreasonably carried out of Town.”<sup>142</sup> Perhaps the stream had become unusually clogged, for four men, rather than the usual one or two, were appointed to clear it. That the men were enjoined to see that the fish were neither wasted, nor carried out of Pembroke, is instructive; it indicates that conservation of the fish had become a significant issue in the eyes of the Town, and that some had made poor use of them. It also points to competition with the other Towns of the North River valley for the piscine resources of the country. The corporate character of the 18<sup>th</sup>

<sup>139</sup> Pembroke Town Meeting, Sept. 5, 1737.

<sup>140</sup> Pembroke Town Meeting, May 10, 1736.

<sup>141</sup> Pembroke Town Meeting, May 15, 1738.

<sup>142</sup> Pembroke Town Meeting, March 28<sup>th</sup>, 1739.

century Town is also evident, with fish reserved for the residents of Pembroke. Later that spring, in the middle of May – when the run of the alewives and blue-backed herring ought to have been reaching its peak – “y<sup>e</sup> Town Entered upon proposals for Regulating y<sup>e</sup> Fish Cal'd alewives In y<sup>e</sup> going Down[stream] but brought nothing to pass.”<sup>143</sup>

#### IV

The 1740s began with similar themes to the 1730s: the seasonal rhythms of an agricultural society. The pest problem, for instance, must have become severe by the spring of 1739/40, for the Town “voted that Every Householder shall Kill 12 black birds or blew birds or Ground squirrels or chuits & bring heads in to y<sup>e</sup> Town Treasurer by y<sup>e</sup> last of may or forfeit 3 shillings to y<sup>e</sup> use of the Town.”<sup>144</sup>

However, political-economic issues, centering around the question of the strength of the provincially-issued bills of credit<sup>145</sup> – and consequently, the balance between debtors and creditors, metropole and province – would soon set Court and Country factions against one another in the Province. In this contest, a spirit of defiant localism prefigured the overt republicanism that would animate the County in the 1760s.

On the last day of 1739, after appointing Joseph Chandler and John Bonney “to see that y<sup>e</sup> act about Deer be Kept & Duelly observ'd”, the Town voted a rate of £66, 9 shillings, and 2 pence “to make up the Town's part of y<sup>e</sup> 60000 Loan money.”<sup>146</sup> Pembroke raised its share by sale of the pews in

<sup>143</sup> Pembroke Town Meeting, May 14, 1739.

<sup>144</sup> Pembroke Town Meeting, March 3, 1739/40.

<sup>145</sup> See “The Currency Act of 1751 (England)”, in Larry Allen, *The Encyclopedia of Money* (Santa Barbara, CA: ABC-CLIO, 2009), 96-7. Accessed online, c. 9:30 p.m. 3/21/16 via the Gale Virtual Reference Library <http://go.galegroup.com.proxy.lib.umich.edu/ps/i.do?id=GALE|9781598842524&v=2.1&u=umuser&it=etoc&p=GVRL&sw=w>

<sup>146</sup> Pembroke Town Meeting, December 31, 1739.

the Meeting House, a testament, on the eve of the First Great Awakening, to thorough unity of church and state in the Towns of Plymouth County.

At a Town Meeting in the Spring of 1740/41, the Town took remarkable steps to deal with the monetary question. It voted that Isaac Barker, John Magoun, Isaac [Hatch?], Henry Josselin, Nehemiah Cushing, Daniel Lewis, Jr., and John Bonney, Jr., “be a Committee to take into consideration the Difficulties of times Respecting the Scarcity of the Bills of Publick Credit & the Perplexities & Difficulties the People of this Town are under in paying their Publick dues, and to make Report what may be proper for the Town to do thereon.”<sup>147</sup> That a committee of this size was named, and with so many representatives of prominent local families, suggests the severity of the money shortage. Notably, the first appearance of “the People” is in the Town's call for the formation of this committee; in prior years, the records would very likely have left it at “the Town”, understood as the greater collectivity of Pembroke, but also as the people thereof. Now, then, we have the first appearance of the idea of “the People” as distinct from the community itself.

Meanwhile, the realities of Spring and Fall, Summer and Winter asserted themselves. The Town voted four pence per head before May 20<sup>th</sup> for “any Young or Old Crows, Black Birds Wood Peckers Chewwes [chickadees, probably] Red Thrashers [red-winged blackbirds, perhaps] or Ground Squirells [chipmunks].” The bounty was reduced to two pence from May 21<sup>st</sup> through the first of March in the next year.<sup>148</sup>

The regulation of the anadromous fishery required the continued attention of the people of Pembroke. The Town voted that Comfort Bates, John Lincoln, and John Bonney, Jr., “be chosen and appointed to take care & clear the Herring Brook y<sup>t</sup> the Herrings may have a free passage into the Ponds[.]” In a sign that a further regulation of the Town's land and water commons were needed, the

<sup>147</sup> Pembroke Town Meeting, March 24th, 1740/41.

<sup>148</sup> Ibid.

Town additionally “Voted, that Isaac Little Esqr. Isaac Barker & John Bonney Jun<sup>r</sup> be chosen & appointed a Committee to Draw up the form of an Act for y<sup>e</sup> Town to pass for the Regulation of the fish commonly called Ale wives and also an Act for the Regulation of Rams and make Report at the next Town Meeting.”<sup>149</sup>

Meanwhile, the process of place-making, of bounding and altering the landscape to suit the needs of an English agricultural society, continued. The selectmen of Pembroke came to an agreement with the selectmen of neighboring Halifax, to the effect that there was a mistake in the extant understanding, and legal demarcation, of the boundary lines between the two towns. Thus, on May 11, 1741, the selectmen, in the traditional fashion, perambulated the bounds of their respective communities together. The document recording this perambulation provides valuable indications of the landscape and ecology of the country at the time. Beginning from a white oak near “a Run of water” that emptied into Jones River Pond, the selectmen laid out the line between the two towns. In addition to white oaks, they noted black oaks, red oaks, ashes, and, of course, the significant obstacle of the Cedar Swamp, with its eponymous Atlantic white cedars – beyond which lay Bridgewater, and a different local world centered around the watersheds of the Taunton and Narragansett Bay. The other

<sup>149</sup> Ibid.

notable factor is that the swamp was evidently, even at this early stage, divided up into lots – presumably apportioned among the freeholders of the Town, as the Commons had been in neighboring Duxbury around this time. The line ran “through the Cedar Swamp” and ended at “a whiteoak Tree marked 69:70 s<sup>d</sup>. Tree being the Northeast Corner of the 69<sup>th</sup> on the west side of the Swamp & so on the Northerly side....” A year later, the Town accepted the demarcation at its (unusually late) annual Town Meeting.<sup>150</sup>

At the same meeting, the contest over the fluvial commons of the Town erupted once more. Nathaniel Howe requested the renewal of his milling privileges on the Herring Brook. In a sign that the Town did not regard the misuse of the fluvial commons as a light and transient offense, “The Question was put to know whether the Town will sell ye Preveiledge of Building a Dam &c across the Brook by Isaac Barkers to Nathaniel How which was granted to him the last Year on Certain Conditions in sd. Vote mentioned & it passed in ye negative.” Thus, the Town asserted common rights, especially to the fine fishing spot near Isaac Barker's (that is, approximately at the modern day Herring Run Historical Park), over the desires and interests of individual millers..<sup>151</sup>

Howe's offenses must have grown fuzzier as the year progressed, for at the edge of the harvest, in mid-September, the Town was in a more forgiving – or at least conciliatory – mood. After warning out Barnabas Bryant, and Joshua Cushing, Esqr., and his wife – presumably of the prominent Scituate clan – it voted Isaac Jennings 15 shillings “for taking Care the fish the last Season he paying the men he hired to assist him in clearing the brook”. It then, under the legal aegis of a new meeting, stipulated new conditions for Howe to operate his mill: “Voted in Answer to the Petition of Mr Nathaniel How[e] this day Exhibited to the Town that the former Vote of Town relating to granting the Preveiledge of building a Dam a cross the Brook by Isaac Barkers be reconsidered & that the

<sup>150</sup> Selectmen of Pembroke and Halifax, Perambulation Attestment, May 11, 1741, in Pembroke Town Records; Pembroke Town Meeting, May 17, 1742.

<sup>151</sup> Pembroke Town Meeting, May 17, 1742.



Preveiledge of building a Plank Dam across said brook as near to Barkers Fence as may be & of building a fulling Mill on the North West side of sd. Brook Close to the Dam on the following Terms be granted & voted to sd. How viz that he make & maintain a Convenient Passage for the Fish through sd. Dam to be under Such regulation as the Town from time to time shall order and build a good & Sufficient Cart Plank Bridge to the acceptance of the Town across sd. Bridge below the Mill so as not to hinder the Carts from passing through sd. Brook below the Bridge & rebuild or repair the same in case the whole or any part of the said Bridge shall be broken or Carried away by reason of the said Dams breaking”.<sup>152</sup>

The next year, anadromous fisheries again concerned the Town Meeting. This time, the Town noted that its municipal legislation was also backed up by an Act of the Provincial General Court, made in 1741. However, the Town, necessarily, interpreted the Act in a way that made sense given local conditions. Noting that it was acting “In Persuance” of the Act, the Town “Voted that Notwithstanding said Act the Mills on the Herring Brook in this Town shall be allowed to Keep their Gates Down till” the next April 1<sup>st</sup>, and not any later; and, that those mills needed to “keep them up until the fifteenth Day of May,” after the herring run was finished (though not the shad run). Ichabod Bonney “ was impoored” to grant special permissions based upon his own judgment and discretion.<sup>153</sup>

Later that spring, at the height of the herring run, conditions must have forced the Town to become even less lenient. On April 27, 1743, the Town increased strictures over the fish: “Voted That no person or Persons whatsoever shall catch any of the Fish called alewives in The Town on Fryday’s Saturday’s Sabath Day’s Monday’s or on any Night in the Week after Sun Settnor before Sun Rise & that whosoever shall Catch any of said Fish contrary to this Vote shall forfeit the Sum of Ten Shillings to and for the use of the Town of Pembroke for each offence....” Meanwhile, John Keene, Jr., was

<sup>152</sup> Pemborke Town Meeting, Sept. 13, 1742.

<sup>153</sup> Pembroke Town Meeting, March 7<sup>th</sup>, 1742/43.

chosen to “prosecute any Person or Persons in Behalf of this Town that shall catch any of the aforesd. Fish contrary to the aforesd. Vote...”<sup>154</sup>

Later that year, in a confirmation of Pembroke's character as a community distinctly on the Country side of the Massachusetts political register, the Town Meeting chose not to send a representative to the General Court in Boston for that year. Indeed, given that many towns in western Massachusetts – the extreme frontier of the province in 1743 – did not send representatives to the General Court well into the 1780s; and given that these towns were overwhelmingly Shaysite and anti-Federalist, at that later date, in sympathy; it can be argued, at least, that there is a high degree of congruity between adherence to Country ideology and a distinctly dubious attitude as to the value of sending legislators to a distant capital. At that same meeting, the Town further exercised its prerogative by voting *not* to form a committee to “joyn with Hanover concerning the Herring.”<sup>155</sup>

Later, during that autumn and into the next spring, the Town came into conflict with James Randel over the terms of his use – apparently, his lease – of the Town's annual herring run in 1741. This was, of course, a private individual using common resources; however, it was in no way a market-mediated event. Instead, it witnessed the successful proclamation and defense of common rights, and communal privileges on the part of the Town. John Bonney, Jr., John Keene, Jr., and Elisha Bonney were voted to “be a Committee to agree & Settle ye affair with James Randel relating to the Bond he gave to ye Town Treasurer for the use of the Town....” This bond was evidently held in surety for his gaining a temporary privilege – in the old sense of the word – to harvest this common resource for the year 1741. The Committee was directed to come to an agreement among themselves by the next February.<sup>156</sup>

<sup>154</sup> Pembroke Town Meeting, April 27<sup>th</sup>, 1743

<sup>155</sup> Pembroke Town Meeting, June 9<sup>th</sup>, 1743.

<sup>156</sup> Pembroke Town Meeting, Oct. 24<sup>th</sup>, 1743.

This committee made its report to the Town on the 13<sup>th</sup> of February, 1743/44. It reported that Randel offered twenty five pounds in Old Tenor currency, and the “Release [of] all the Fish that the People of this Town had in that Year the Fish were Leased to sd. James Randel....” The Committee roundly rejected this offer “which ... we think is not Sufficient for the Town to discharge his Bond...”<sup>157</sup> The decision was then left to the Town Meeting as a whole:

- “Then the Question was put to know whether the Town will so far accept the Report of ye Committee as to Discharge the sd. James Randel from his Bond he gave to ye Town Treasurer for the use of the Town for the Preveiledge of Catching the fish in the Year AD 1741 he paying to the Town Treasr for the use of the Town twenty five Pounds old Tenor & Releasing all the fish yt the People of the Town had in yt Year and it Passed in the Negative...”<sup>158</sup>

However, the Town agreed that it would acquit Randel of his dues if, in addition to what he had already promised, he agreed to pay the legal costs incurred by John Keene, Jr., the keeper of the fish, in pursuing Randel for his infractions against the public weal – to pay “his Demands for what trouble he was at in Bringing forward the Suit against sd. Randel[.]”<sup>159</sup>

The regulation of the anadromous fisheries remained a theme in Town Meetings throughout the 1740s. As we have seen, at the annual Town Meeting in the spring of 1748, the Town voted that the mills on the several streams that were home to both mills and migratory fish runs “shall be allowed to keep their Gates down till the first day of April next & not after....” They would only be allowed down again after the 20<sup>th</sup> of May, when the vast majority of the alewife, blue-backed herring, and shad runs could be expected to be over. Should some extenuating circumstances require it, Ichabod Bonney was “impowered” to allow the gates to be lowered. But, given the degree of detail and efforts at enforcement evident in the fishery laws, it is reasonable to assume that every effort possible was made to allow the free passage of the fish.<sup>160</sup>

<sup>157</sup> Committee's document of Feb. 11, 1743/44, read at Pembroke Town Meeting, February 13<sup>th</sup>, 1743/44.

<sup>158</sup> Pembroke Town Meeting, Feb. 13<sup>th</sup>, 1743/44.

<sup>159</sup> Ibid.

<sup>160</sup> Pembroke Town Meeting, March 7<sup>th</sup>, 1747/48.

In addition, the Town passed very specific votes in order to regulate the time and place at which the migratory fish could be taken. The Town Meeting “Voted yt no person or Persons whatsoever shall Catch any of the fish called Alewives in their Passage up into the Ponds to Spawn at any place excepting in Waste way from the wido. Nichols’s Brid[g]e & so up the Brook to the mouth of the Pond...” Moreover, it was prohibited to “Catch any of sd. Fish at any place from Saturday Morning after SunRise till Tuesday Morning following at Sun Rise ....”<sup>161</sup>

The uses to which the fish might be put were also closely guarded local prerogatives, as the actions of the Meeting demonstrate. First, it mandated that the fish be reserved to the people of Pembroke, in a clear sign that community rights took precedence in mid-18<sup>th</sup> century Plymouth County over market values: “And yt no Person shall Catch any of sd. Fish to Sell except to the Towns People for their own Use...” Second, in what may well be a sign of increasing scarcity of fish, it voted that herrings, alewives, and other springtime fish were not to be used for fertilizer: “And yt none of sd. Fish be Catch’d to Fish Corn with as they come down....”<sup>162</sup> Finally, the Town instituted relatively steep fines for the violation of these rules for the use of the common fluvial resources of the community: “And that whoso ever shall Catch any of sd. Fish Contrary to this Vote shall forfeit ten Shillings for each offence”; and, in a reminder that the Town was an institution that provided for the care of its weakest members, of the ten shillings, “one Moiety [half] thereof to & for the Use of the Poor of the Town of Pembroke & the other Moiety to him or them that shall inform or Sue for the same[.]”<sup>163</sup>

Meanwhile, basic questions of political organization, of the sort which had bedeviled Duxbury in the latter 17<sup>th</sup> and early 18<sup>th</sup> century, were broached in Pembroke in the 1740s. Just as Duxbury's western settlements had broken off from the mother town to form a new polity, so too did the western

<sup>161</sup> Ibid.

<sup>162</sup> Ibid. Presumably, the fish would have been caught for fertilizer both as they came up the streams, in early Spring, and when the fry came down, in August and September – that is the only, or at least the plainest, construction of the last phrase “as they come down.”

<sup>163</sup> Ibid.

precincts of Pembroke now seek to establish themselves as a legally incorporated Town. In May, 1746, the Town, acting in response to a request from the residents of its western settlements, considered the question of separation, and quickly rejected the idea: “Then the Question was put to know whether the Town would Vote of[f] the Westerly Part of the Town agreeable to their Request as Set forth in the Warrant & it Passed in the Negative[.]”<sup>164</sup>

However, a change in wording evidently changed some minds in the Town, for the Question was “Passed in the Affirmative” after being “put in the following words”:

If it be your Minds yt all yt part of the Town to the Westward of a Straight Line Run at Right Angles with a Straight Line from the Meeting House in Pembroke to the New Meeting House in Pembroke to the New meeting House lately Erected in the Westerly part of sd. Town said Line to begin Eighty Rods to the westward of the Center betwixt sd. Meeting – Houses measured by the Road, Shall be Dismissed from this Town or Precinct and be incorporated into a Town or Precinct – with part of the Towns of Hanover, Abington, Bridgwater and Halifax Excepting those Inhabitants who are not willing to be sett of Please to manifest it....<sup>165</sup>

Of course, this did not mean the immediate incorporation of a new Town in the Province. Far from it. The wording itself indicates, as did the first vote of the Town Meeting that May day, that there existed considerable opposition – certainly in the eastern part of Pembroke, but probably also in the western settlements, as well – to the idea of incorporating the western lowlands of the Town into a new polity. The easterners may well have dreaded the prospect of losing their portion of the ecologically and economically productive Great Cedar Swamp.

The Town chose a Committee to treat with neighboring Hanover about the protection of the anadromous fish runs in the Indian Head River, on its northern border. This was a reversal of its own actions earlier in the decade, presumably the result of increasing ecological pressures. Thus, the Town “Voted that Isaac Soul & Solomon Beale Jur. be Chosen & Appointed to take care and see that there is

<sup>164</sup> Pembroke Town Meeting, May 19<sup>th</sup>, 1746.

<sup>165</sup> Ibid.

a Convenient Passage way for the fish called Alewives up Indian Head River and to clear the Brook and to take care sd. Fish are not obstructed in their Passage up Indian Head River into Indian Head river Pond to Spawn \_\_\_\_”<sup>166</sup>

By the middle and latter 1750s, the further growth of pressure on the anadromous fisheries is evidenced by increasingly detailed and stringent Town bylaws on the subject. At the Town Meeting on March 4<sup>th</sup>, 1754, the alewife laws were the same as passed earlier in the 1750s, with some important additions. One addition concerned itself with the situation that arose “f any Person or Persons Shall Assume to take to himself any Place or Stand for taking said Fish ( at anytime & Place for that Purpose by this Town Appointed ) who having in Same Year or Season before taken a Barrel or more, & Shall presume to abide in or hold said Place or Stand so taken from any Inhabitant of this Town who Shall Require or Demand the Same he not having in said Season taken a Barrel of said Fish....” Perhaps more explicitly than in the other herring laws, the Town sought to guard against private invasions of the fluvial commons. It then prescribed a fine “for every Such offence ... the one half to the informer & the other half to the Use of the Poor of the Town of Pembroke.” Thus, in addition to punishing trespassers on the commons, that punishment was partly put towards explicitly communitarian purposes, namely, the use of the poor. The idea of herring as poor man's food was common in 18<sup>th</sup> century and later New England culture.

Indeed, the fish laws had become such a contested matter by the latter part of the 1750s that the Town found itself involved in legal action, defending the legality and legitimacy of its local regulations of the fishery. At a Town Meeting held on March 6<sup>th</sup>, 1758, the community voted that Daniel Lewis, Jr., Esqr., “be and hereby is Chosen, appointed and fully Authorised Impower’d and Desired to Present all the aforesaid Votes and orders relating to the Regulation and Catching of the aforesaid Fish called

<sup>166</sup> Ibid.

Alewives to the next court of Quarter or general Sessions of the Peace to be holden at Plimouth within and for the County of Plimouth for their Allowance and Approbation --<sup>167</sup> For the first time in the Town's recorded history, then, and at the height of the global conflict of the Seven Years War, local regulations and laws became subject to the active scrutiny of provincial officials, perhaps a manifestation of what Frederick McMurrin has called “the Anglicization” of Massachusetts in the 18<sup>th</sup> century.

By the early 1760s, the regulations had reached new heights of intricacy. At the annual March Town Meeting of 1763, the Town “Voted that the Several ocupants of the several Mills” in Pembroke were to keep “open their Several Sluce Ways” between the 17<sup>th</sup> of April and the end of May. As in previous years, fish were only to be taken above the Widow Davis's Bridge – but only on Wednesdays, Thursdays, and Fridays. Meanwhile, on Tuesdays only, “ye Said fish Shall Be Taken from ye Place Where the Spliting Mill formerly Stood up Stream to ye Mouth of the Pond and at no other Place in Said Brook on Said day....” Finally, as in years past, “said fish to Be taken [with] Scoop Nets only[.]”<sup>168</sup>

## V

In the early 1750s, for the first time in the Town Records, the regulation of the Town's supplies of bog-iron ore came increasingly to occupy the attention of the Town Meeting. Bog iron, as the reader may recall from the Duxbury chapter, is a form of iron ore that was valuable to iron working peoples in the middle latitudes of Eurasia and America. The phenomenon occurs in places with the right

<sup>167</sup> Pembroke Town Meeting, March 6<sup>th</sup>, 1758.

<sup>168</sup> Pembroke Town Meeting, March 28, 1763.

concatenation of geophysical factors: underlying bedrock composition, levels of precipitation, and, typically, the presence of glaciation during the last ice age. When and where these three factors combine in the correct fashion, physical and chemical weathering of underlying rocks and soils, both by air and by precipitation, dissolve ferrous elements in the local minerals; these are then washed, along with non-ferrous sediment, into local swamps, bogs, and glacially-carved lakes and ponds. There, in a typically highly acidic environment, the ferrous elements precipitate, and, along with plant matter (mostly algae), non-ferric sediments, and small amounts of oxygen and other atmospheric gasses, combine to form a spongy ball of about 25% purity. According to Frederika A. Burrows, a single source could produce a large amount of ore – 100 to 600 tons annually. Assawompsett Pond, between Middleboro and Rochester, the largest natural lake in Massachusetts, produced 600 tons of ore in 1760. Of more direct relevance, Jones River Pond, whose northern shores were included in Pembroke, netted 3,000 pounds of iron ore at 25% purity about 1770.<sup>169</sup>

Glacial till spread deposits capable of producing bog iron throughout southeastern New England, as a study of local place names will show -- from Iron Mine Hill, in Cumberland, Rhode Island, in the northwest of the region, to, at the other extreme, Iron Ore Swamp on Martha's Vineyard, and Iron Swamp on Nantucket. While ironmongers exhibited a vernacular, robust, and plebeian work culture, this culture cut decidedly against Reformed Protestant norms, so that, whether in the Old Colony or the Bay Colony, tensions ran high between the Puritan or Separatist majority (or at least plurality) and the iron-workers allowed settlement privileges in return for the construction of works.

While iron-workers did introduce iron-working to the Old Colony in the middle decades of the 17<sup>th</sup> century, very few ultimately stayed; as Stephen Innes has shown, the starkly different work-cultures of the iron-workers and the Puritans made for a rather uneasy fit; it was the difference, Innes

<sup>169</sup> Frederika A. Burrows, *Cannonballs and Cranberries*, (William S. Summold Publishing, Taunton, Mass., 1976), 23-7.



points out, between a world centered on the Meetinghouse and one on the Alehouse.<sup>170</sup> For this reason, it was when the inhabitants themselves undertook iron production around 1700 that production for local use began on a consistent basis in mid-Plymouth County. The first furnace on the upper North River – the Indian Head River – was erected in 1702. The Old Colony actually was very fine country for the production of manufactured items from bog iron; it possessed, in addition to the requisite bogs, swamps, and ponds holding the ore, two other factors without which the ore was useless: forests on uplands adjacent to the bogs, and sufficient water power to run, via water-wheels, the bellows which would smelt the metal. In Taunton, seat of neighboring Bristol County, “a Bloomery work” was set up as early as 1652. The Town Meeting of Taunton also voted that the operators of the furnace “shall have the woods on either side of the river, to cut for their cordwood to make coals, & also to dig & take mine or ore at Two Mile Meadow, or in any of the commons appertaining to the town, where it is not now in property....”<sup>171</sup>

Wood was particularly essential and, in 17<sup>th</sup> century New England, must have seemed almost providential in its abundance to eyes used to the largely denuded British landscape -- though that these forests, too, were subject to Malthusian principles, would be demonstrated by the end of the next century. The iron was smelted in blast furnaces, a square, cone, or pyramidal structure of local stone, eighteen or twenty square feet at its base, and above twenty feet in height. On one side of this stone structure, a stone arch was constructed for the separation of the pure iron deposits from the slag; on the other side, a similar arch would be constructed, the “blast” arch which would fire the purified iron. Moreover, in order to purify the iron, a quantity of limestone or other basic element needed to be added; on or near the coast, as in Plymouth County, the calcium carbonate of seashells was typically used.

<sup>170</sup> Stephen Innes, *Puritans and Ironworkers: the Work Cultures of Seventeenth-century New England* (Williamsburg, Va.: Institute for Early American History and Culture colloquia, 1989).

<sup>171</sup> From J.W.D. Hall, “Ancient Iron Works in Taunton”, Old Colony Historical Society Collections.

The entire process had to be done at one go, because the iron would slowly purify over the course of weeks and had to be done in a steady fashion or an entire batch could be ruined. It thus required attendance for twenty four hours a day, seven days a week, for several weeks. Indeed, a single “blast” could last as little as one month or as many as five or six. The process required huge amounts of charcoal as fuel; because iron melts at such high temperatures, even regular, well-dried hard-wood would not suffice. Instead, charcoal would be created, carbonizing the wood by keeping it slowly burning, typically in a pit covered in dirt, for several weeks. Only then could this charcoal be used in the blasting process itself. The best woods for charcoal were oak, beech, pine, chestnut, and maple, in that order. A single cord of wood made between thirty and thirty-five bushels of charcoal (1 bushel = 18 lbs.); to make 1 ton of iron required at least 135 bushels of charcoal, which comes to about four cords of wood; thus, at the rate of four cords of wood for one ton of iron, even the old growth forests of New Plymouth would be used up within several generations.<sup>172</sup>

These blast furnaces would have been familiar to the ancestors of the migrants to New Plymouth two millennia before, when iron-working first came to the British Isles. They were primitive, but effective, instruments for the smelting of iron, particularly in conditions of relative abundance (of wood and water, at least). Indeed, Burrows reports that people regularly came to watch the lurid glow of the blast furnace, continuing at all hours; local American Indian peoples were said by English sources to be frightened of the furnaces; given that so much early iron would have gone to weapons used to fight them, this cannot be said to be mere superstition. At the same time, smoke from charcoal pits (with which neighboring Duxbury is studded, particularly in North Duxbury) “would hang in the air for miles around.” Nathaniel Hawthorne, in the 19<sup>th</sup> century, would make romantic work of a similar eerie light cast by the burning of a lime kiln operating on Mt. Greylock at night, at the other end of the

<sup>172</sup> Information again from Burrows, *Cranberries and Cannonballs*.

state in the Berkshires. Houses in which charcoal workers could sleep in shifts were constructed near the furnace for the duration of the blast.<sup>173</sup>

Thus, while production of iron at the 1702 furnace had continued for fifty years, it was not until 1752 that the question of iron commons became one that concerned the Town Meeting. On July 28<sup>th</sup>, the Town Meeting “Voted that John Foord Josiah Keen & Danll Lewis Jur. Esqr. or the major part of them be a Committee fully Authorised in Behalf of this Town to Demand an Account of all & every Person or Persons that have been concerned in Digging or carrying of[f] of Iron Oar in the Pond commonly called Jones River Pond within the Limits of this town & to forewarn them & all others concerned (in the Name of this Town from Digging or carrying of[f] said Oar) And to make discovery & Prevent all & every Person or Persons from carrying of[f] said Oar & to Search records & take fair Copies as they think necessary touching said affair & to make Report of their doing at the Adjournment of this meeting...” It then adjourned to the 4<sup>th</sup> of August.<sup>174</sup>

As Fred Anderson shows in another context, Plymouth County was the scene of an increasingly burdensome density of population and intensity of land-use by the mid-18<sup>th</sup> century, a condition somewhat anomalous in early America. Part of this pressure was released by the sending of younger sons to the Maine frontier, which, one hundred miles Down East from The Gurnet, offered the prospect at least of outright and immediate freehold tenure. Their brothers remaining in the Old Colony would have been, if not landowners, likely a part of a labor supply for both fishing, whaling, and the coasting trade, and also the apparently increasingly intensive iron manufactory.<sup>175</sup>

But yet – and this is a crucial caveat – simply demonstrating that a relatively large labor force existed does not a market economy make. The same thing could be said of the northern French towns

<sup>173</sup> Ibid. See Nathaniel Hawthorne, “Ethan Brand”.

<sup>174</sup> Pembroke Town Meeting, July 28, 1752.

<sup>175</sup> Fred Anderson, *A People's Army: Massachusetts Soldiers and Society in the Seven Years' War* (Chapel Hill: University of North Carolina Press, 1984).

which supplied workers for Colbert's great tapestry factories in 17<sup>th</sup> century France; indeed, the same could be said for ancient Rome, or medieval Bruges. A market economy, and a market society, is one where the logic of the market prevails, of limitless acquisition as opposed to a limited competency, and of price and the cash nexus as the conduit of the prosaic business of obtaining food and shelter. And though Plymouth County demonstrates an excess labor supply in comparison with several counties further towards the periphery of provincial Massachusetts, it does not exhibit these latter features of a market *mentalite'*. Instead, an intensification of existing subsistence and extractive activities can be discerned, similar not to those taking place contemporaneously in England, but rather closer to those of England two centuries before, in the Tudor Era, with rising numbers of “the strolling poor”, intense contests over Commons and common usage rights, and conditions that laid the foundations for – though very far from the realization of – the market revolution that would come in the early republic.

The Town Meeting reconvened on August 4<sup>th</sup>, 1752, to consider further the question of ore-digging on the Commons. The Town voted the same three men – Daniel Lewis, Jr., Esqr., John Foord, and Josiah Keen “or the Major part of them be a Committee” with a powerful warrant for guarding the rights of the community. They were “authorized in Behalf of this Town forthwith to take Possession of all the Oar in the Pond commonly called Jones’s River Pond within the bounds of this Town”; moreover, the Committee was directed to obtain all the ore within the Town. They were authorized “to ...Digg or get by themselves or others such a Quantity or Quantities of said Oar till further order of this Town as they think Proper they rending a just Account of the same to the Town”. As in the case of alewives and other migratory fish, the Town was particularly concerned with the disbursement of these common resources: “and the said Committee is hereby ordered to Dispose of Such oar as they get to the best use of the Town that they can or the said Committee may let out said oar to get upon Shears if they

think it most advantageous to the Town & then to Dispose of the Towns part as aforesaid.” Again, in a pattern similar to the case of the fish, the Committee was directed to prosecute those who trespassed upon the Commons – “And also to Prosecute any Person or Persons that Shall Digg or get any of said Oar in said Pond....” The Committee was also enjoined retroactively to seize ore that had been, according to their judgment, ill-gotten. “[A]nd also to Prosecute or agree with those Person or Persons that have Dug or got any of said Oar out of said Pond already as they think best....” Finally, and significantly, the Town banned the private digging of ore, suggesting enough private digging to erode common stocks: “and all Town Dwellers or others are hereby Prohibited from getting or Digging any of said Oar on their own account[.]”<sup>176</sup>

The Committee reported back to the Town Meeting on September 25<sup>th</sup>. It stated that, after formally taking possession of the ore within the Town's boundaries on Jones River Pond, they had let the harvesting rights of the ore to three individuals, two from neighboring towns, one from Pembroke itself. They reported “That they had let or sold to Joseph Holmes of Kingston a Quantity of said Oar as it Lies in said Pond not exceeding fifty Tun....” The rate was to be “for five Shillings & four Pence Lawfull Money a Tun as it Lies in the Pond for each & every Tun he shall get or order to be got out of said Pond (within the Bounds of This Town) ....” The ore was to be weighed “after the Stones are Beat out of” it, and the amount that could be taken was strictly regulated: “& not to get less then ten Tuns of said Oar when weighed of nor more than fifty Tun....” In evidence that Plymouth County was definitively not within the “cash nexus”, but still using age-old techniques of exchange in kind, Holmes was directed “to pay for the same in as good Barr Iron as said Oar will make at the Rate of twenty Six Shillings & Eight Pence Lawfull Money a Hundred....” Only secondarily, as though it were a distant, and perhaps less favored prospect, Holmes was allowed to pay “or else in money”. The ore was to be

<sup>176</sup> Pembroke Town Meeting, August 4<sup>th</sup>, 1752. It should be noted that, like the existence of a supply of excess labor, the digging and smelting of iron ore is not dispositive evidence of a market society; or, if it is, it would mean that we include the Iron Age Celts and Germans in the category of “market societies”.

weighed within the sight of at least one Committee member. Joseph Josselyn, of Hanover, was let out another fifty tons under the same conditions. Joseph Stetson, Jr., of Pembroke, was let out “Twenty Tun of said Oar to get upon Shears & to Carry said oar to the Pond Side where it will be convenient to come at and then said Stetson to have one Half & the Town the other Half.” Having heard the report of the Committee, the Town Meeting approved it (“it passed in the Affirmative”).<sup>177</sup> Later that year, the Committee was further authorized to adjudicate disputes among the lessees of the ore.<sup>178</sup>

Two years later, a new committee was formed to deal with the iron ore. Daniel Lewis, Jr., John Foord, and John Turner were empowered to make twenty-year contracts for the disbursement of the common ore in Jones River Pond. They were directed to act “as they think best they Setting or Leasing the Same for the most it will fetch at Publich Vandue to the Highest Bidder & to Render an Account of the Same to the Town as soon as they conveniently can ----”<sup>179</sup>

## VI

While disputes, contests, and regulation of the disbursement of the various commons of the Town occupied the most attention of the Town throughout the century, in the 1750s and 1760s – the years immediately prior to the Stamp Act, and amid the pressures of global war – a new spirit of procedural reform and formalism can be observed, as well as, for the first time, evidence of closely contested elections for Representatives to the General Court. These form a back-story to the seemingly sudden outbreak around the Stamp Act, by turns obscured and revealed, like the moon through scudding maritime clouds. This back-story renders later events – and their sudden, almost effervescent quality – in the mid-1760s, with greater subtlety and coherence.

<sup>177</sup> Pembroke Town Meeting, report of the Committee read at and voted on, September 25<sup>th</sup>, 1752.

<sup>178</sup> Pembroke Town Meeting, Oct. 30, 1752.

<sup>179</sup> Pembroke Town Meeting, May 20, 1754.

1757 seems to have been the critical year in this regard in Pembroke. For the first time, a deep and serious procedural dispute roiled the Town Meeting. At the March 28<sup>th</sup>, 1757 Town Meeting, two Townsmen, were excused from service as constables; in their stead, William Gould, Sr., and his son were chosen. Gould *pere* then pleaded that his son was not fit to serve as constable, and the Town voted to excuse him. At this point, things become anomalous, both procedurally and socially. Requests to have service, particularly as constable, excused were commonplace and almost never refused; Josiah Hatch was excused from serving as hog-reeve at this same meeting because he was bound away (as an apprentice) at sea. The records state: “And then the Question was put to know the Towns mind whether the Town would Excuse said William Goold from [serving] as Constable this – Year and it was declared it passed in the affirmative whereupon Some Demur arose and a Motion was made & Recorded by several Members of the Town that the vote relating to the excusing Said William Goold Should be Reconsider’d it being Scrupled by some whether it was a Vote or Not.”<sup>180</sup> Finally, “to end the – whole Dispute ---- The Question was put [to] know the Towns mind whether the Town would reconsider there Vote this day passed for Releasing William Goold from Serving as Constable this year”, the previous vote notwithstanding. This passed in the affirmative; the “vote to reconsider”, a famous parliamentary maneuver of the New England Town Meeting system, had been invoked. The Question was re-opened. Evidently the Town suspected Gould the Younger of malingering, for it decided that, after all, “the said William be & is holden to Serve as Constable this Year the former Vote to the Contrary Notwithstanding[.]”<sup>181</sup>

Later that spring, in May, the Town met again, this time to consider the question of choosing a representative to the General Court. First, the Town agreed to find “Some Sutable Person for a \_\_\_ Certain Sum of Money to Represent this Town at the Great & General Court....” Then, the question

<sup>180</sup> Pembroke Town Meeting, March 28<sup>th</sup>, 1757.

<sup>181</sup> Ibid.

was put to the Town “whether the Town will give any Person more than Twenty Pounds Lawfull Money to Represent them this Year”; this, however, “passed in the Negative.” At this point, “the Select Men order’d the Votes to be brought in for the Choice of a Representative”. Unlike previous years, when the name of a local notable was simply “chosen”, here we find the first uncontrovertible evidence of a contested election. No one obtained an acceptable majority, or even plurality, of the vote: “and after Sorting & Telling the Votes after they were brought in the Selectment [sic] declared there was no choice the Votes being So Scattered ...”<sup>182</sup> The Selectmen ordered a second vote for Representative: “and after Sorting & Telling the Votes the Select men declared that the Town had made choice of Mr. Josiah Keen by a Majority of Votes to Represent” Pembroke in a meeting of the General Court to be convened at Boston on May 25<sup>th</sup>, presumably to deal with the exigencies of the Seven Years War.

Keene evidently served ably enough, for the Town chose him to serve as representative once more later that year. The Town voted under the auspices of the Selectmen once again; the votes were brought in, “which was accordingly done and after Sorting & letting the Said Votes the Selectmen Declared that the Town had made Choice of Mr Josiah Keen by a Majority of Votes (viz. said Keen having Eighty Votes out of one Hundred & twenty one Votes there being but forty one Scattering Votes for all the Persons voted for) to Serve for & Represent Said Town at the Great & General ... Court” for the current session and for the rest of the year.<sup>183</sup>

Though this political activity might appear minuscule from the vantage point of the metropole, for this village society, it represented an unprecedented degree of popular political mobilization and participation. Indeed, the failure of any candidate to obtain a majority on the first ballot in the first election for representative that was held that spring perhaps suggests a people as yet unfamiliar with the mechanics of electoral democracy. This would not be the case in coming decades.

<sup>182</sup> Pembroke Town Meeting, May 16<sup>th</sup>, 1757.

<sup>183</sup> Pembroke Town Meeting, June 27<sup>th</sup>, 1757.



## VII

The Stamp Act crisis erupted with a mighty fury in Plymouth County. Its tumult effectively marked the death knell of the Old Regime of the anglicized province of Massachusetts Bay. This was as true in a quasi-peripheral county such as Plymouth as it was in the Home Counties of Suffolk or Essex.

In Pembroke, after the usual seasonal concerns of the annual Town Meetings of the springtime, a special Town Meeting called in October spoke to the depth of outrage felt in the Town. On Monday the 21<sup>st</sup>, “the Question was Put to Know the towns mind Whether they would Give the Representative any Instruction Respecting the Stamp Act and it Passed in ye afaire affirmative ....” Beyond this, and as an indication of the particular seriousness with which the Town viewed the crisis, Pembroke “voted to make Choice of Siven as a Committe” to consider the appropriate response. The Meeting temporarily adjourned, “to Seven of the Clock afternoon”, at which time the Committee made its report to the Town, “Which Was Accepted By the town By a Grate Majority of Vots[.]”<sup>184</sup>

The Committee reported that “the Freeholders and other Inhabitants in town meeting assembled” wished to express their opinion concerning “the Distress that will Be Brought upon us by the Stamp act if it Should take Place....”<sup>185</sup> “We think Said act Intolerable in its Consequences,” continued the Committee, “and imposable to Be Carried into Execution Without ye utter Ruin of the Province....” Indeed, even at this early date, the people of Pembroke foresaw difficult relations with Great Britain were the Act to go into effect: “and Yet there is Grate danger that it may in time Dissolve the Commerce Connections and friend Ship now Subsisting Between Grate Britain and her Colonies....” Moreover, it was better to protest against encroachment on their inherited liberties, “Lest

<sup>184</sup> Pembroke Town Meeting, October 21<sup>st</sup>, 1765.

<sup>185</sup> Ibid.

after ye Chains are once fastned upon us we Should find no Remidy till we Be worn out and intirely and utterly Consumed....” The committee therefore unanimously instructed its Representative – the very same Josiah Keen, Esqr. – on his actions regarding the Stamp Act.<sup>186</sup>

First, he was to “Give [his] Cearfull and Constant attendance at the Next assembly” of the General Court, “and as accation May offer Firmly appose Said act....” He was “not to Concur in any Measures that may have the Leass appearance of Giving it any – Countenance....” He was also to make common cause with the other provincial representatives: “Directly or indirectly that you use your uttermost Skill and wisdom in Conceat [i.e., concert] with ye other worthy members of the Assembly to Pospone the introduction of Said act until the unitted Cries of the Whole Continent may have Reached the ears of our Most Gracious King and the Parliament of Grate Brittain....” To add an element of threat to that monarch and parliament, the Committee noted that neither could possibly “wish [for] the death nor Loss of their Colonies” and that they expected “an answer of Peace” from the Mother Country. In addition, Keen was to countenance no manner of corruption nor embezzlement of the public funds, nor “to Except of any Internal t[a]x Laid on the Province Without their own Consent and that these our Instructions be Put into ye Publick Journal it is ye vote of the town that the above Vote be Put on t[h]e town Record....”<sup>187</sup>

This overtly republican spirit marked the end of the Old Regime in Pembroke. In the ensuing decades, the vast political, economic, and ecological changes that ushered in the new republic would be manifested in the newly republican order of Pembroke and the other towns of Plymouth County.

<sup>186</sup> Ibid.

<sup>187</sup> Ibid.

## Chapter 4: Wareham, Massachusetts, in the Old Regime, 1691-1765

### I: Introduction

Wareham, Massachusetts, in southern Plymouth County, at the head of Buzzard's Bay, presents a different picture from that of the comparatively well-settled, relatively prosperous communities of the central part of the county. Both poorer and more thinly-settled than places like Duxbury or Pembroke, Wareham found its encounter with the market revolution and the transition to capitalism marked by both similarities and differences with those of its neighbors thirty miles to the north. Despite the differences, the similarities are quite significant. In both, the 18<sup>th</sup> century saw the maintenance of a vigorous commons regime. In both, the market revolution first arrived in the years surrounding the War of 1812, rather than in the 18<sup>th</sup> century. And in both, the transition to capitalism was incomplete and partial, such that non-market ways, traces, and remembrances<sup>188</sup>, continued well into the 20<sup>th</sup> century.

Wareham is a somewhat singular place, especially by way of comparison with the other towns of Plymouth County. It was incorporated at a relatively late date, in 1739, and unlike other towns in the county, was incorporated not as the result of the kind of municipal mitosis that formed Pembroke out of Duxbury, and Hanson out of Pembroke, but rather through a marriage-of-convenience between remote and outlying districts too distant from their mother-town's political and demographic centers

<sup>188</sup>Cf. Melville Herskovits' notion of "Africanisms" among American slave populations.

practicably to exist within their boundaries. Thus, the extreme southwestern portion of Plymouth, called Agawam (“place of lading fish” in eastern Algonquian), was united with extreme southeastern Rochester, called Sippecan. Wareham was marked, then as now, by a forested, heavily-glaciated landscape on which intensive, English-style agriculture was difficult, if not impossible. It is also a physically large place by the standards of eastern Massachusetts, and today, as in the eighteenth century, it is a poor place: Even by statistical metrics which tend to suppress evidence of poverty – wealth per capita, say (in which a number of wealthy individuals can drastically inflate a locality's seeming affluence) – it still comes out on par with the struggling mill towns and hardscrabble hill-towns of Western and Central Massachusetts.

And if Wareham was in many ways utterly remote to the centers, the metropole, of 18<sup>th</sup> century Massachusetts society, today it finds itself rather an afterthought: as the “Gateway to Cape Cod”, it has been touched by the neo-colonial economy of summertime tourism, but only at its edges; and most of the tourists and the money continue to the glitzier towns of both the Cape and the Islands. Wareham in the early 21<sup>st</sup> century thus partakes of that worst-of-both-worlds aspect of summertime tourism that will be familiar to residents of southwest Maine, or the Lakes of New Hampshire: economies and spirits low, bleak, and depressed in the winter, and overcrowded, overworked, and frenetic in the summertime, with the most beautiful fruits of the season preserved for affluent outsiders.

This weighs heavily on its people, and with good reason.

## II: Physical Forms of Wareham

In geological terms, most of Wareham is, like its neighbor to the northwest, Carver, part of an extensive glacial outwash plain. Here, as the glaciers receded towards the Pole ten thousand years

before the present, flowed great sheets of water to the sea, sweeping all manner of debris with them. The country, though generally level, has an uneven, rolling, and even sudden quality; it is also studded with kettle ponds and swamps, many of which have been turned into cranberry bogs. In its far eastern and northeastern section, the Town also contains a portion of the great recessional moraine that forms the spine of the Plymouth Pine Hills. A north-northwest line of recession can be drawn from the terminal moraine at Falmouth on Cape Cod to the Pine Hills, and then further north to Monk's Hill in Kingston. This rises to its greatest height, locally, in the lofty hills of Bournedale that rise in the interior of Buttermilk Bay's northeastern shore.

The general orientation of Wareham is that of a line running from northeast to southwest along the northwestern shore of Buzzard's Bay; this coast, one of the most intensely indented in Massachusetts, is home to numerous coves and necks (the local name for a peninsula), islands and estuaries that render its coastline particularly productive ecologically. Spreading salt-marshes, productive shellfish beds, and historically plentiful inshore and estuarine fisheries render the coast of interest to man and bird and beast alike. As in Duxbury thirty miles to its north, these coves and bays form an ideal habitat for waterfowl of all kinds, with the protected embayments serving as stopover spots for the spring and fall migrations, and for over-wintering spots for Arctic birds. The sea and its coast has formed one of the abiding forces that has shaped the history of Wareham.

Beginning in the east, along the border with contemporary Bourne --a part of Sandwich until the 1880s -- the Town borders Buttermilk Bay, which, along with its even smaller sub-embayment, Little Buttermilk Bay (entirely within Bourne), are bodies of water so embayed that they are in many respects brackish water lakes, connected by a narrow channel to the sea. Buttermilk Bay, like many of the south-facing estuaries along the northern shore of Buzzard's Bay, may properly be characterized as drowned valleys; that is, extant valleys – typically of a river or stream – that have been inundated with

the rise in sea level in the last ten thousand years after the retreat of the glaciers. The reality of this sea-level rise can not only be observed in the geologic record, but can also be detected in the legends and oral traditions of the Wampanoag people. Local historian Daisy Washburn Lovell, in her volume on early Wareham, relates a story, itself gleaned from Alice A. Ryder's earlier *Lands of Sippican*, that lends a human element to this sea-level rise:

... an Indian legend tells of a long ago time when a great river ran through the forest where the bay is now. A terrible storm came and the river widened, and the salt water rushed up it, and forest trees were killed on its banks; and as late as 1934 roots were still seen when the tide went down at Silver Shell Beach. The great river was Pawkihchatt; and men digging in a field three miles up from the head of Sippican harbor, have found where the tide used to come that tells the story of the inlet and mouth of the lost river.<sup>189</sup>

Buttermilk Bay flows into Buzzard's Bay through the Cohasset Narrows, at approximately 450 feet, an extremely narrow strait through which the tide flows with riverine force twice each day.

Moving west, Great Neck marks off the eastern boundaries of Onset Bay, another drowned valley, with its many tributaries turned into the several bays and coves that characterize the neighborhood of Onset. In addition, several islands sit in Onset Bay, one of which, Wicket's Island, was inhabited by Wampanoag people well into the 19<sup>th</sup> century. Lovell reports that Jabez Wicket, the island's owner, and residents Sol and Joe Joseph (brothers), as well as Jesse Webquish, from the Mashpee Wampanoag band, fought with British imperial forces against French-allied Indians on the Canadian frontier during the French and Indian War, and that Jesse Webquish was witness to the death of Wolfe on the Plains of Abraham. A tidal wave in 1815 deluged the island, washing the bones of the Indian peoples into fields on the mainland. The littoral of Onset Bay was turned into a summer resort in the late 19<sup>th</sup> century by Boston-area Spiritualists, and the density of development in this neighborhood on occasion equals that of Arlington, Newton, or another of Boston's leafier inner-ring suburbs.<sup>190</sup>

<sup>189</sup>Daisy Washburn Lovell, *Glimpses of Early Wareham*. (Taunton, Mass.: Published by the Wareham Historical Society in association with the Wm. S. Sullwold Publishing, 1970), 14.

<sup>190</sup>Lovell, 19.

Forming the southwest shore of Onset Bay, and thrust athwart it as if by design, lies Great Neck, which, when included with its sub-peninsula Indian Neck, constitute well over 2,000 acres of land. Like their neighbors to the east and the west, Great Neck and Indian Neck are marked by a number of coves, bays, and even a well-formed and protective harbor. In this, it is typical of the littoral geography of Wareham.

To the west of Great and Indian Necks flows the lower portion of what is today called the Wareham River, a large tidal estuary formed from the confluence of the Agawam and Wankinco Rivers. Three miles up this estuary lies Wareham Center, the “downtown” of this New England community. Lovell maintains in her history of Wareham that the appellation “Wareham River” is a 20<sup>th</sup> century neologism, and that, in her time, the river was known as “Wankinquoah” (the original Indian name) from its headwaters all the way down to Long Beach on Indian Neck.

On the other side of the Wareham River are Swift's and Cromesett Necks. Unlike the still relatively rural Great and Indian Necks, Swift's Neck – today the neighborhood is known as Swift's Beach – was densely developed with vacation cottages in the first half of the 20<sup>th</sup> century. Cromesett Neck lies somewhere between the two in density. To its west lies the estuary of the Weweantic River, through which the border with neighboring Marion runs.

From this coast, the Town extends six or more miles into the interior of the County. Most of this backcountry is part of what used to be called variously the Plymouth Pinehills, the Plymouth Pinelands, or the Plymouth Woods – a vast area of forested glacial hills, kettle ponds and swamps, and pitch pine barrens that stretches for the sixteen miles between Plymouth Center and the coast at Wareham. By my measurements, the Plymouth Woods must measure at least 125 square miles, or 80,000 acres; though far from unmarked by human activity, it does remain as one of the largest tracts of open, wild land in Southeastern Massachusetts. Here, two ecosystems dominated: on the better soils grow white pine

(*Pinus strobus*)-white oak (*Quercus alba*) forests, with red maples (*Acer rubrum*) and, to a lesser extent, Atlantic white cedars (*Thuja occidentalis*) dominating in swamps and riparian areas; on sandy, dry, and acidic soils are the pine barrens, a fire-prone ecosystem dominated by pitch pine (*Pinus rigida*) and scrub oak (*Quercus ilicifolia*), with a thick understory of lowbush blueberry, bearberry, and other members of the heath family. In addition, dry-tolerant grasses common on the prairies of the mid-Continent are common here. The hundreds of ponds that dot the Pinelands – places where kettle-holes intersect the massive Plymouth-Carver sole-source aquifer -- are home to perch, bass, trout, and, in some cases, to migratory alewives, while the ponds, bogs and swamps host endemic species found nowhere else, such as the Plymouth gentian (*Sabatia kennedyana*) and the Plymouth red-bellied turtle (*Pseudemys rubriventris bangsi*). It is, in short, a globally unique habitat, occurring mainly in the northeastern quadrant of North America, from the upper Great Lakes to the Atlantic and from New Jersey to Nova Scotia.

Historically, the Plymouth Woods were used as a vast commons, with timbering and the pasturage of sheep and goats frequent activities – thus the name, for instance, of Goat Pasture Pond in Bourne. Fishing and hunting were also no doubt widespread. Dwight remarks that fishing and hunting were usual practices with “our countrymen”. In addition, the pitch pines of the Plymouth Woods were valuable for their production of tar and turpentine; deeds to woodlands specifically grant “All ye priviledge of milking of pine trees”, i.e., gathering turpentine. Moreover, the Proprietors of Agawame Plantation, the political authority in much of Wareham in the decades before the incorporation of the Town in the mid-18<sup>th</sup> century, specifically moved to protect the turpentine resources of the forest. They promulgated a law preventing “ani parsen from boxing or chiping and milking ani pine tre or tres on the common on the penelty of payeng Ten Shilengs for every tre” (half of the ten shillings to go to the person catching the trespasser). Livestock, too, were carefully regulated in the woods by the



Proprietors, each having grazing rights limited to “thurtitoo nete catel and fouer horses for a sixte parte” [ed. – a sixtieth part of the plantation, I presume]. If sheep instead of cattle were grazed, they ought to be calculated “six sheepe instead of one Beast.”<sup>191</sup>

In the years after the Civil War, and especially around the turn of the 20<sup>th</sup> century, many of these common spaces began to be effectively enclosed by nascent cranberry agriculturalists (a capitalist agriculture if ever any one existed) like A.D. Makepeace; indeed, the A.D. Makepeace Company is still the largest landowner not just in southeastern Massachusetts, but the entirety of the eastern half of the Commonwealth.

Even so, these lands remained common and open well into the 20<sup>th</sup> century – and even, to an extent, do so today. Edward Howe Forbush, a Massachusetts State Board of Agriculture ornithologist living and working on a farm in Wareham at the turn of the 20<sup>th</sup> century, characterized the Plymouth Woods in the following terms in 1902:

If we follow the river above the head of tide water toward the Plymouth woods, we shall see another feature of this region which renders it attractive to birds. Here lies an uninhabited country. There are no dwellings and no fences. The only buildings to be seen are the "bog houses," where cranberries are housed, screened and packed for shipment each fall. The land is undulating, consisting of a series of low hills, with occasionally a well-watered valley. Many of these valleys have been made into cranberry bogs. There are many natural ponds lying in sheltered basins, and other artificial ponds which are used for flowing the bogs.

This country no doubt was once well wooded. Then white pine woods extended well down on the Cape, and oak timber grew there; but, for years past, parts of this region have been visited by forest fires, until much of the wild land down through Sandwich, Barnstable and Falmouth has been burned over. Large tracts are now denuded of trees. On these tracts scrub oaks, pitch pines and berry bushes spring up. When these are burned, the ashes from the fire supply the earth with sufficient potash to produce a great crop of berries. Large tracts of this burned land are covered mainly with berry bushes; hence the saying that "the Cape is one great berry pasture." The low or dwarf species clothe the hills, while in the lower valleys and swamps the higher berries grow to perfection. Here birds find an abundance of fruit during the summer and early fall months. The swamps furnish them sheltered roosting places. The ponds and bogs furnish food and resting places for wild fowl and marsh birds..... The dead wood is an attraction for woodpeckers, and the wood birds find a

<sup>191</sup>William Root Bliss, 30, 23.

congenial habitat in those portions of the standing timber still spared by the flames. Most of the country for miles to the north is of this character. To the west toward Rochester the land is divided into farms, consisting of cultivated land, grass land and woodland, such as may be seen generally throughout eastern Massachusetts.<sup>192</sup>

The Plymouth Woods have constituted a second vital, shaping force in the history of Wareham, offering a landward version of the ecological productivity and space of freedom and loneliness seen along the seashore.

Many rivers flow in Wareham, invariably from north to south, physically linking the world of the Plymouth Woods and the sea coast. Combining water and woods, these conduits between the upland commons and the common resources of Buzzard's Bay have been central in the history of the Town.

In the east flows Red Brook, emptying into Buttermilk Bay and forming the landward boundary with Bourne and a portion of the boundary with Plymouth. Rising in White Island Pond in the southern extremities of Plymouth, Red Brook – so called because of the coloration its numerous bog iron deposits give it – is today, and has been historically, one of the prime “salter” brook trout fisheries of southeastern New England. Brook trout, the native trout of northeastern North America, can, under the right circumstances, venture forth from the cold clear freshwater streams they typically live in to seek their chances in salt-water – in this case, Buttermilk Bay, and perhaps beyond. These are known locally as “Salters” and are much prized by fishermen; a similar phenomenon occurs along the shores of Lake Superior, where the brook trout are known as Coasters; and, in the Pacific Northwest, the ocean-going trout, with pink flesh from their food

<sup>192</sup>Edward Howe Forbush, *Two Years With the Birds on a Farm*. (Boston: Wright and Potter Printing Co., 1908). Forbush notes in his 1908 second edition of the book, originally delivered as a lecture to the State Board of Agriculture's Winter 1902 Meeting in North Adams, that in the years since 1902 many of the swamps which once proved such excellent shelter for birds had been transformed into cranberry bogs. It seems reasonable, then, to conclude that this first decade of the Twentieth Century was a decisive one in the process of modern-day enclosure, whereby significant portions of common lands were put to the uses of private capitalist agriculture.

sources , they have gained the Melvillesque appellation of ‘steelheads’. In the 19<sup>th</sup> century, Red Brook was purchased as a brook trout hatchery by the Lyman family; today, it has been preserved by the conservation group the Trustees of Reservations, in partnership with the Commonwealth Division of Fish and Wildlife and the private landowners – significantly, A.D. Makepeace, the great cranberry enclosers. It also sustains a herring run in the spring; it was in the hopes of increasing this fishery that the Agawame Proprietors expanded the stream's course into White Island Pond, and, in memorial of the evidently well-tipped meeting that saw the project's proposal, named their newly widened stream “Merry Meeting Brook”, and seeded it with herring. The name did not last.<sup>193</sup> But in the 18<sup>th</sup> century the vast majority of its course would have been through common woods.

Moving westward along the shore's various necks and coves, though a few minor streams turn into the shallow estuaries that feed Onset Bay, the next major river is the Agawam, rising in Halfway Pond in the Plymouth Woods and flowing nearly ten miles to its confluence with the Wankinco River at the Wareham Narrows. The river's name was expanded to mean the pinelands of far southwestern Plymouth in the 17<sup>th</sup> century, until, after the incorporation of Wareham in 1739, it came to refer to the eastern part of the Town. In its upper section, the Agawam flows through a steep, hilly, wooded country, clad in pines, beeches, oaks, and red maples, while in its lower reaches it meanders in great loops through large saltmarshes; this physical feature, lying at the center of the Town's east-west axis, because of the physical obstacle it prevented to travel, must have contributed greatly to the mutual suspicion, disregard, and parochialism with which the old inhabitants of Agawam and Sippecan viewed each other. Long stretches of the river have

<sup>193</sup><http://www.thetrustees.org/places-to-visit/south-coast/lyman-reserve.html?referrer=https://www.google.com/>. Information on the expansion of the brook comes from Lovell, 83.

been dammed for the purposes of mills and cranberry agriculture over the centuries, for instance into Glen Charlie Pond and the Agawam Mill Pond.<sup>194</sup>

The Agawam meets, just above the Wareham Narrows, the Wankinco, another stream rich with fish falling from the kettles and kames of the Plymouth Pinelands. Flowing about seven-and-a-half miles from the pine barrens of the southwest Plymouth-Carver border to its confluence with the Agawam, the Wankinco was originally known in eastern Algonquian dialects as Wanquinguoah, which may mean “twisting river”. Its course likewise runs through the sudden declivities and broken uplands of the Plymouth Woods as does its sister river the Agawam, before debouching in marshes as it approaches the Wareham Narrows. Like the Agawam, it is the site of multiple dams today, most notably the dam at Tihonet, the northwestern corner of Wareham where it meets Carver and Rochester. Here, in the years after the War of 1812, nascent capitalists used the pond's (called Tihonet Pond) large head of water to power the manufacture of nails, made from local bog iron. This factory, the Tremont Nail Company, still operates today. In addition, a number of dams, including at the very headwaters of the river, have been constructed for the needs and purposes of cranberry agriculture.<sup>195</sup>

Finally, along the western border with today's Marion (before 1852 part of Rochester) flows, in its broad estuary fringed with great marshes, the Weweantic River. At fourteen miles, it is the longest of Wareham's rivers, and is distinct in other ways. Its upper course flows through some of the flattest and swampiest parts of the glacial outwash plains of southern Plymouth County, in the Town of Carver; here it meanders in tightly coiled, snaking loops, through red maple and white cedar swamps, and as with its sisters, encounters many places where the exigencies of the growing of cranberries for world markets have required its damming. It rises

<sup>194</sup>I believe much of this comes from Lovell, but I must confirm it. Measurements are mine via Google Earth.

<sup>195</sup>Measurements mine via Google Earth.

from the concatenation of small brooks in the interior swamps of the county, in Middleboro and Carver. Its estuary, separating Cromesett Neck in Wareham from Sippican Neck in Rochester/Marion, is a vast marshy space; here spread what are probably the most extensive salt-marshes in Wareham. Though not as large as the Great Marsh in Duxbury, this intersection of land and fresh and salt-water would have served as a crucial food resource for Indians and English alike.<sup>196</sup>

The relative fecundity of each of these streams in the colonial period can be measured by a document found by Daisy Washburn Lovell in the Town Records. At a (presumably 18<sup>th</sup> century) Town Meeting to see whom the Town would choose to procure its collective fish that spring, the Town set out the limits of fishing on each of the Town's streams that supported a herring fishery. The Town allotted a total of 410 barrels of fish that year; 300 were to be taken out of the “Weantet River” [the Weweantic], 80 “oute of Agawam River”, eight out of the “Wampinco River” [Wankinco], 16 out of “Cohassit Crick” – presumably Red Brook – and six out of “ye Brook by Micah Gibbs.” Thus, 73.2% of the Town's herring catch that year was taken from the Weweantic River; 19.5% from the Agawam River; 1.9% from the Wankinco; 3.9% from Red Brook; and 1.5% from Gibbs' Brook. Presumably, this reflects the relative size of the herring run in each stream. Those for the people of the Town were to be taken from one side of the river, those to be sold outside of the Town on the other. Thus, through the aegis of the Town, market- and non-market activities existed side by side. Nonetheless, it is still deeply significant that this market activity took place in a “safety first” fashion, and that it occurred only with the assent, and under the close watch, of the Town.<sup>197</sup>

<sup>196</sup>Measurements mine via Google Earth, 3/15/13.

<sup>197</sup>Lovell, 82.

These streams, then, link the dramatically different worlds of the woods and the sea, and have served as a conduit for all kinds of life in this landscape.

### III: Political History of Wareham, Part I

The first English settlers of the region that would become Wareham made their way into the pines and ponds in the decades after the establishment of Plymouth in 1620. According to Lovell, the first English house built in the lands that would become Wareham was constructed in 1634; its foundation stones were still visible in the last third of the 20<sup>th</sup> century. It was built by John Bump, also spelled Bumpus, and indeed, a number of other ways, and possibly of French Huguenot origin. The Bumps, according to one family historian, while one of the first families of the Town, were distinctly more plebeian than the more genteel Fearings, who give their name to the street on which these words are written. Lovell expresses doubt that John Bump, though the first recorded settler, ventured alone into these woods. “It seems reasonable to suppose that there were other stout-hearted pioneers scattered here and there in the sixteen miles between here and Plymouth Colony.”<sup>198</sup>

Whether or not Bump settled alone, he was soon followed by others. The colony made “a graunt of a Plantation called Seppekan” in 1638 to John Lothrop, a dissenting minister from London. However, Lothrop chose to decline this grant, opting instead to take up residence in Barnstable. This grant extended to the western bank of the Wankinco River.<sup>199</sup>

In 1666, the tract of land extending from Halfway Pond (about halfway between Plymouth and modern-day Wareham), down the Agawam River and to Buzzard's Bay was sold

<sup>198</sup>Lovell, 17.

<sup>199</sup>Ibid.

by several Wampanoag people – Nanumett, Weeanucket, Aconootus, Awanco, Attaywanpeek, Wampoke, and Assanket – to four Englishmen from New Plymouth: William Clark, Hugh Cole, Nathaniel Warren, and Captain Thomas Southworth. The entire tract, approximately 8,000 acres, was sold for £24 10s. The Agawam Purchase was leased for seven years; evidently this lease did not last, for the Town of Plymouth sold the land in 1682 for 280 English pounds to provide funds for the construction of a new meeting house. The purchasers – John Fearing, John Chubbuck, Samuel Bates, William Beale, Josiah Lane, Seth Pope, and Joseph Bartlett – divided the tract into six shares in 1685; they laid out “home lotts” of 60 acres “To build any house or housen upon”, along with six acres each of meadow land for use as pasture. They established a spot for a grist mill on the Agawam River, a place for a burying ground, for a pound for stray or lost animals (according to Lovell, the pound was invariably placed in early New England in the churchyard or the graveyard, and lacking a church, the settlers must have put it in the cemetery), and formed a committee of four to establish public as well as private roads. Lovell remarks that “they began their small colony as though they were a separate nation.” Only a pillory and a whipping post were denied to the new settlement by Plymouth.<sup>200</sup>

The western part of Wareham, outside the bounds of the Agawam Purchase, was settled in an unusual fashion for the New England colonies. Though it is unknown when exactly the first colonists moved here, the land was part of the Rochester Proprietary, later the Town of Rochester, and was known as Fresh Meadows. According to 19<sup>th</sup> century historian Sylvanus Bourne (quoted by Lovell), “The lands were granted by the Virginia mode called 'shingling'. To each proprietor was given a warrant stating that he was entitled to a certain amount of land. This warrant he could assign, or locate it where he pleased, in one, or more, lots, or in any shape. Of course, all aimed to secure the best land, and one surveyor not knowing what another had done,

<sup>200</sup>Lovell, 17-18.

often lots were more than once covered,” leading to property disputes. Moreover, a number of narrow, excess strips known as “gores” were left over, a phenomenon seen in the settlement of northern New England later in the 18<sup>th</sup> century but relatively absent from southeast Massachusetts.<sup>201</sup>

Wareham did not become an incorporated Town until the latter part of the 1730s. Presumably the prospect of travelling each Sunday to Rochester, Sandwich, or Plymouth for Divine Services was growing increasingly wearisome for the settlers; in addition, perhaps they felt that, having seen at least some increase in population since the 17<sup>th</sup> century, formal incorporation as a Town was their right and prerogative. Thus, Israel Fearing, one of the area's largest landowners (his house on Fearing Hill in West Wareham, by the Weweantic River, stood into the 20<sup>th</sup> century), rode through the woods to Boston to deliver a petition to James Warren, Plymouth's representative in the General Court, in May, 1738 on behalf of the inhabitants of Agawame Plantation and the eastern part of Rochester to be set off as a distinct precinct. The next year, opinion in Agawam and Sippican had apparently hardened, for a petition was prepared by Ebenezer Burgess, Thomas Hamlen, and several others, asking for the legislature to incorporate the lands as a Town. The General Court agreed, and the bill of incorporation was signed by Governor Jonathan Belcher on the 10<sup>th</sup> of July, 1739.<sup>202</sup>

The first Town Meeting was held on August 6<sup>th</sup>, 1739. The essential political order of the Town was organized; a Moderator, Town Clerk, Town Treasurer, and Selectmen were chosen, as were two Town Constables, lending credence to Lovell's assertion that the Town was so divided into its composite districts that separate officers (though not Moderators,

<sup>201</sup>Lovell, 20.

<sup>202</sup>Lovell, 33-35.



Selectmen, Treasurers, or Clerks – the Cabinet offices of Town Government, as it were) needed to be chosen for each district. Later that summer, the Town began its (somewhat lengthy) consideration of the question of settling a learned minister in Wareham, and what his salary was to be.<sup>203</sup>

During that first year, the Town took up those tasks of settlement which had been completed several decades before in the central part of the county. Grand and petit jurymen were chosen for the sitting of the county court at Plymouth. A committee was established to sell the pews in the meetinghouse, while Isaac Bump and Jonathan Hunter were chosen “to take care of the Young People in the time of Divine Service on Sabbath Day and att other times if they see them at play....”<sup>204</sup> Significantly, the care for and maintenance of common lands, waters, and game were among these first acts of the Town during its founding period. A warrant called the Town's voters to meet on the 30<sup>th</sup> of November, 1739, “to Chuse two men as the Law directs to take care that no Deer Bucks Doe or Fawn be Killed Contrary to the Law”<sup>205</sup> In addition, in a sign that old English open range traditions carried force in the town, it was “Voted that Swine should Run at Large having Yokes and Rings”; Benjamin Norris and Samuel Doty were chosen “Hog Constables.”<sup>206</sup> Finally, in a further sign of the Town's relatively low population and peripheral position within the Province's political-economic geography, the Town “Voted [itself] not Qualified to Send a Representative”<sup>207</sup> to the General Court – meaning its population was less than forty households, even in the middle years of the 18<sup>th</sup> century, rendering it closer in population density, lifeways, and political traditions to Towns along the western and northern

<sup>203</sup> Wareham Town Meeting, August 6<sup>th</sup>, 1739, in Wareham Town Records, Vol. I, 1; original manuscript is lost, but handwritten copies from the late 19<sup>th</sup> century can be found in the Wareham Free Library on Marion Road, Wareham, Mass; Town Meeting Warrant August 10<sup>th</sup>, 1739; Town Meeting, September 10<sup>th</sup>, 1739.

<sup>204</sup> Wareham Town Meeting, March 3<sup>rd</sup>, 1740.

<sup>205</sup> Warrant for Nov. 30, 1739, dated Nov. 22<sup>nd</sup>, 1739.

<sup>206</sup> Wareham Town Meeting, March 3<sup>rd</sup>, 1740.

<sup>207</sup> Wareham Town Meeting, May 10<sup>th</sup>, 1740.

frontiers of Massachusetts than its neighbors in the central part of Plymouth County, let alone the well-represented Towns of Suffolk, Essex, and Middlesex Counties.

In a surprising and ironic twist, the incorporation of Wareham had resonances in larger affairs of imperial governance. Gov. Belcher lost favor and was removed as governor of the Royal Province; he was succeeded by Governor William Shirley. Shirley moved quickly to clamp down on the creation of new Towns; each Town of over forty families was entitled to a Representative in the General Court. This, in turn, strengthened the Massachusetts Country Party. Consequently, Shirley informed Whitehall that “the present number of these men [representatives] hath been sufficient to embarrass His Majesty's government here,” and made known his refusal to approve of the creation of any new Towns unless expressly endorsed by the monarch. The irony of this is that Wareham, in its first Town Meeting, voted itself too small (in population) to send a Representative to Boston. It must, then, have been a thinly populated place, with fewer than forty families spread over the thousands of acres of forest and coast.<sup>208</sup>

After this initial round of town-making activity – what might, in a different context, and in a macrocosmic sense, have been called “nation building” in the 21<sup>st</sup> century – the Town records calm down a bit in the early 1740s. The regular need to send grand and petit jurymen to the sitting of the courts in Plymouth kept the freeholders of Wareham occupied, as did the question of whether to build a school and where.<sup>209</sup>

Up to this point, however, the discussion of common resources had so far excluded the regulation of the alewives and herrings that run annually up the rivers and streams of the Town. This changed in the middle years of the 1740s, perhaps as a result of increasing demographic and

<sup>208</sup>Lovell, 36.

<sup>209</sup>See, e.g., Wareham Town Meeting, March 22, 1742, and Town Meeting Warrant, February 19<sup>th</sup>, 1742/3.

ecological pressures in the Town. At a Town Meeting held on March 1<sup>st</sup>, 1745, the first of what would today be called herring wardens was chosen. The Town “Voted John Ellis and Ebenezer Briggs to take care of the Ale wives.”<sup>210</sup>

Like its neighbors in the central part of the County, the Town fulfilled many of the obligations met today by the state and federal social safety nets. A Town Meeting Warrant from the Winter of 1745/46 called on the Town “also to Choose one man if the Town sees cause to be Overseer of the poor...” These were not abstract questions, but pressing and intimate concerns in the highly personal world of the 18<sup>th</sup> century agricultural village. Thus, the Town was additionally called “to take in consideration the Circumstances of Jane Bump or Jane George so called and do something as they Shall think proper for her support...” In addition, in a sign of the existence of a rudimentary form of county government, the Town's choice for County Treasurer was to be made known.<sup>211</sup>

Later that spring, the Town devolved responsibility for the care of Jane Bump to one of its freeholders, charging him with “Keep[ing] Jane Bump so called the Year Ensuing with victuals and cloaths,” and granting him “Twelve Pounds old Teno<sup>r</sup> for y<sup>e</sup> Same.” In addition, the question of the alewives came once more before the Town: “... and also Chose [Jonah? Zorah?] Swift and Jeremiah Bump to be the men to take care of the fish called Alewives as y<sup>e</sup> Law Directs...”<sup>212</sup>

Though the affairs and concerns of the Town Meeting in Wareham, as in its New England neighbors, were for the most part intensely local, the community did not exist outside larger Atlantic currents, both literal and figurative. Clear evidence of the Town's participation in larger provincial and imperial structures appears in the records for the mid-1740s, when “tax exemptions” were offered in light of global military conflict; the Town Meeting Warrant from September, 1746, puts the question whether “the Town will Exempt Barnabas Bates [and] Ebenezer Perry Jun<sup>r</sup> from paying Rates the

<sup>210</sup>Wareham Town Meeting, March 1<sup>st</sup>, 1745.

<sup>211</sup>Wareham Town Meeting Warrant, Feb. 10<sup>th</sup>, 1745/46.

<sup>212</sup>Wareham Town Meeting, March 31<sup>st</sup>, 1746.

Ensuing Year. By Reason of their being [illegible – in?] the Expedition at Cape Britten the Last Year...”<sup>213</sup> The successful expedition against the French fortress of Louisbourg on Cape Breton, guarding the mouth of the Gulf of St. Lawrence, was nearly entirely organized by the New England provinces and colonies; indeed, the return of the mighty fortress, with its commanding position of the approaches to the Newfoundland fisheries, to France by the imperial government in the Treaty of Aix-la-Chapelle (1748) formed one of the lasting grievances of New England, resentment over which would flare up two decades later in the crises of the 1760s. The successful feat of arms also would be pointed to by New Englanders as evidence of their military capabilities during the struggle with Great Britain. Wareham, then, showed that it was possible for a place in southeastern Massachusetts both to be intimately connected with larger political structures and at the same time to maintain a localized economic life, one that must have been governed by the intensely localist *mentalite'* of the 18<sup>th</sup> century New England agricultural village.

As the decade wore on, the records of the Town Meeting take on a new regularity, no doubt the result of a change in Town Clerk. The annual March Meeting in 1747 once more treated with the topic of herring: “12ly the town chose Deacon John Elles [and] Butler Wing to see that y<sup>e</sup> herrings had free Passage in the Severall Streams In s<sup>d</sup> Town y<sup>e</sup> Insuing year.”<sup>214</sup> This Town Meeting, like its predecessors, continued to choose two constables for the Town, reflecting its underlying geography of two composite neighborhoods married in the convenience of one municipality. In an interesting aside, the Town Clerk, for the first time, notes that “The Town Chose By Voting” its Town Officers, suggesting, perhaps, that votes for the Town Officers had not hitherto been the usual course of events.<sup>215</sup>

<sup>213</sup>Wareham Town Meeting Warrant, Sept. 6<sup>th</sup>, 1746.

<sup>214</sup>Wareham Town Meeting, March 16<sup>th</sup>, 1746/47.

<sup>215</sup>Ibid.

The strictures for commons became more formalized towards the end of the decade. The annual Town Meeting in March, 1748 – again with its dual constables – witnesses the first use of the actual word “commons” in the Town Records: “The Town voted that hogs should go att libertey on the commons the Insuing year onley Being yokt according to Law.”<sup>216</sup> After an adjournment of two weeks, the Town chose deer reeves, ordering them that “If thare Be aney [deer] Kil'd [contrary to provincial law] to se that y<sup>e</sup> vilaters of the Law Be Brought to Justes.”<sup>217</sup>

1748's annual Meeting witnessed a significant change to Wareham's herring commons regime. For the first time, the Town delegated several freeholders and their sons to catch herring for export and sale. “The Moderator Put to Vote Whether the town was for Haveing 410 Barel[s] of herring Catcht of y<sup>e</sup> Several Streems In Wareham y<sup>e</sup> Present year for markit Provide[d] the men that Catcht them would Pay to y<sup>e</sup> Town 4<sup>s</sup> / Bountey on each Baril for y<sup>e</sup> youse of y<sup>e</sup> Town and y<sup>e</sup> vote [passed]In the affarmitive[.]” These fish were to be taken in the proportions mentioned above in the section on the rivers of the Town. “The men that appear<sup>d</sup> In Meeting to Catch y<sup>e</sup> hering<sup>s</sup>” were “Capt Fearing for his Sons”, “Deacon Joshua Gibbs for himself & Suns”, “Rowland Swift for him Self”, “[Butler?] Wing for him Self and y[e] other men concern<sup>d</sup> with him in y<sup>e</sup> fishing affare.”<sup>218</sup>

A number of things ought to be remarked about this development. For one thing, it is evidence that, more or less commercial, endeavors grew up alongside of, rather than supplanted, the traditional economic activity of Wareham; the presence of commercial exchange, let alone the mere use of the word “markit”, do not a market society make. Moreover, this commercial exchange was occurring not as the result of multiple atomised economic actors competing under conditions of *laissez faire*, but rather under the aegis of the local polity and for its “youse”. If the Town had not approved the barreling of the fish for sale, it would not have been possible for the activity to occur. In this, the economic

<sup>216</sup>Wareham Town Meeting, March 7<sup>th</sup>, 1748.

<sup>217</sup>Wareham Town Meeting, March 21<sup>st</sup>, 1748.

<sup>218</sup>Ibid.

organization of mid-18<sup>th</sup> century Wareham rather more closely resembles the feudal order of Old England than it does anything like 19<sup>th</sup> century capitalism. Indeed, the municipal independence – the “freedom of the Towns” – that undergirded much of the development of the modern state in the late Middle Ages, and that defined forerunners, as opposed to embryonic examples, of capitalism, seems more apposite here than “the dark Satanic mills” of Birmingham or Manchester. Even within this very Meeting, the traditional common usage rights were maintained by the Town in addition to the barrelling of the alewives for sale. “The Town By Votes maid Choice of” Deacon John Ellis, Ebenezer Burgess, Jeremiah Bump, and Thomas Whitten “to take Care that the herrings have free Corce up Stream y<sup>e</sup> Present Year.” Even, or perhaps especially, alongside the barelling of the fish for sale, the traditional preservation of the fluvial commons continued unabated.<sup>219</sup>

Affairs of church and school continued to occupy the Town Meeting in the last years of the decade, and like its neighbors in the northern part of the County, it occasionally had to answer charges from higher provincial authorities. For instance, at a Town Meeting held on May 15, 1749, Samuel Burgess was chosen “to make answer to a Presentment maid a Gainst the town of Wareham By the Grand Jurey for the Body of the County of Plym'o att March Sessions Last Past And to Be heard at triole at the Cort of General Sessions of the Peace [illegible – to be?] held att Plym'o in the third tuesday of May Instant.”<sup>220</sup>

#### IV: Interlude – Economic Life as Described by Israel Fearing

<sup>219</sup>Ibid.

<sup>220</sup>Wareham Town Meeting, May 15, 1749.

The non-market nature of economic life in colonial Wareham is made evident in the personal journal and record-keeping book of Israel Fearing, the largest landowner and the Justice of the Peace in the lands of Agawam and Sippican. This record book was begun in 1722, and is quoted heavily by Bliss in his account of colonial Buzzard's Bay. Bliss, describing the economic life encapsulated in the account book, remarks that "They [the residents] dealt with each other in trade by barter, and accounts were allowed to stand open for years before they were balanced. When the amounts had been carefully reckoned and certified, the balance was adjusted with a promise to rectify thereafter any mistake." Bliss further commented that "whatever was wanted by one neighbor could be obtained in barter from others." All the necessities of life that could not be produced by each household on its own, from cradles to coffins, were exchanged. Like the antebellum farmers of Western Massachusetts identified by Christopher Clark, who reckoned in a similar fashion the complex web of interdependence that bound the families of a given rural neighborhood, these farmers participated more in a moral than a market economy.<sup>221</sup>

Several examples of transactions recorded in Fearing's book are adduced by Bliss to demonstrate their character. The exchanges are for the most part in kind, or country pay, though some currency does appear to have been exchanged. In 1729, he "Reconed with Joseph blakmor and there is due him one bushall of wheat 12 bushalls of otes and 11 bushalls of inden corn and one shilling". The next year, in a sign of his centrality to the material life of the northern shore of Buzzard's Bay, he "Reconed with margret bates as Execter to har husband and ol acounts balanced A mistak in Reconing 6 shilling for my hos [horse]". Two years later, an interesting exchange is noted: "Reconed with Ebnezer Luce Swift and there is a mistak of 2 quarts of maleses". Two significant elements ought to be

<sup>221</sup>William Root Bliss, *Colonial Times on Buzzard's Bay*, 1<sup>st</sup> edition, 30, 32; cf. Christopher Clark, *The Roots of Rural Capitalism: Western Massachusetts, 1780-1860*.

remarked here. First, the exchange is in country pay, with molasses used as a medium of exchange. And secondly, and perhaps more intuitively, the ability of Fearing, the most powerful man for miles around, and Swift, to renegotiate a past economic exchange with no legal recourse – and this apparently no remarkable thing – suggests the presence of a commonly accepted, traditional or moral economy. We are very far indeed from the world of lawyers, those “shock troops of capitalism” as Charles Sellers has called them. Of course, there are things we cannot see – most of all, Ebenezer Swift's account of the transaction. But at the very least, this is an economy of which it can be safely said that its everyday workings fail to exhibit any kind of market mentality, and are devoid of any of the tell-tale signs of capitalism (e.g., recourse to the law, a spirit of limitless accumulation).<sup>222</sup>

In 1738, Fearing, in a humorous entry – perhaps early evidence of the cranky, sardonic Yankee wit of 19<sup>th</sup> century caricature and beyond – wrote that he “Reconed with Ebnezer Luce and acounts balanced from the beginning of the world to the date here of’”.<sup>223</sup>

But while Fearing did show a sense of humor, and was certainly not any kind of embryonic version of the 19<sup>th</sup> century Manchester capitalist, this does not mean that he did not wield a particular kind of paternalistic power in his economic dealings, and the records show that he was perfectly capable of hard negotiation and strict dealings with those with whom he had entered into economic agreements; “it was not forgotten to charge for 'time loost',” remarks Bliss, “even when it was lost in fever-and-ague fits.....” Fearing, in February, 1736 (ed. - 1736/37?), recorded as follows: “Samuel bates to worck with me 6 mounth for 22 pounds and if he loos Any time to abate acordingly and If I se cause to have him make up the los of timme after he hath made his Salt hay he is to du it[.]”<sup>224</sup>

A year and a half later, a more overtly patriarchal side of Fearing is demonstrated, one with the distinct flavor of early modern negotiations between the servant class and the gentry in Old England

<sup>222</sup>Fearing quoted in Bliss, 30-31; cf. Charles Sellers, *The Market Revolution*.

<sup>223</sup>Bliss, 31.

<sup>224</sup>Ibid.



during the Tudor and Stuart periods. “November 8 1737 Ebenezer bessee to work for mee to 10 day of March at night with his own ax and I am to find him meet drink washing and loging And I am to give him the vallew of 10 pounds *but not in mony* and hee is to cut 2 cords of wood in a day when hee doth no other work[.]” [emphasis added]. A further reminder of the era of “the strolling poor” was added when, in an agreement with the same Ebenezer Besse for eight months' work, Fearing wrote that “I am to pay him one half in goods and the other half in bills of credit and if I think he dont ern his wages he is to go Away[.]” Bliss notes as well that Fearing paid two Wampanoag people to dig him a ditch “in rum, cider, corn, pork, '2 mugs of fleep 1 knife 1 Ax 1 Shurt 1 diner.”<sup>225</sup>

Bliss also found discrete pieces of evidence in Fearing's book to support his larger claim about the farmers and fishermen of 18<sup>th</sup> century Wareham. Fearing recorded on “february 20d 1745 marck hascul Dr for one Lood of hay fouer pound and 12 shillings old tener. Received of marck hascul five pars of Shues fouer pounds 12 shilling old ten[.]”<sup>226</sup> He also notes the common practice of “swapping horses [as] a form of barter.” He quotes the following entry in Fearing's account book: “John bump promased to give mee fouer pounds old tener by ye foot of ye year beetween our mars [mares] ye Swap.”<sup>227</sup> Notable here is the use of animals as a medium of exchange, of a kind that would be familiar not only to agricultural peoples the world over, but also – perhaps especially – to the pastoral nomads of the Asian steppes and American plains; and these were certainly not living in an embryonic form of market capitalism. Finally, the appearance of a distinct New England dialect can be gleaned from some of the phonetic spelling of Fearing, particularly from the rendering of the number four as “fouer” (I have also seen “fower”).

Tanners of leather occupied a special place in the colonial New England economy. By provincial statute, farmers were required to send all of their hides and skins to a tanner, who was not

<sup>225</sup>Fearing quoted in Bliss, 31-32.

<sup>226</sup>Bliss, *Colonial Times*, 2<sup>nd</sup> edition, 62.

<sup>227</sup>Bliss, 2<sup>nd</sup> edition, 63.

allowed the practice “of any other trade”.<sup>228</sup> Fearing's book records some of his dealings with these tanners. “Ichabd King had of me 2 skens to dres in 1733 december 6 day to 4 mor skens to tan for me the one maid 47 one 52 one 51 pounds the other a cones [coon's?] sken: the 52 paide for in parte of excainging of a hos [horse – another demonstration of the New England accent] in 1734 to 2 doges skens to dres and 2 sheep skens in 1735 one cow hide[.]” Fearing paid this tanner in corn, rye, and with “one dog”.<sup>229</sup> On other occasions recorded by Fearing, the tanner would take one half of the skins he tanned.<sup>230</sup>

Indeed, leather was valuable precisely for its durability and its utility. The want of currency in the province in the middle decades of the century – the shortage that led to the emission of cheap paper Old Tenor currency – meant that qualities such as durability, utility, and ease of exchange rendered leather, if not an ideal, then at least a serviceable medium of exchange. Fearing noted in 1749 that he “paide to Roulan Tupper one pound and Seventeen Shillings and Sixpence in leather.” In addition to leather, other forms of country pay included grain crops: “John Fearing bought a gun of Nehemia bese for 3 bushalls of corn and 3 bushalls of rye at six pounds twelve Shillings and If ye corn or rye fetcheth more by the 18 day of Augest he is to give it and to pay for mending his gun If he Redeemeth her”. Iron, too, though heavy and dense, was used as a medium of exchange, and not just in southeast New England; the annals of the early Anglo-American settlement of Vermont, for instance, record instances of youths making trips to barter of over thirty miles (one way) over the Green Mountains, with iron strapped to their backs one way, and corn meal or flour on the way back. Fearing records the use of iron as a medium of exchange in Wareham: “desember 1744 sold to mr Joshua bensen 20 bushalls of corn and 20 bushalls of rye for twelve shillings per bushall and to be paide in bloomary Iron to be delivered at my hou at four pounds old tener per hundred but good Iron”; nearly two years later, in

<sup>228</sup>Bliss, quoting provincial law, 64.

<sup>229</sup>Fearing, quoted in Bliss, 64.

<sup>230</sup>Fearing, quoted in Bliss, 65.

November, 1746, he received iron from Dr. Benianan Eliss “to be paid in Smith worck twenty-four pounds ten Shillings and Six pence”. Thus, both the raw material, either hides or iron, along with the labor required to convert those raw materials into leather or iron tools, served as media of exchange in the cash-scarce economy of colonial southeast Massachusetts.<sup>231</sup>

Fearing also records the construction of boats and small ships in his account book.

Significantly, these appear, at least from the records adduced by Bliss in his 19<sup>th</sup> century study, to have been more for local or regional uses, lading agricultural produce or fish, than for long-distance trade. Not that this trade did not exist; to the contrary, trade, even to the West Indies, had existed along the northern shore of Buzzard's Bay since the last decade of the seventeenth century. However, this trade was merely ancillary – it was not the end-all-be-all of economic existence as it would become in the latter two thirds of the 19<sup>th</sup> century. Bliss reports that, among the farmers of Wareham, scows were built for the transportation of wood, and sloops for carrying it to market. Again, the existence of resource arbitrage, of carrying one resource from where it is common to where it is scarce, is not dispositive evidence of a market society, being known in ancient and medieval times, as well as in professedly non-capitalist economies such as Ceausescu's Romania.<sup>232</sup> Vessels were also built for fishing and whaling voyages. Bliss describes the construction and launch of one of these boats: “A launch of a vessel, which was usually built in the woods, sometimes more than a mile from the water, was an event which attracted general attention. It was loaded on two pairs of wheels, and was hauled by many yoke of oxen to the launching place. The wheels were then run into the water until the vessel floated off.”<sup>233</sup>

<sup>231</sup> Bliss, with Fearing quotes, 65. Vermont incident described in Frederic F. Van de Water, *The Reluctant Republic: Vermont, 1724-1791*. (Tafstville, Vermont: Countryman Press, 1941), Ch. 2.

<sup>232</sup>I am thinking here of the Ceausescu regime's problem with international creditors.

<sup>233</sup>Bliss, 63.

Fearing's involvement in one of these local whaling voyages (Bliss notes that the voyages were relatively short, of a few months' duration, the blubber being brought back to port in casks and tried out, or rendered, on land) is apparent through another of his entries in his account book. In late February of 1737, he “agread with Josiah peary for Josiah Wood to go this Spring coming A Whael Vige with him for 5 pounds and 5 shillings per mounth from the time he goeth from hom And one pound of whale bone more in all”. While whaling was, like the cod fishery, an endeavor that linked the farmers and fishermen of Buzzard's Bay to larger international commercial networks, it was not, as it would become in the 19<sup>th</sup> century, the central economic activity of thousands of households across southeastern Massachusetts. It was, like the selling of wood to wood-scarce communities in the coasting trade, an ancillary rather than a primary locus of the economy of 18<sup>th</sup> century Plymouth County.<sup>234</sup>

## V: Political History Part 2 – the 1750s and 1760s

<sup>234</sup>Ibid.- The phonetic spelling of “voyage” as “vige” is notable for further insight into the dialect of early New England. It comports, as well, with other (albeit later) sources: for instance, the Downeast Yankees in Sarah Orne Jewett's 1896 *The Country of Pointed Firs* are depicted pronouncing the word “voyage” as “v'y'ge” – remarkably similar to the phonetic spelling in Israel Fearing's book.

The 1750s and 1760s, the final decades of the royalist order in New England, witnessed the consolidation and firm establishment in Wareham of the commons regimes and various aspects of Town governance that first took root in the decade after the Town's formal incorporation. Notably, this remote and thinly populated community did not display the same intense political awareness and commitment as its neighbors in the central part of the County. The 1750s and 1760s may have been the last years of the Old Regime in a chronological sense; but in Wareham, at least, the agrarian order established earlier in the century saw little in the way of change. Indeed, what changes the records do evince seem the result of increasing economic and demographic activity. However, none of this energy, until a very late date, spilled over into the formal political activity evident in Duxbury and Pembroke at the same time. It may also have been that Plymouth County generally proved less concerned with the crisis than other parts of the province; James Warren reportedly wrote Samuel Adams “that the Plymouth County towns could not be aroused except by a power that would arouse the dead.”<sup>235</sup> Wareham's rural isolation, in fact, gave it many features that rendered it closer to the backcountry than the well-developed, settled countryside of Duxbury and Pembroke.

Some of the issues that came before the Town Meeting were the results of unfinished business during the period of English settlement. For instance, at the Fall budgetary Town Meeting of 1750, the Town took up the question of ministerial lands granted in the preceding decades: “It was Put to vote whether the town would Be at the Cost and charge of a Lawsuit or Law Suits from Cort to Cort to a final end with Respect to y<sup>e</sup> Land and medows In that Part of y<sup>e</sup> Town Known By the Name of Agawam Laid onto and Called Ministry Land to Reduse It to y<sup>e</sup> use of its Duration. Voted in y<sup>e</sup> affirmative.” Here, I interpret the Town's vote to mean that the ministerial lands would be held by the

<sup>235</sup> Warren quoted in Ruth A. Bradford, “Marshfield and Its Historic Houses”, 441 in *New England Magazine: An Illustrated Monthly*, New Series, Vol. 24, March, 1901, and November, 1901, Boston, MA, Warren F. Kellogg.

Town's clergyman only for the duration of his service, rather than in perpetuity – an important corrective for a growing community.<sup>236</sup>

The next year, at the springtime Town Meeting, the Town looked to its military preparedness. After directing, as in other years, that hogs were to run at large on the Commons in accordance with the law, the Meeting took up the question of the Town's powder supply. “The Town Voted to have the Town Store of Powder Sold and the money Laid out In purchasing another Stock of Powder.”<sup>237</sup> Later that spring, the Town would vote, as it typically did, not to send a representative to the General Court in Boston.<sup>238</sup> Thus, like many Towns on the periphery of provincial Massachusetts Bay, it found itself both tied to larger imperial exigencies, like the endemic warfare that would render a powder supply necessary, but also isolated and independent enough that it felt it unnecessary to have its interests represented in the colonial metropole.

The agricultural regime established earlier in the century continued its heavy reliance on the use of common lands and waters. In March, 1753, for instance, the Town voted that swine “Should go at Liberty on the commons” , while it also chose four men “to take Care that the Herring have free passage up the several streams in Wareham[.]” It also voted for two men “to take care of the Deer y<sup>e</sup> Insuing year.” On other occasions during this period, the several and subtle aspects of the relationship between individuals and the Town, between personal desires and dignities and the common will and desire of the local community were made manifest. On the one hand, the Town could be an unsparing judge if it took the view that an individual had illegitimately crossed it; during the 1750s and 1760s, the Town Meeting began quite frequently to take punitive actions against individuals who, for whatever reason, refused to serve in various Town offices, but most especially the evidently onerous office of Constable. In 1753, for instance, “The Town by vote Chose Thomas Whettin to Prosecute Butler Wing

<sup>236</sup> Wareham Town Meeting, Oct. 15<sup>th</sup>, 1750.

<sup>237</sup> Wareham Town Meeting, March 11<sup>th</sup>, 1751.

<sup>238</sup> Wareham Town Meeting, May 27<sup>th</sup>, 1751.

for his Refusing Serving In the office of a Constable in s<sup>d</sup> Town the Insuing Year.”<sup>239</sup> On the other hand, that same spring of 1753, the deep and profoundly communitarian affection that could exist between a Town and its freeholders was also in evidence. “The Town Voted John Fearing Town Treasurer for the year Insuing and he is to Serve the Town for Love and Goodwill” – that is, absent a salary.<sup>240</sup> Now, it ought to be noted that Fearing was a local notable, and certainly his service “for Love and Goodwill” speaks of a relative affluence that found it unnecessary to draw a salary for work for the Town. Even so, the phrasing is striking. While it may not quite have been “a peaceable kingdom” – what human community ever is? – 18<sup>th</sup> century Wareham, as a polity and a corporate body, was the matrix of its inhabitants' life-worlds; it was the atmosphere they breathed, politically, economically, and socially, and it could either suffocate or invigorate, depending on an individual's relation to it.

<sup>239</sup>Ibid.

<sup>240</sup>Wareham Town Meeting, April 18, 1753.

## Chapter 5: Duxbury, Massachusetts, during the Revolution, 1765-88

### I

In the years prior to the American Revolution, Duxbury, like the other Plymouth County towns, found itself primarily occupied with the business of gaining a competence – whether by farming, fishing, or, as was increasingly common, by whaling. Thus, though great imperial events episodically seized the town, as in the Stamp Act Crisis, the latter 1760s were years in which the Town regulated common lands and waters, saw to the upkeep of the Meeting House and the schools, and provided for the support of the poor.

In the annual Town Meeting of 1766, for instance, “The town gave liberty to Joseph Drew and his partners to build a dam and Gristmill on Blue fish river, and to keep up said dam so long as he shall keep the Mill in good repair for grinding corn or grain....” At the same time, Duxbury was to be held “harmless from all damage that may arise or happen by said Mill Pond flowing the marshes or land of the owners, lying above said dam.”<sup>241</sup>

The Town also sought to preserve its sense of corporate integrity and its common resources. It empowered the treasurer to “prosecute all persons that have or do bring in any persons [unto] this town,

<sup>241</sup>Duxbury Town Meeting, March 31<sup>st</sup>, 1766; in George Etheridge, copyist, *Copy of the Old Records of of the Town of Duxbury, Mass. From 1642 to 1770. Made in the Year 1892.* (Plymouth, Mass.: Avery & Doten, 1893), 335, hereafter ORD (Old Records of Duxbury).



by receiving them into their houses or enclosures, and have not followed the direction of the law thereunto belonging.” In other words, the Town sought to prevent warnings out, rather than having always to act after the fact. A road was accepted as laid out by the selectmen on the Nook, and, as it had in years past, the Town Meeting gave special care to the preservation of common lands and waters – this time not under the aegis of the Town, but through appeal to provincial authorities, particularly through petitions to the General Court. The Meeting “Voted that Col. Gamaliel Bradford should prefer or present a petition to the General Court in order to prevent the distraction [destruction] of the Bass in North river in the winter season....” Presumably these must have been freshwater bass, for the anadromous striped bass flees the New England coast with the onset of winter. In addition, Col Bradford was to “present a petition to the General Court in order to prevent the cattle from feeding on the beach in order to secure or save the harbor....” Rather than acting as wholly self-interested nascent capitalists, the freeholders of Duxbury showed themselves acutely aware of limits, recognizing that the erosion of the critical barrier beach through overgrazing would expose the harbor, and the bayside portions of Duxbury generally, to the full fury of North Atlantic gales and storms.<sup>242</sup> In the words of a later age, they appear determined to prevent a “tragedy of the commons.”

The dispute continued into the next year. At the annual Town Meeting in 1767, the Town appointed several local notables – Briggs Alden, Wait Wadsworth, and Ezra Arnold – “for the Committee to go and examine the claim of General Winslow and Col<sup>l</sup> Thomas, and to see what titles they have unto Duxburrough beach, and make a report of what they find relating there unto, at next May meeting.” Despite the intention to put off the committee's report until May, it reported back, at least according to the copy of the records made by Etheridge, later that same meeting. On the question

<sup>242</sup>Ibid.

of Duxbury Beach, it reported that it “[had] attended that service and are of the opinion that the said Winslows have no legal claim or title to said beach.”<sup>243</sup>

As in years past and future, the Town – in its paltry and grudging fashion – provided for a minimal sustenance for the poorest inhabitants. In the summer of 1766, the Town Records note that “John Hanks took Elnathan Weston to keep 39 weeks at 3 shillings pr we[e]k.” Benjamin Simmons was to receive 2 shillings per week for the upkeep of Fear Simmons, a widow, and presumably his kinswoman; the Town Meeting had also looked into the support of Content Simmons earlier that spring. The selectmen “agreed with the widow Glass to keep her mother 35 weeks.”<sup>244</sup>

The subject was again raised at the next year's annual Town Meeting. The care of the poor must have become increasingly costly for the inhabitants of the Town (a sign, perhaps, of increasing demographic pressures in southeastern Massachusetts). At this meeting, the freeholders of Duxbury “voted that the select men should hire a work house and to drive the poor of the town into it, and to see all the business relating to the poor carried on in it according to the laws of this Province.”<sup>245</sup> The poor house, a novel institution in the Town, had arrived in Duxbury.

Yet the construction of a poor house does not seem to have been met with satisfaction by the townspeople, for the next year, 1768, they proposed yet another solution: an excise on liquor, the revenue of which would go to support indigent local people. “Voted to come into a new method about taking care of the Poor of the town, and to have the excise laid upon the spiritous liquors as in the years 1764 & 1765....” But imposing this tax evidently required provincial authority, for the Town, at the same meeting, also “voted that their Representative should use all the interest that lies in his power to procure an act made for levying an excise upon spiritous liquors, at the next sitting of the General

<sup>243</sup>Duxbury Town Meeting, March 24<sup>th</sup>, 1767, in Etheridge, *Copy of the Records of the Town of Duxbury*, 338.

<sup>244</sup>Duxbury Town Meeting, July 31, 1766; Content Simmons in Town Meeting, May 19, 1766; 335-336 in Etheridge's *Copy*.

<sup>245</sup>Duxbury Town Meeting, March 24<sup>th</sup>, 1767.

Court.”<sup>246</sup> Indeed, though the records are rather scanty, Duxbury does not appear to have conclusively settled its problems with the poverty of local residents in the years before the Revolution.

The Town was confronted with other kinds of questions arising from the ordinary operations of social and economic life in a primarily agricultural village. The construction and maintenance of roads was one. At a meeting held in the later winter of 1766, the selectmen memorialized this desire for more roads: “Where as we the subscribers, select men of Duxborough being requested by sundry inhabitants, to lay out a high way on the West side of South river through the land of Bazaleel, and Wrestling Alden's land and so upward, and we began at a heap of stones of the Westerly side of the said river....”<sup>247</sup> In addition, during the summer of 1766, the selectmen recorded both popular pressure for a new public way, and their response: “Where as we the Select men of Duxborough being required by sundry of the inhabitants of said Town to lay out a high way from the Captains Nook up to the Plymouth road, which we have done in the following manner....” The document then lists, in great detail, the course which the new road took. The “highway [was] to be 30 foot wide”, and in an illustration of the almost medieval quality of New England notions of established liberties (cf. D.H. Fischer), was to conform harmoniously to established rights and privileges; after proceeding south from the Nook Gate – a palisade, originally established in the 17<sup>th</sup> century, across the isthmus connecting the Nook to the mainland, primarily for the purpose of keeping cattle in and intruders out – it would proceed alongside, or perhaps in conjunction with, well-established paths: “and further, there is a way through Capt Wait Wadsworth's land, down to the salt bay, where it may be the most beneficial and least prejudicial to each other, forever.”<sup>248</sup>

<sup>246</sup>Duxbury Town Meeting, March 14<sup>th</sup>, 1768, in Etheridge's *Copy*,. 339.

<sup>247</sup>Duxbury Town Meeting, March 4<sup>th</sup>, 1766, in Etheridge's *Copy*, 341.

<sup>248</sup>Duxbury Town Meeting, July 31<sup>st</sup>, 1766; in Etheridge, *Copy*, 336-337. This document describing the course of the road does mention the presence of at least two “shops” in Duxbury, a cooper's and a blacksmith's. Again, as I have stated throughout these chapters, this is not surprising, nor necessarily to be remarked at; medieval English villages would have both hosted these kinds of establishments, and it is worth affirming once more that the mere presence of exchange networks does not a “market society” make.

In 1767, Duxbury's lack of upkeep of its roads and public ways brought the unwelcome attention of extra-local authorities. At a Town Meeting held on November 30<sup>th</sup>, 1767, “the town chose Major Briggs Alden their Agent to answer the presentments made by the Grand Jury relating to the defective ways in said town...” It also took actions that could be viewed as compensatory: “... and the town voted that the select men should lay out the way that leads from Plymouth into Powder Point.”<sup>249</sup> The next spring, the annual Town Meeting again took up the question of public ways on Powder Point, the peninsula jutting into the bay, lying between the Bluefish and Back Rivers. “The town voted that Major Alden be allowed to set up a gate across the high way that leads to Powder Point near the dwelling house of Amaziah Delanoe's, provided the said Alden gives or allows a good cart way through his way as is usual, into Powder Point – and no longer.”<sup>250</sup>

While the ordinary operations of life in a New World agricultural village continued apace, the larger affairs of the Province and the Empire, though calmer than in the Stamp Act years or during the 1770s, nevertheless continued in their fraught fashion. On the one hand, Duxbury attempted to work out certain problems through established usages, particularly by petitioning the General Court, as it did in the case of overgrazing the Beach, and in its desire to put an excise tax upon spirits. On the other hand, Duxbury also participated in political events that were, in the strictest sense of the word, extralegal, sending, for instance “Capt. John Wadsworth ... to join the Committee of Convention on the 22/d day instant to consult with the Convention for the service of the Province.”<sup>251</sup> Between these two extremes – of petitioning and of extralegal conventions – there were other ways of making the sense of

<sup>249</sup>Duxbury Town Meeting, November 30<sup>th</sup>, 1767, in Etheridge's *Copy*, 338-339.

<sup>250</sup>Duxbury Town Meeting, March 14<sup>th</sup>, 1768, in Etheridge's *Copy*, 339.

<sup>251</sup>Duxbury Town Meeting, Sept. 19<sup>th</sup>, 1768, in Etheridge's *Copy*, 340. On excise and the beach, see above.

the Town known to a larger provincial audience, as when the Town “Voted to concur with the town of Boston relating to a vote there lately passed to encourage the manufactures of this Province.”<sup>252</sup>

## II

### Politics: Revolution and Loyalism

By the early 1770s, the relative quiescence of the previous decade had given way to successive and concurring crises. Duxbury, like its near neighbor Pembroke, but in contrast with the apolitical remoteness of Wareham, appears to have been strongly Whig in its sympathies. The Town's answer to a pamphlet from the Town of Boston is instructive.

The Town met on March 12<sup>th</sup>, 1773, to consider the pamphlet against alleged violations of colonial rights, choosing a committee of Capt. Wait Wadsworth, Bildad Arnold, Dr. John Wadsworth, Deacon Peleg Wadsworth, and George Partridge, who frequently served Duxbury as its representative to the General Court. After an adjournment to March 29<sup>th</sup>, the committee reported (unanimously) its agreement with the Boston pamphlet. Its statement is supposed to have been authored by Partridge, who, as a participant in larger provincial political culture, may have been thought best suited for the job by his fellow townspeople. Duxbury's answer, addressed to the Boston Committee of Correspondence, emphasized the community's support for the terms of the petition: “We, The freeholders and other inhabitants of the town of Duxbury, in said Town meeting legally assembled, upon due examination of the contents of a pamphlet from the town of Boston ... are truly of the opinion that the rights of the people are therein well stated, and that the list of infringements and violations of the same is just....”

<sup>252</sup>Duxbury Town Meeting, Nov. 30<sup>th</sup>, 1767, in Etheridge's *Copy*, 339.

This, in turn, induced in the people of Duxbury the fear “that a plan is laid and prosecuted, with unrelenting rigor, which will, if thoroughly completed, reduce the colonies, and this province in particular, to a state of vassalage and desperation.” Thus Duxbury, like Pembroke next-door, and the larger towns of Essex, Suffolk, and Middlesex farther away, expressed the fears of Parliamentary and ministerial conspiracy that, by this point, had become a veritable staple of Whig political thought in the colonies.<sup>253</sup>

The Town's answer to the Boston pamphlet took pains to explain what was apparently a long delay in making its reply: “It would give us uneasiness, Gentlemen, should you imagine from our so long neglecting an answer, that we are in any degree careless, idle spectators of the calamities and oppression under which we groan.” This jab at “idle spectators” may perhaps be an oblique reference to the conduct of towns like Wareham, which had yet to pay very close attention to the travails of the provincial metropole. Indeed, Duxbury, by virtue of its position across the bay from Plymouth, was in a unique position to appreciate the situation of the country: “We inherit the very spot of soil, cultivated by some of the first comers to New England, and though we pretend not that we inherit their virtues also in perfection; yet hope we possess at least some remains of that Christian and heroic virtue and manly sense of liberty, in the exercise of which, they in the very face of danger emigrated from their native land to this then howling wilderness, to escape the iron yoke of oppression, and to transmit to posterity that fair, that amiable inheritance – Liberty, civil and sacred.” This may be, if not the first, at least one of the earliest uses, of the history of the Old Colony for the purposes of reifying, endorsing, and valorizing a certain idea of American nationhood.<sup>254</sup>

<sup>253</sup>The statement from the Committee of the March, 1773, Duxbury Town Meeting is found in Winsor, 121-23. The sections quoted above appear on 121-22; on the conspiratorial character of Whig thinking, see Bernard Bailyn, *The Ideological Origins of the American Revolution*.

<sup>254</sup>Winsor, 122. Cf. Charles De Gaulle's “certain idea of France.”

In no way, the Committee averred, did their forbears surrender their rights as freeborn Englishmen by removing from the mother country to New England. It rejected the idea “that our worthy ancestors, when they first took possession of this country, when they necessarily lost a voice in the British legislature, consented, at least tacitly, to be subject to the unlimited control and jurisdiction of that very government....” (the particular national ideology of 18<sup>th</sup> century Britain is notable here – for, in historical reality, it was the English legislature in which the Pilgrims lost their voice, there not being any such thing as a united British legislature in the 1620s). Rather, said the committee, “[w]e glory in a legal, loyal subjection to our sovereign,” before listing, as the Declaration of Independence would three years later, a litany of complaints against Crown and Parliament: “a legislature a thousand leagues off, and in which we have no voice” threatened illegitimately to dispose “of our property”; “ships and troops poured in upon us” to support the prerogatives and authority of imperial officials; the increasing power of Courts of Vice Admiralty, “enlarged beyond due bounds;” the usurpation of the province's “chief fortress” – presumably Castle William – “built and maintained by us for our defence against a foreign enemy .... as though we were not to be trusted, and committed into the hands of the standing army” (one of the traditional bugbears of Country thought); various autocratic moves by the Governor; the reduction of the Superior Courts into mere appendages of royal authority. In light of all these, “shall it then be deemed disloyalty and even faction to complain? By no means: we esteem it a virtue and a duty, which people of every rank owe to themselves and posterity ... to oppose tyranny in all its forms....”<sup>255</sup>

Such a spirit of resistance, the committee said, was widespread throughout Massachusetts. “And it gives us the greatest pleasure to see so much unity of sentiment in the several towns of this province, and trust there is and will soon appear that unanimity in the several colonies on the continent...” In addition, they paid special heed to the capital: “and we look upon ourselves peculiarly obliged to the

<sup>255</sup>Winsor, 122.

town of Boston for their care and vigilance in this day of darkness and danger....” Furthermore, Duxbury offered its further assistance: the town would “be ever ready to cooperate with them, and our other brethren through the Province, in all reasonable and constitutional measures, for the vindication of our wounded Liberties....” Ultimately, Duxbury was “hoping to see the time when liberty shall again flourish here, and harmony and concord betwixt Great Britain and the Colonies be restored and confirmed.”<sup>256</sup>

1773 also witnessed the creation of the first body of minute-men in Duxbury. Though it was “the first minute” company, it had its roots in the established institution of the militia, according to Winsor. “Previous to this,” he writes, “the towns people were in the habit of frequently assembling for military exercise, and were usually drilled by Maj. Judah Alden.” Now, a new company was formed, with a relative of Judah Alden, Ichabod Alden, serving as captain (Judah Alden did, however, serve as ensign of the company). With officers and men, the company totalled 39 members. A reserve, called the “alarm list” and consisting of men over 50, supported the militia, under whose officers it served.<sup>257</sup>

By 1774, the organs of the incipient revolutionary state were being organized in Duxbury. On May 30<sup>th</sup>, “Capt. W. Wadsworth, Dea. Wadsworth, Geo. Partridge, Capt. Samuel Bradford and Micah Soule, ... were appointed a Committee of Correspondence ... to unite with the Committee in general for the Province.” In addition, the Town, on Sept. 19<sup>th</sup>, chose a committee from within the members of the Committee of Correspondence, designating George Partridge, and both Captain and Deacon Wadsworth, “a Committee, to join the County Committee, in order to act upon the political affairs of the Province.”<sup>258</sup> Thus, the revolutionary cause, via these multiple committees – themselves remarkably similar to other local committees devoted to fish, town finances, the care of the commons, and other similar concerns – was able to establish itself at the local level by way of the Town Committee of

<sup>256</sup>Winsor, 123.

<sup>257</sup>Winsor, 123-4.

<sup>258</sup>Winsor, 124.



Correspondence; at the regional level via the County Committee; and with the Province as a whole (“to unite with the committee in general for the Province.”). The common political culture of the Town Meeting undoubtedly facilitated the formation of these bodies.

Though for the most part Duxbury was strongly Whig in its political sympathies, that is not to say, as Winsor implausibly does, that there were no Tories in Duxbury, a claim at odds even with his own account of the period. Certainly the public recantations of two leading figures in the life of the Town, Briggs Alden and Gamaliel Bradford, belie the idea that Duxbury was absolutely free of Loyalists (or perhaps Winsor is being disingenuous in service of a certain localist filiopietism). Both had signed a letter from Plymouth County justices to General Thomas Gage; as justices, all of these individuals, including Alden and Bradford, constituted pillars of the county's gentry. They stood to lose the most from political and social revolution. The letter, dated July 6<sup>th</sup>, 1774, observed to the military governor “we think that your Excellency has power to check every disorder, and to secure for us our constitutional privileges. We have seen with serious concern the influences of those persons calling themselves *Committees of Correspondence*, and against these and their abettors we promise our incessant aid.”<sup>259</sup>

This letter from several notables of Plymouth County was evidently taken seriously by Gage, for he answered them, with relative dispatch, on July 12<sup>th</sup>. He promised “to take every step in his power to secure to them the peaceable enjoyment of all their constitutional privileges, and to give that free course to the laws, on which every State depends for its support, and without which no government can subsist.”<sup>260</sup> Thus did conservative Loyalism speak a similar, if not the same, constitutional language as the most radical of Whigs.

<sup>259</sup>Winsor, 124.

<sup>260</sup>Winsor, 124.

This correspondence evidently became public over the course of the summer of 1774, for Bradford and Alden were hauled before a Town Meeting on Sept. 19<sup>th</sup>, 1774. Both recanted, and, says Winsor, “their declarations were nearly as follows:”

“The Address to Thomas Gage, Esq., Captain General and Governor, &c., of the Massachusetts Bay in New England, of the General Sessions of the Peace, and Justices of the Inferior Court of Common Pleas for the county of Plymouth, published in Draper's & Byles' papers [Boston Newsletter] of the 14<sup>th</sup> of July, 1774, I acknowledge I voted for. For which I am sorry from my heart and humbly ask the forgiveness of the town of Duxbury and all the inhabitants of the Province; and I likewise promise and declare upon the true faith of a Christian, that I will not take a commission, nor act upon any under this new plan of government, if offered to me.”<sup>261</sup>

Not only were Bradford and Alden forced to apologize, but they were also forbidden from taking part in the new government. This is certainly evidence of the intensification of the political crisis in Massachusetts Bay.

In Duxbury and the other towns of Plymouth County, then, crowd actions and popular disturbances during the mid-1770s were essential to establishing the authority of the new, revolutionary regime. That the Town was overwhelmingly Whig and Patriot in its sympathies is clear; but it was not wholly so. A thin residue of Loyalism must have persisted, in some quarters, throughout the revolutionary years.

Indeed, Duxbury took part not only in local crowd actions designed publicly to humiliate, and render politically illegitimate, prominent town Loyalists, but also those involving its neighboring towns. These crowd actions were county-wide in scope. Marshfield, as discussed below in the chapter on Pembroke during the Revolution, was a hotbed of local Loyalism, centered around the Plymouth County gentry, such as the Winslows, who had long occupied an important position in the collective life of the polity (especially in terms of militia officerships). Winsor states that “Marshfield was the centre of toryism in this quarter. A large number was also collected at Sandwich. There were some at

<sup>261</sup>Winsor, 124-125.

Plymouth, Halifax and Taunton, and a few in Bridgewater; and these seemed to constitute nearly the whole tory legion in the Old Colony.” He estimated their number at Marshfield at no more than 300. “Nearly every member of the ancient Winslow family” were loyalists. Some limited deference – or perhaps sympathy – moved the Plymouth County Whigs to allow Dr. Isaac Winslow to remain at his house -- a stately home built around 1700 and still standing today -- throughout the Revolution, a leniency they showed no other member of the genteel clan.<sup>262</sup>

The county's Whigs acted against other Marshfield loyalists. In July, 1774, a crowd of approximately 700 people gathered from throughout Plymouth County to confront Nathaniel Thomas, who held the position of mandamus counsellor. Upon their arrival at Thomas' house, Thomas's family told the crowd the counsellor had gone to Boston. The crowd demanded to search the house, which they did, and, in another ritual common throughout the colonies in revolutionary crowd actions, they “put the family under oath, administered by a justice of Pembroke,” stating that the counsellor was absent.<sup>263</sup>

Likewise, Abijah White had served as Marshfield's representative in the General Court, “a government man of great zeal,” according to Winsor. It was White who brought the Loyalist complaint (“the celebrated Marshfield resolves”) to General Gage in Boston. Because of his boldness in publishing these overtly royalist resolves, social pressure on White grew so intense in Marshfield that he was forced to repair to Boston, where after the outbreak of war and the American siege of Boston, he found himself in charge of a turnip field. He eventually fled to Nova Scotia.<sup>264</sup>

<sup>262</sup>Winsor, *History of Duxbury*, 138.

<sup>263</sup>Winsor, *History of Duxbury*, 138-139.

<sup>264</sup>Winsor, *History of Duxbury*, 139.

Given the contrasting political attitudes of Duxbury and Marshfield<sup>265</sup>, it is not surprising that Duxbury's inhabitants participated in crowd actions aimed at the Marshfield Loyalists. According to Winsor, an unsuccessful effort “ was made to seize upon Nathaniel Phillips, one of the principal loyalists of Marshfield.” In addition, the Duxbury crowd visited “Dr. Stockbridge, Paul White, and Elisha Ford, three of the leading tories in Marshfield, [who] were seized and carted under the liberty pole in Duxbury, and forced to sign recantations.”<sup>266</sup> These crowd actions were only one side of the revolutionary regime's coercive power; more formally, the Town, as an institution of the State, also gave its imprimatur to the anti-Tory popular demonstrations. Thus, in 1777, a Town Meeting chose John Sampson, “to procure all evidence that he could get against all the enemies of the State, and to make report thereof to proper authorities.”<sup>267</sup>

Yet it seems that, in most cases, it was the crowd actions – at least somewhat impromptu and drawn from what Charles Tilly has called “repertoires of contention,” rituals of popular discontent inherited from rural western European societies in the early modern period – that definitively undid the Loyalists in Plymouth County and the Old Colony. The extreme, *charivari*-esque treatment of one Halifax loyalist demonstrates the social power of these popular demonstrations.

Jesse Dunbar, a Halifax loyalist from a clan of prominent loyalists, one of whom had been involved in the confrontation between minutemen and Capt. Balfour's British regulars in Halifax Center on the eve of Lexington and Concord, found himself subjected to treatment by local Patriots that, while extreme, nonetheless typifies many of the elements of crowd action in revolutionary Plymouth County. Dunbar had purchased several well-fed bovines from an imperial mandamus

<sup>265</sup>A difference which, perhaps, explains the origins of the rivalry between the two towns' high school athletic teams in the 20<sup>th</sup> century. Notably, by the late 20<sup>th</sup> century, it was Marshfield which had become the more democratic, egalitarian, and levelling society, while Duxbury had, in turn, become the home of some of the most conservative of Plymouth County gentry.

<sup>266</sup>Winsor, *History of Duxbury*, 138.

<sup>267</sup>Duxbury Town Meeting, May 14<sup>th</sup>, 1777, quoted in Winsor, 138.

counsellor in 1774. Word of this reached local Patriots, who acted quickly. “The whigs soon learned with whom he had presumed to deal, and after he had slaughtered, skinned and hung up one of the beasts, commenced punishing him....” The crowd “put the dead ox in a cart and fixed Dunbar in his belly, carted him four miles and required him to pay one dollar for the ride.” At the border of Halifax and Kingston, Dunbar was turned over to the Kingston crowd, who treated him in a similar fashion, “cart[ing] him four other miles and exact[ing] another dollar.” The unfortunate Dunbar was then turned over to a Duxbury crowd, which reached new extremes of social violence amid rituals of performative leveling. Local notables allowed Dunbar to walk beside the car, rather than riding inside the carcass of his own livestock. However, the disgraced loyalist found himself plucked out of the frying pan and cast into a new fire: “but while some of the boys, who were collected in great numbers, were dancing around him, he tripped some of them up with his feet, which so irritated the people, that they placed him again in the car with renewed violence,” eventually shifting him to yet a fourth cart. “A Duxbury mob then took him and after beating him in the face with the creature's tripe, and endeavoring to cover his person with it, carried him to [mandamus] counsellor Thomas' house [in Marshfield], and compelled him to pay a further sum of money. Flinging his beef into the road, they now left him to recover and return as he could.”<sup>268</sup> Here, then, we find present a number of the features of 18<sup>th</sup> century “rough musick” – a ritualized procession via cart; physical violence inflicted more to humiliate than to wound (i.e., beating him in the face with his own ox's innards); and a general spirit of carnival and merriment, as evidence by the merry, frolicking boys who tormented Dunbar. The price of loyalism was high in Plymouth County.

Jesse was not the only Dunbar forced to renounce his support for imperial government. His kinsman, Daniel Dunbar, left a written testament that survived in the Halifax records. He wrote:

<sup>268</sup>Winsor, *History of Duxbury*, 140.

“I, the Subscriber, Do Promise and Solemnly Engage to all people now assembled at Hallifax, In the County of Plymouth, on the 17<sup>th</sup> Day of September, 1774, That I will never Take, hold execute, or exercise any Commission, office, or employment Whatsoever, under, or by virtue of, or in any manner Deriv'd from any Authority, pretended or attempted to be given by a Late Act of Parliament, entitled an Act for the Better Regulating the Government of the Province of Massachusetts Bay, in New England. At the House of Josiah Sturtevant, Esq., I happened to Be there when about three hundred requested I signe my Name.

'DANIEL DUNBAR.' “

Sturtevant's statement read:

“I, the subscriber, Do Promise and Solemnly engage to all people now assembled at Hallifax, in the County of Plymouth, on the 17<sup>th</sup> Day of September, 1774, that I never will take, hold, execute, or exercise Any Commission, Office, Or Employment Whatsoever, Under or by Virtue of, or in any manner Derived from any authority, pretended and attempted To be Given by a Late Act of Parliament, Entitled an Act for the better Regulating the Government of the Province of the Massachusetts Bay in New England. Furthermore, I Own and Acknowledge that my Conversation and Behavior to the Sons of Liberty, also with Regard to the Ministers of the Gospel, has been very Offensive to my Brethren & Friends in this place, for which Offences I humbly ask their forgiveness, and beg that they would receive me into their Fellowship and Friendship again. About 300 people requiring it, I signe my Name.

'JOSIAH STURTEVANT.' “<sup>269</sup>

Like the parading of Jesse Dunbar and his humiliating tripe-whipping, the testaments of Daniel Dunbar and Josiah Sturtevant bear evidence of typical 18<sup>th</sup> century crowd actions in the Atlantic world. Both Dunbar and Sturtevant are careful to point out that approximately 300 people demanded their confession and signature; for Sturtevant, they “requir[ed]” his signature, whereas for Dunbar, who was perhaps regarded as a lesser figure, they merely “requested” it – though this request, of course, was backed up by the same threat of coercion exercised over Sturtevant. It was coercion through humiliation more than through bodily harm.

Of course, crowd actions alone did not make the revolution in Plymouth County. Rather, they proceeded along a parallel track with the events of formal, albeit extralegal, politics. Thus, on the arrival of General Gage as governor, the General Court, meeting at Boston, was ordered to adjourn, and

<sup>269</sup> “History of Halifax,” in Hurd, ed., *History of Plymouth County*, Part 3, 1130 – 1131.

meet instead at Salem. George Partridge, Duxbury's representative, sat in the court. According to Winsor, some Whigs suggested “a secret caucus . . . and many of the leading whigs accordingly met in the night, a short distance from the town.” According to the Rev. Benjamin Kent, quoted by Winsor, Partridge gave a relatively incendiary speech to the secret caucus; Kent describes the scene and the speech:

Gen. Gage (said he) had come over with his troops and proclamations, to frighten us rebels into submission! We soon had his mandate, dissolving the [General] Court, and directing us to meet at Salem, in order, as he said, to 'remove us from the baneful influences – the baneful influences of Boston!' So we met there. And in a short time one began to ask another, 'What can we do? the worst must come to the worst!' 'Why we will have a caucus and see what can be done.' Then, when we met a member in whose eye we saw one true to the cause, we touched him on the shoulder – 'Be silent – meet with us to-night – at such and hour – in such a place -- and *bring your man*.' All were prompt to the hour. The meeting was full. Order was called. 'Shall we submit to Great Britain, and make the best terms in our power, or shall we resist her encroachments to the point of the sword?' - There was a pause. We looked at each other; and the unanimous answer was given, 'We *will* resist her encroachments to the point of the sword!' Now came the question – 'What shall be done? The gulf is passed!' 'We will have a Congress at Concord. We will send letters to all the colonies, and urge them to send delegates to meet at Philadelphia. We will have committees of safety. We will take care of our arms. We will go to our homes, and wake every one that sleeps.'<sup>270</sup>

A number of features of this extraordinary *mise-en-scene* deserve remarking. First, there is the dangerous and surreptitious quality of the meeting, with secret taps on the shoulder to fellow travellers. At the same time, though, this danger was not enough to overcome the bounds of the strictly hierarchical society of British America – each member was admonished to “*bring your man*” – that is, their man-servant, or, in some cases, their slave. Though the account is not first-hand, it is worthwhile inasmuch as it provides, at the very least, the flavor and several notable aspects of Whig political maneuvering – Winsor accurately calls it “that efficient organization of opposition, which was then in embryo” – on the eve of revolution.<sup>271</sup>

<sup>270</sup>Winsor, 125.

<sup>271</sup>Ibid.

Through the fall of 1774, the political storm continued to gather. On October 3<sup>rd</sup>, the Town Meeting of Duxbury chose George Partridge as its representative to a provincial congress scheduled to meet that month. It instructed him that “As it is unlikely, in the present situation of our public affairs, that the House of Representatives should sit to do business, we instruct and require you to join with the intended Provincial Congress to be holden at Concord, in order to deliberate and determine on the most wise and prudent measures to be adopted for the true interest, happiness and freedom of the Province.” The Provincial Congress met at Concord on October 11<sup>th</sup>, adjourning on the 15<sup>th</sup>, and meeting again at Cambridge from the 17<sup>th</sup> through the 29<sup>th</sup> of October. It met once more on November 23<sup>rd</sup>, finally dissolving on December 10<sup>th</sup>, 1774.<sup>272</sup>

Nor, as in the case of the Committees of Correspondence, was this “organization of opposition” limited to the town or provincial level. Regional gatherings also played a role. A county-wide gathering, “a congress of Plymouth county” was held on September 26<sup>th</sup>, 1774, in Plympton, geographically close to the center of the county. It adjourned one day later to the Plymouth Courthouse, a powerful symbol of the revolutionary state's usurpation of the sites of legitimate judicial authority. Though the Plymouth County Congress limited itself to passing a few resolutions, its very existence, in places where judges appointed by royal authority typically sat, must have made a powerful impression on the inhabitants of southeastern Massachusetts, and beyond.<sup>273</sup>

In 1775, the organs of the revolutionary state became increasingly well-established. As in the previous year, Duxbury chose George Partridge to represent it in the Second Provincial Congress of Massachusetts, to meet at Cambridge on February 1<sup>st</sup>. Thus, on January 16<sup>th</sup>, the Town voted Partridge £32-08-04 to defray his expenses. At the same meeting, it chose “a *Committee of Inspection*, to see the resolves of the Provincial congress duly executed,” including among its members Gamaliel Bradford,

<sup>272</sup>Winsor, 126.

<sup>273</sup>Winsor, 126.



who had been forced to recant his signature of the letter to Gage the year before. Bradford trimmed his sails to the political winds well, for he was able to continue as a fixture in the political life of the town – before, during, and after the Revolution.<sup>274</sup>

By the end of January, the town was preparing for war. It voted on the 30<sup>th</sup> to obtain 30 muskets, armed with bayonets, and a committee was appointed to execute the vote. They were given £60 from the Town in order to do so.<sup>275</sup> The Provincial Congress met once more, from May 31<sup>st</sup> to July 19<sup>th</sup>, while on July 10<sup>th</sup>, the Town Meeting appointed a Committee of Safety, presumably to see to the effective defense of the town. On August 7<sup>th</sup>, the Town Meeting voted that powder was not to be used unless in the extermination of agricultural “vermin.”<sup>276</sup>

By 1776, opinion had considerably hardened in Duxbury. Winsor describes the mood of popular opinion with the brief motto “*Liberty or Death!*” The Town Meeting, on May 23<sup>rd</sup>, stated that “*We leave the affair relating to independency to the Continental Congress, to STAND OR FALL WITH THEM....*” A Committee of Correspondence was selected, and George Partridge, on behalf of the General Court, traveled to New York City to treat with General Washington over the length of enlistments necessary to sustain the war effort, eventually settling upon a term of three years.<sup>277</sup>

The issue of the constitutional basis for the new, revolutionary government was in the foreground of Massachusetts politics in the latter 1770s. On October 7<sup>th</sup>, 1776, the Town expressed its preference for government under the terms of the old provincial government – a kind of political Anglicanism, as it were, replacing the members of government, though not its forms: it voted “to go on in the same method as is usual, or as heretofore they have done.” Yet by the next spring, the mind of the Town had changed, with Duxbury directing its representative, at a Meeting held on May 14<sup>th</sup>, 1777,

<sup>274</sup>Winsor, 126.

<sup>275</sup>Winsor, 126.

<sup>276</sup>Winsor, 135.

<sup>277</sup>Winsor, 135-6.

“to act upon a new plan of government.” By the next year, public opinion had again shifted. At a “very large meeting of the town” on June 1<sup>st</sup>, 1778, the question “of the country's adopting a new plan of government” was put, and failed, decisively. “It was nearly unanimously decided in the negative (103 noes and 3 ayes).” The next year the mood of the Town swung once more, the meeting telling George Partridge that it would accept a new constitution for the revolutionary state if it appeared the majority of Massachusetts approved of it. Finally, in 1780, at a Town Meeting on May 22<sup>nd</sup>, the Town took up once more the question of a new constitution. “[O]n taking the question, the vote stood 44 for it, with five dissenting voices.”<sup>278</sup>

Though the lens through which this small agricultural and maritime community viewed the war was necessarily local, it was not exclusively so. Thus in early 1778, it ordered its representatives to cooperate with the Continental Congress and the United States as a whole: “You are directed to act and to do in the matter, relating to a compliance of a perpetual union and confederate commerce with the United States, as you shall judge most meet for the advantage of this and the other United States, for the good of the whole relative to the matter.” Though hardly a statement of full-fledged nationalism, these instructions do demonstrate that the wider, continental aspect of the revolutionary struggle occupied the mind of the townspeople of Duxbury.<sup>279</sup>

### The Conduct of the War: Military and Economic Affairs

After the outbreak of fighting at Lexington and Concord in April, 1775, Duxbury, like its neighbors throughout Plymouth County, Massachusetts Bay, and New England at large, mobilized for war. It was, even taking the total wars of the 20<sup>th</sup> century into account, a thorough and all-

<sup>278</sup>Winsor, 136, 141-42.

<sup>279</sup>Winsor, 140.

encompassing effort, one that touched on every aspect of life in this seaside agricultural community. In military terms, the town was required to provide men, both for local defense and for actions in distant corners of the continent. Economically, the town struggled both to make up for manpower lost to the exigencies of the war, and to supply the material needs of both the populace and the military. Finally, Duxbury mobilized politically, in a fashion prefigured by earlier controversies, but one that also went further, and made its effects known more extensively, than had ever been the case in the 15 decades of the town's existence.

At the outbreak of war, as noted in the previous chapter, a company of Duxbury men under Capt. Bradford joined the Plymouth County regiment of militia that gathered around the British garrison in Marshfield. On May 1<sup>st</sup>, the Duxbury company, along with three others, received orders to march to Plymouth, which they garrisoned throughout the summer in case of a British landing. These orders were no doubt influenced by a request of the Committees of Correspondence of Kingston, Duxbury, and Plymouth, asking that the Plymouth Bay region remain well-garrisoned, and arguing that without such a garrison, the Royal Navy might descend at any time. Of this company, 12 men were dispatched to Duxbury, to stand sentinel on Captain's Hill.<sup>280</sup>

By late summer, the situation around Boston must have outweighed in the minds of Patriot authorities the protestations of the Committees of Correspondence, for on September 1<sup>st</sup>, the entire Plymouth County regiment marched to Roxbury, to join in the Siege of Boston. In March, 1776, elements of this regiment were assigned the task of building earthworks on Dorchester Heights overnight, fortifications for the guns brought by Henry Knox from Ticonderoga.<sup>281</sup> As the war moved to New York, so did Bradford's company of Duxbury men. The company was at New York for about a year, after which Bradford resigned his commission and returned home, along with many of the enlisted

<sup>280</sup>Winsor, 130-131.

<sup>281</sup>Ibid.

men. Some of these, in turn, re-enlisted, and three new Duxbury officers were chosen, each of whom raised a company. The war may have been continental in scale, but in terms of providing soldiers, it was a profoundly local affair – the frustration of which no doubt inspired a kind of proto-federalism among certain members of the Continental Army's officer corps.

Like soldiers from Pembroke, Wareham, and the other Plymouth County towns, Duxbury men took part in the Rhode Island Campaign in 1777. They were encamped at Little Compton, Rhode Island. Here they stayed for two uneventful months; the fighting was elsewhere around the littoral of Narragansett Bay.

The most notable connection of the town to the wider war was one that hardly covered its name in glory. Lieutenant Colonel Ichabod Alden, of Duxbury, who had been the executive officer of the Plymouth County regiment of Minutemen under Colonel Cotton, was detailed with his own regiment to what Alan Taylor has called “the northern borderlands of the American Revolution.” Stationed in Cherry Valley, a frontier settlement and fort near Lake Otsego, Alden commanded the American force – the 7<sup>th</sup> Massachusetts – that was surprised and routed by an Anglo-Indian force on the frontier of New York on Nov. 11<sup>th</sup>, 1778. Consisting of Senecas and Mohawks under Chief Joseph Brant, and Loyalist Rangers led by Capt. Walter Butler, the strike force against Cherry Valley decisively defeated the Patriot garrison. Alden himself was killed almost immediately, ignominiously dying while fleeing towards the safety of the fort. Alden made no serious preparations for defending Cherry Valley, ignored warnings of Indian and Loyalist forces approaching his position, and generally underperformed as an officer. Meanwhile, the Anglo-Indian forces massacred a number of non-combatants, further fueling the cycle of violence and hatred in the New York-Iroquois borderlands. At the same time, the presence of the New Englanders on the western border of New York would presage things to come; in the years after the Revolution, the interior of New York would fill up with Yankee migrants, so much

so that, by the 19<sup>th</sup> century, western New York was known in some quarters as “the second New England.”<sup>282</sup>

Economically, Duxbury had joined the war effort even before the outbreak of hostilities, for with the closure of the Port of Boston by Parliament, New England's chief city found itself solely reliant on the products of its hinterland. Duxbury, for instance, sent, in March 1775, 21 cords of wood, and later, in cash, 4 pounds five shillings and 8 pence. After the eruption of open warfare in the spring of 1775, the Massachusetts towns looked to the task of supplying the nascent army. A provincial congress – the third – met at Watertown between May 31<sup>st</sup> and July 19<sup>th</sup>, 1775. It “Resolved, that thirteen thousand coats be provided as soon as may be, and one thereof given to each non-commissioned officer and soldier in the Massachusetts forces....” A quota system was devised, whereby certain communities were to procure a certain number of coats, apparently in proportion to their population and level of economic development. Thus, Plymouth County was assigned a quota of 1,054 coats. These were divided in the following fashion, evincing the socio-economic differences between the various towns: “Bridgewater 188, Middleboro 160, Scituate 125, Plymouth 100, Rochester 86, Pembroke 66, Plympton 56, Marshfield 54, Abington 46, Duxbury 44, Kingston 38, Hanover 37, Wareham 30, and Halifax 24.” Thus, Pembroke proved the most capable of providing coats of the towns under consideration, with Wareham the least, and Duxbury lying between the two. In addition, the provincial congress passed a resolution urging that sheep not be slaughtered except in cases of

<sup>282</sup> On Brant, see Alan Taylor, *The Divided Ground: Indians, Settlers, and the Northern Borderland of the American Revolution* (New York: Random House, 2006). On Cherry Valley, see “Cherry Valley Massacre, New York”, revised by Michael Bellesiles, in *Encyclopedia of the American Revolution: Library of Military History*, Ed. Harold E. Selesky. Vol. 1. Detroit: Charles Scribner's Sons, 2006. 202-203. On Butler, see “Butler, Walter,” in *Encyclopedia of the American Revolution: Library of Military History*, Ed. Harold E. Selesky. Vol. 1. (Detroit: Charles Scribner's Sons, 2006), 140-141.

emergency – an intersection of the countryside's traditional Commons regime and the exigencies of war.<sup>283</sup>

As in other American wars, the Revolution forced a disruption of traditional gender norms and relations. In Duxbury, during the summertime Rhode Island campaign in 1777, the entirety of the Plymouth militia was called out, leaving Duxbury and its neighboring towns desperately short of labor during the harvest, precisely when it was needed most. Winsor states that the town's only males were old men (and presumably, boys). Consequently, “[d]uring the absence of the men, the harvesting was done by the matrons of the town,” who organized themselves with military precision for a task that was, after all, of essential importance to the conduct of the war: the townswomen “divided themselves into two companies, the one commanded by Miss Rachel Sampson, and the other by Mrs. William Thomas....” Moreover, the harvest companies collected the harvest throughout the length and breadth of the town: they “met by turns at the different farms, and gathered the crops....”<sup>284</sup> Though distinct from the crowd actions which inspired terror and humiliation in loyalists, these harvest brigades also stand as a genuine example of popular resistance in Plymouth County during the revolutionary years. They also belie the notion that women failed to contribute to the American Revolution, or that such contributions were limited to a genteel and refined cult of “republican motherhood.” This was the stuff of toil, sweat, and fatigue; it was, in the language of a later century, “People's War.”<sup>285</sup>

1780, according to Winsor, “exhibited greater activity on the part of the inhabitants, to bring the struggle” to its close. Soldiers were dissatisfied by lack of pay, poor food, and the extreme straits of want into which their families were falling. The revolutionary government of Massachusetts,

<sup>283</sup>Winsor, 135.

<sup>284</sup>Winsor, 137.

<sup>285</sup>On republican motherhood, see Linda Kerber, “The Republican Mother: Women and the Enlightenment – An American Perspective,” *American Quarterly*, Vol. 28, No. 2, Special Issue: An American Enlightenment (Summer, 1976), pp. 187-205; People's War, see Vo Nguyen Giap, *People's War, People's Army*. (Hanoi: Foreign Language Pub. House, 1961).

determined to stay in the conflict, levied large sums from the several towns. Thus on February 8<sup>th</sup>, Duxbury met to see how to finance the war further. The town voted £5,000 (surely a sign of wartime inflation) to cover the debts it had outstanding, including the payment of nine months' enlistees in the army. In addition, that summer, Duxbury raised more soldiers and more funds, including £800 from taxing the town's property and polls. It was voted to hire new soldiers "at 20 hard dollars a month, including the State's bounty, which the town is to have the benefit of, or 20 bushels of corn, or 15 bushels of rye, or other produce at this same rate." Moreover, the new Commonwealth required a quota of beef from each town, with Duxbury's totalling 6,190 pounds. The Town once more taxed its people and property, as well as borrowing and issuing notes, to obtain the \$24,760 with which to buy the meat, calculated at \$4 per pound. Thus, though the costs of the war were denominated in terms of formal currency, they were not exclusively paid for in such a fashion; frequently, it appears they were paid for with the readily available products of this agricultural society rather than specie.<sup>286</sup>

In 1781, more men were raised in town, but less money was devoted to the war effort. Further contributions to the war effort became moot when the British surrender at Yorktown in October effectively ended fighting in America.<sup>287</sup>

### The War at Sea

While the sea, in its intimate mixings with land and freshwater streams in the estuaries, on the broad Continental banks, and in the pelagic vastness, had always played a significant role in the life of Duxbury, it was during the Revolution that the maritime aspect of the town subtly changed. For most of its history up to that point, plying the Atlantic waters had been merely an ancillary form of economic

<sup>286</sup>Winsor, 141-142.

<sup>287</sup>Winsor, 144; on Yorktown, see "Yorktown Campaign" in Harold E. Selesky, Ed. [\*Encyclopedia of the American Revolution: Library of Military History\*](#). Vol. 2. (Detroit: Charles Scribner's Sons, 2006), 1299-1308.

activity. Under the pressures of war, the town's engagement with the sea grew, laying the seeds for a transformation in the postwar years that marked an important outlier of the market revolution.

Nevertheless, after subsistence needs were met, fishing was at a certain level commercial, in the sense of connection with transnational markets. Fishermen were typically drawn from the yeomanry, often occupying dual roles as fishermen and farmers. The former roles were dependent on the latter for their stocks, their labor, and to the commons for supplies of iron and wood, necessarily. It is not that markets did not exist; it is that they existed in a position of restraint, of discipline by the force of society and local and macro-scale governments, of restraint by forces of tradition and common rights and liberties (and precedent). International markets, after all, existed in the post-Black Death England that Alan Kulikoff argues the yeomanry were attempting to recreate in their American idyll; yet that society, with a substantial class of landowning freeholders, reliant on common lands and usage rights, with manufacturing restricted to the necessities of a farming, fishing, and pastoral society – ought not to be characterized as a form of capitalist political-economic-social relations.<sup>288</sup>

At one level, the geographic particularities of Plymouth County, with a long, indented coastline, and in the form of Duxbury-Kingston-Plymouth Bays, one of the major engulfments of Massachusetts Bay, made the intersection of war and seafaring inevitable. Looking northward, Green Harbor, in Marshfield, offered a safe, if relatively small anchorage, while Scituate boasted the deepest harbor on the bay south of Boston. Though it is not a subject of this study, the geography of Hingham, the northernmost Plymouth County town, with its frontage on the magnificent coves and islands of Boston Harbor, found itself inexorably involved with the war in that watershed.

<sup>288</sup> Daniel Vickers and Vince Walsh, *Young Men and the Sea: Yankee Seafarers in the Age of Sail* (New Haven: Yale University Press, 2005); Daniel Vickers, *Farmers and Fishermen: Two Centuries of Work in Essex County, Massachusetts: 1630-1850* (Chapel Hill, NC: University of North Carolina Press, 1994).



Though it formed a crucial gateway to the harbors of Plymouth, Kingston, and Duxbury, Gurnet Point was not, evidently, fortified in the early days of the war, though its lighthouse was operating. Rather, according to Winsor, it was not until 1777 that fortifications were erected on The Gurnet, under the name of Fort Andrew. During the war, 60 men from Plymouth, Kingston, and Duxbury were stationed there, of whom about half were from Duxbury, according to Winsor; and even today, the permanence of the earthworks from over two centuries ago is evident, at least to those who know what to look for, strolling around the rabbit-busy grounds of the summer lighthouse. It boasted, by way of armament, three 12-pounders, a single six pound gun, and a pair of nine-pounders. The fort's active part in the war was limited. It did trade fire with a British frigate, HMS *Niger*, captained by one Talbot; the *Niger*, unfamiliar with the shallow banks and winding channels of the bay, quickly ran aground on Brown's Island's shoal, today Brown's Bank. It managed to shoot a hole through the lighthouse, while the rising tide allowed it to escape the fate of the *Gaspee* in Rhode Island several years before, when active efforts were made by the American forces to proceed to the stranded vessel in small boats and set fire to it.<sup>289</sup>

Control of the sea was a critical objective for both sides from the earliest days of the war; and though the Royal Navy did enforce an effective blockade of the colonies, including Massachusetts, there is also evidence that coastwise transportation of foodstuffs and other war materiel played a significant role in colonial resistance. On April 26<sup>th</sup>, 1775, just a week after the outbreak of fighting in Middlesex County, Duxbury chose a committee, made up of Capt. Joshua Hall, Ichabod Alden, and Ezra Weston, to buy a load of corn in one of the tidal rivers near Duck Hill, “and [to] store it for time of need.” That summer, in August, 1775, orders arrived “for the [Plymouth County] regiment to embark in whaleboats, and proceed to Sandwich to receive 100 barrels of flour, which had been brought from New York, and conveyed across the isthmus” of Cape Cod, presumably close to the spot

<sup>289</sup>Winsor, *History of Duxbury*, 136.

where the Cape Cod Canal now runs between Buzzard's Bay and Cape Cod Bay. Capt. Sylvanus Drew, of Duxbury, commanded the 20 whale-boats, while Capt. Samuel Bradford held overall command of the operation. The men used blankets as sails, and reached Sandwich – about twenty miles distant – after five hours, about 1 p.m. However, in sailing past the sandbar lying outside the mouth of Sandwich Harbor, they were forced to beat against a powerful wind, “in which some of the boats were swamped, though none of the men were lost.” They loaded their vessels, and sailed the next day for Cohasset Harbor, where they arrived in early evening, and unloaded their cargo, destined for the American lines in Roxbury.. The example of starving, besieged Boston perhaps influenced the Town, for the next spring it procured a great deal of corn – 700 bushels – from a Virginian ship, at a total cost of L106-13-09, further evidence of the continuation of the coasting trade.<sup>290</sup>

However, while a coasting trade did exist, especially early in the war, the Royal Navy held decisive control of the sea. This fact is evidenced by the seizure, early in the war, of a fishing schooner owned by Duxbury's Elijah Sampson. Captained by Lewis Drew, and with a crew of five men – Joseph Delano, Zebdiel Delano, Abiathar Alden, Zadock Bradford, and Ezra Howard -- the schooner was captured and burned by the British “off the beach within sight of the town.” The prisoners were conveyed to New York and kept on a Jersey prison hulk, where all except two – Abiathar Alden and Zadock Bradford -- died.<sup>291</sup>

Similar events ensued. The Duxbury schooner *Olive* was seized by HMS *Chatham*, a forty-gun ship. The *Olive* was owned and captained by Nathaniel Winsor, and crewed by Thomas Sampson, William Winsor, and Lot Hunt; the four men were eventually paroled, with their mainsail retained as a security. Another schooner, the *Polly Johnson*, owned by Samuel Chandler and captained by John Winsor, with a crew of Thomas Chandler, Consider Class, James Weston, and Asa Tour, was captured

<sup>290</sup>Winsor, *History of Duxbury*, 131, 134-135.

<sup>291</sup>Winsor, *History of Duxbury*, 144.

by HMS *Perseverance*, of 32 guns. The British evidently were not impressed by *Polly Johnson's* handling under sail, for they soon landed her, her original crew, and the crew of a second captured ship, at Cape Ann, from whence she was returned to Duxbury.<sup>292</sup>

The mariners of Duxbury, and of Plymouth County and New England more generally, of course, were not wholly passive figures in this drama. Quite the contrary. A number of expedients were resorted to, from an impromptu, *ad hoc* navy answering to George Washington during the Siege of Boston, to privateers, to state navies, to the eventual Continental Navy. A handful of vessels were hired by George Washington to interdict British shipping, including the unwieldy *Harrison*, operating out of Plymouth. Differing more in degree than in kind were the privateers; Samuel Eliot Morison, with some hyperbole, states that the numerous privateers of the Massachusetts coast were “probably the greatest contribution of seaboard Massachusetts to the common cause.” The Continental Congress granted 626 letters of marque to Massachusetts ships, while the General Court granted an astonishing number – roughly 1,000. In addition, the House of Representatives, on February 7<sup>th</sup>, 1776, “resolved, That there be built at the public Expence of this Colony for the Defence of American Liberty Ten Sloops of War....” These sloops were to be of 110 or 115 tons, with fourteen to sixteen guns (four and six pounders).<sup>293</sup> Winsor notes that, from Duxbury, “Capt. Eden Wadsworth, George Cushman, and Joshua Brewster served in the public armed vessels.”<sup>294</sup> In neighboring Kingston, the brig *Independence* was launched in 1776; she was originally intended as one of the state sloops, but the House of Representatives consented to change her to a brigantine, “Briggintines being of more General Service, and Best Answering their intended use.” Similar brigs were under construction at Swansea and Dartmouth in Bristol County, and at Salisbury, in Essex County.<sup>295</sup>

<sup>292</sup>Winsor, *History of Duxbury*, 144. Winsor gives no specific dates for the seizure of these ships.

<sup>293</sup>Doris Johnson Melville, *Major Bradford's Town: A History of Kingston 1726-1976*. (Kingston, MA: Published by the Town of Kingston, 1976), 261-262.

<sup>294</sup>Winsor, 144.

<sup>295</sup>Melville, *Major Bradford's Town*, 263.

Beyond the “wooden walls” of the relatively meager American fleet, wood played a prosaic – though critical – role in the defense of the coastline; namely, the system of beacons that stretched across coastal southeastern Massachusetts. An ancient and effective means of wartime communication, beacons were essentially great, pre-positioned bonfires, positioned on tall hills within eyesight of one another, to be lit off in the event of British invasion. In southeastern Massachusetts, a system of beacons carried alarms between Cape Cod and Boston: starting at Scargo Hill, beacons carried information to Manomet Hill in Plymouth, Monk's Hill in Kingston, an eminence in Marshfield, and onward to the vicinity of Boston Bay, as well as the inland towns.<sup>296</sup> Thus was Boston informed when the British fleet appeared off Cape Cod in 1775. Fire would have been more noticeable in this pre-industrial countryside than in today's light-polluted urban and suburban spaces; when the British fired Castle William in March, 1776, as part of their evacuation of Boston, “the glow from the flames ... could be seen from Gloucester to Plymouth.” One 19<sup>th</sup> century historian of Plymouth described the lighting of the beacons in response to a false alarm in early 1777 (ships, supposed to be British, turned out to be American privateers):

“It is his majesty's fleet coming to burn the town,” said the tories. “Fire the beacon and call in our country friends,” said the whigs. All was confusion and alarm, military music was heard in the streets, the minute-men were summoned to arms and sentinels were posted at their stations. There is in Kingston a hill of great elevation, usually called Monk's Hill. In the early part of war, a tall mast was erected on this hill, on the top of which was placed a barrell of tar and other combustibles, as a signal of alarm on the approach of the enemy.... a man was despatched to Monk's hill to fire the tar-barrel, the light and smoke ascended to the clouds, and spread the alarm far and wide; soon the town was filled with armed men, who crowded into private houses, claiming to be fed as the defenders of the town, and were provided for accordingly. The agitation and bustle continued throughout the night, and in the morning the joyful tidings were proclaimed that the valiant Manly had entered the harbor.<sup>297</sup>

During this period, says Winsor, coastal Massachusetts lived in terror of a British descent: “This was a time of general fear along the coast by those who were expecting the execution of the threats of

<sup>296</sup> [http://www.kingstonpubliclibrary.org/LHR/Place\\_names/Landscapeplacenames/Monks\\_Hill.htm](http://www.kingstonpubliclibrary.org/LHR/Place_names/Landscapeplacenames/Monks_Hill.htm)

<sup>297</sup> Melville, *History of Kingston*, 262-263. The long quotation is from Thatcher, though Melville provides no source or formal citation.

Admiral Thomas Graves. Sentinels were constantly posted, and they attended divine service on the Sabbath, with their arms.”<sup>298</sup> Thus, it is hardly surprising that the tumult encompassed not only Plymouth, but Kingston and Duxbury as well, where it was likewise supposed a craft anchored off Saquish Head was from the Royal Navy. “A beacon was immediately fired on Saquish, which was soon followed by another at Captain's hill, and at Monk's hill in Kingston, and at Plymouth. Troops came pouring from the neighboring towns, and the companies of Duxbury assembled under arms at Captain's hill; but soon after the facts of the case were known, and the crowd dispersed.”<sup>299</sup>

Despite the prodigious efforts of American seamen to disrupt British trade – indeed, in the case of John Paul Jones and the *Bonhomme Richard*, to harry Britannia in her home waters – the Royal Navy for the most part retained control of the sea, though with critical interruptions from the French fleet, as at the landing in Rhode Island and its domination of Chesapeake Bay during the Yorktown campaign. That this control on the part of the British outlasted Cornwallis's surrender at Yorktown in 1781, and continued actively throughout the period of peace negotiations in Paris – when fighting had ended, but peace had not yet been formally restored – is illustrated by a maritime anecdote of Duxbury in the early 1780s.

Sometime in 1782, a Duxbury lugger sailing for Boston was fired on off The Gurnet by HMS *Albemarle*, a frigate. When the sailors were stopped and brought onboard the British ship, they assumed the worst: immediate impressment. Instead, the Captain offered them a choice, saying that, on the one hand, if some would remain as hostages aboard the *Albemarle*, while the rest returned to port and retrieved fresh fruit and produce, they all would be freed, along with their vessel. If they refused, all would, in fact, be impressed. This, of course, was hardly a choice at all, and the trip back to land was quickly made, the desired foodstuffs obtained, and delivered in turn back to the *Albemarle*.

<sup>298</sup>Winsor, 137.

<sup>299</sup>Winsor, *History of Duxbury*, 137.

Unbeknownst to the Duxbury mariners, the British ship was afflicted with scurvy, and its young captain – just twenty-three – was eager to nip it in the bud. Upon this delivery, the Americans were freed. At this point, appearing on the gangway, the lieutenant shouted at them: “Captain Horatio Nelson of His Majesty's frigate *Albemarle* presents his compliments and offers this purse in payment for the supplies provided for his ship.” Upon receipt of this purse, and watching as the *Albemarle* dwindled in the distance, the Duxbury sailors are reported to have spoken highly of Capt. Nelson, with one saying “That Captain Nelson is a good man! He will go far in the Royal Navy.”<sup>300</sup>

Duxbury played a relatively active role in the war at sea during the 1770s and early 1780s. In the years after the war, this emphasis on the maritime would only grow stronger.

#### Aftermath:

The years following the war were marked by both continuity and change in Duxbury. On the one hand, the Town continued to hold its annual meetings, to elect its officers, and to direct the use of its common resources. For instance, at a Town Meeting on January 6<sup>th</sup>, 1783, it promulgated a relatively lenient bylaw for the regulation of a mill on Island Creek: “Voted that the Saw mill at Island Creek Should not stop for the Herrings this year but for the future Should Continue to Saw any time [?] can [.]”<sup>301</sup> The management of the beach continued to be a concern: “Chose the Hon<sup>o</sup> George Partridge For to Consult With M<sup>r</sup> Thomas at Kingston Conserning Duxborough Beach about Feeding of S<sup>d</sup> Beach. And Consult With the other owners at Kingston and at Plymouth Conserning duxbury Beach Being Feed.”<sup>302</sup> The poor were still bid off, and money was still voted for the upkeep of the common schools. Reluctant office-holders, as in years past, were compelled to serve the public against their

<sup>300</sup>Jack Post, “A Frigate Off Duxbury”, in Katherine Pillsbury, Robert D. Hale, Jack Post, eds., *The Duxbury Book, 1637-1987*. (Duxbury, Mass.: The Duxbury Rural and Historical Society, 1987), 50.

<sup>301</sup>Duxbury Town Meeting, January 6<sup>th</sup>, 1783.

<sup>302</sup>Duxbury Town Meeting, May 9<sup>th</sup>, 1785.

wishes: “Voted to Not Excuse M<sup>r</sup> Mark Cain of Being a Constable and Corlector[.].”<sup>303</sup> As in previous decades, the question of the meeting house occupied the town: “Voted a Number of artickels Conferring a New Meeting house and afterwards Voted that all the the Votes of this day Cornfering a New Meeting house Should Be Null and Voyd and Dead and Not Recorded.”<sup>304</sup>

Though Committees of Correspondence were still selected in 1783, the political life of the new commonwealth was decidedly more regular than during the years of crisis and war. The biggest transformation was the switch to popular (albeit limited by bounds of class, race, and gender) elections for state officials, a stark contrast from the hierarchical political structure of the days of the royal province, when such offices were appointed. Indeed, the only elected provincial office under the old regime had been the Town's representative to the General Court; now, after the revolution, representatives, as well as Senators and Councillors, Governors and Lieutenant Governors, were submitted to a vote. Nevertheless, these elections do not seem to have been especially closely contested at first, especially at the level of the individual town. On April 1<sup>st</sup>, 1782, Duxbury voted unanimously for John Hancock for Governor, while Plymouth County's Thomas Cushing received an equal number of votes for Lieutenant Governor.<sup>305</sup> This “bloc voting,” perhaps reflecting earlier tendencies to consensus and conformity of opinion in town meetings, was common in Wareham and Pembroke as well, and continued in Duxbury in subsequent elections. Thus in 1783, John Hancock again ran without contest for Governor in the town, pulling in forty votes, while Thomas Cushing polled 42 votes in the election for Lieutenant Governor. 1784 brought a slight variation to the pattern, with Hancock again running uncontested for Governor, with 37 votes. This time, however, the Lieutenant Governorship was contested, with “James Boardwine” [Bowdoin] receiving 8 votes, George Watson 12, and Joseph Cushing, 18. Though these elections were not spirited contests in the modern sense of the term, that

<sup>303</sup>Duxbury Town Meeting, April 7<sup>th</sup>, 1783.

<sup>304</sup>Duxbury Town Meeting, Dec. 29<sup>th</sup>, 1783.

<sup>305</sup>Duxbury Town Meeting, April 1<sup>st</sup>, 1782.

they were held at all is a testament to the political changes wrought, in Duxbury and in Massachusetts as a whole, by the revolution.<sup>306</sup>

Though Duxbury, and Plymouth County, did not take part in the New England Regulation of 1786-87 (Shays's Rebellion), the records do indicate that the widespread dissatisfaction which gripped the state in the mid-1780s was present here as in other parts of the state. As in the years of the revolution, and as counties like Hampshire and Worcester would undertake in 1786, Plymouth County held a convention in 1784, presumably a reflection of discontent rather than public happiness. Duxbury “voted [to] Chuse two men as Diligates to meet a County Convention at the Wdow Loring in Plymton” (Plympton, it should be noted, was the initial location for the county convention during the lead-up to the Revolution). The town also gave these delegates instructions, as they would an official representative to the General Court.<sup>307</sup>

Discontent was also evident in other ways. One of these was election returns. In 1786, James Bowdoin found himself quite popular in Duxbury, receiving 22 votes in the gubernatorial election to John Hancock's five. The next year, after his mishandling of Shays' Rebellion, Bowdoin was thoroughly rejected in favor of Hancock, the latter receiving 50 votes, and the former just 14; Benjamin Lincoln, the general who had surprised the retreating Regulators at Petersham early in 1787, received just one.<sup>308</sup> Duxbury further evinced its estrangement from public life when, on May 10<sup>th</sup>, 1786, “the town Unanimously Voted not to Send a Representative this year \_\_\_\_\_”<sup>309</sup> The most overt evidence that Duxbury was prone to the same social and economic conditions that produced the New England Regulation is seen in the spring of 1787. On April 9<sup>th</sup>, the Town Meeting administered oaths of allegiance, required by the General Court in the aftermath of the rebellion. “Agreeable to a resolve of

<sup>306</sup>Duxbury Town Meeting, April 7<sup>th</sup>, 1783; Duxbury Town Meeting, April 5<sup>th</sup>, 1784.

<sup>307</sup>Duxbury Town Meeting, March 1<sup>st</sup>, 1784.

<sup>308</sup>Duxbury Town Meeting, April 3<sup>rd</sup>, 1786, and April 2<sup>nd</sup>, 1787.

<sup>309</sup>Duxbury Town Meeting, May 10<sup>th</sup>, 1786.



the General Court of 10 March 1787 Several of the Towns Officers, viz those Enumerated in Said resolve – the following Town Officers on the 9 April 1787 took & Subscribed the Oath of Alliegance before Gamaliel Bradford Justice of the peace for the County of plymouth – viz – Benjamin Alden Calvin Partridge Samuel Loring Abel Chandler Levi Loring Joshua Winslow Benjamin Prince[?] & Jonah Alden[.]”<sup>310</sup> One individual was evidently tardy, for early in 1788, “Adam Fish personally appeared, before me & took the Oath of Aliegance Benjamin Alden Town Clerk of Duxbury[.]”<sup>311</sup> Though Duxbury, and Plymouth County, never broke into open revolt as did their neighbors in Bristol County, let alone the central and western parts of the state that were the heartlands of the rebellion, it nevertheless made a demonstrable impact on the life of the town.

Shays' Rebellion, as students of American history are well aware, paved the way for the federal Constitution, and Duxbury was no exception to this trend. It appointed a delegate to the State Ratifying Convention, and when the vote did come, voted in favor of the new constitution, like its neighbors Pembroke and Wareham. The era of the new republic had begun.<sup>312</sup>

<sup>310</sup>Duxbury Town Meeting, April 9, 1787.

<sup>311</sup>Statement of Benjamin Alden, Jan. 12<sup>th</sup>, 1788, in Duxbury Town Book.

<sup>312</sup>See map in Chapter 1 above.

## Chapter 6: Pembroke, Massachusetts, during the Revolution, 1765-88

The years leading up to, during, and after the American Revolution in Pembroke, Massachusetts constitute both a turning point in the life of the Town, and a period of extensive continuity in a society in which the means of production and survival remained dependent not only on the subsistence agriculture practiced by its inhabitants, but also upon the common fields, forests, and waters of the 18<sup>th</sup> century Massachusetts countryside. If the Town experienced vast changes in its political life, enormous tribulation and unprecedented chaos in its, and New England's, economic life, and increasing demographic pressures, the ultimate means of material life – the several ecosystems of southeast New England – remained unchanged in kind, albeit under a greater degree of pressure than had heretofore been the case. Like its neighbor to the south, Wareham, Pembroke, throughout the Revolutionary years, remained a relatively small agricultural and fishing community; unlike Wareham, the Whig spirit that had been incipient in protests against provincial monetary policy earlier in the century took fire, and produced a number of remarkable statements of the Patriot credo, refracted through the lens of a small town in the countryside of the Old Colony.

## I

Despite the furor over the Stamp Act that erupted in Pembroke and other (though certainly not all, as the case of Wareham shows) Towns of the Old Colony, the regular collective life of the community wheeled on with the passing seasons. In the Spring of 1766, for instance, the Town voted to retain the same fish laws as the previous year (the streams to be open from April 15<sup>th</sup> through May 31<sup>st</sup>), with the exception that the Selectmen were empowered to allow dams to be kept down where they saw fit.<sup>313</sup> Later that Spring, the Town Meeting chose Samuel Gould “to Renew the Lins and Bounds of the School Farm so Called Lying in the County of Hampshire Granted to the town of Pembroke By the General Court in the year 1736 to enable Said town of Pembroke to Keep a Grammer School[.]” Swine were to run at large, ringed and yoked as usual.<sup>314</sup>

These relatively quotidian, albeit essential, aspects of the Town's life, the regulation of its common resources, continued unabated throughout the revolutionary crisis. The fish laws remained largely unchanged for the rest of the 1760s, though there were some exceptions. In 1768, for instance, in a sign of the alewives' importance as a resource for the upkeep of Pembroke's poorest inhabitants, the Town “Voted that Peter Jobs wife Be allowed to take 4 Barrills of Fish in the Prohibited time and no more and to Be under the Inspection of the over Seers of the fish -\”<sup>315</sup> It was not until 1770 that a significant change occurred in the fish regime, when the Town “Voted to Choose a Comittee to Consider What Will Be Best to Do Relating to the Preservation of ye fish Called alewives.”<sup>316</sup> The Committee, consisting of local notables, made its report to the Town Meeting two weeks later.

<sup>313</sup>Pembroke Town Meeting, March 17<sup>th</sup>, 1766.

<sup>314</sup>Pembroke Town Meeting, May 19<sup>th</sup>, 1766.

<sup>315</sup>Pembroke Town Meeting, March 14<sup>th</sup>, 1768.

<sup>316</sup>Pembroke Town Meeting, March 12<sup>th</sup>, 1770.

First, it stated, “ We Agree that the Fish Called alewives for this Present year may Be Taken on Tuesdays Wednsdays & Thursdays in each weeke During the time the Said Fish are Runing up into the Ponds to Cast their Spawn and the Remainder of the days in each Weeke the Fish to Run Without any Being taken or any Ways Obstructed in their Passage into the Ponds to Cast their Spawn....” Second, the committee felt it appropriate for the inhabitants “to take the said Fish on Tuesday morning at Sun Rise and the Fish until Fryday morning following to Sun Rise and no Longer....” Third, the Committee “agree[d] that on Tuesday ye fish May Be Taken from Where the Splitting Mill formerly Stood up Stream to ye Pond and not Lower down Stream in Said Brook on Said Day and on Wednesday and thirsdays to Begin at ye Widow Davis Brig So Called and to Fish up Stream to ye Pond and no Where else during the time Said fish are going up Stream to Spawn....” Fourth, the committee established officers to guard the fish: “We agree that their Be appointed By Said town at ye adjournment of ye meeting Four good and faithfull men to Inspect the Fish in their Passage up Stream into ye Pond and also to Prosecute all Persons that Shall Be Guilty of Breaking the Laws of this Province or Votes of the Town of Pembroke Relating to the Taking Said fish....”<sup>317</sup> The Town voted to accept the report of the committee. Even amid larger political crises, the herring fishery remained of central importance in the life of Pembroke.

The maintenance of the fisheries was an unending affair, requiring work as regular as the agricultural cycles which ruled Pembroke's world. In the fall of 1771, for instance, the Town paid James Glover 18 shillings for his work in the care of the fish over the course of that year. The relatively small sum disbursed to Glover, as well as his absence in the committee of notables actually empowered to make recommendations regarding the larger policy of the Town towards its herring commons, indicate that his was a more perfunctory – and probably more laborious – undertaking than that performed by the committee of notables. Indeed, it is likely that Glover's work was “young man's

<sup>317</sup>Report of the Committee to the Pembroke Town Meeting, March 26<sup>th</sup>, 1770.

work” centered around the clearing of the brook, physically demanding but relatively unprestigious. Other men who appeared to have done similar work to Glover were paid the same sum of 18 shillings (very likely in country pay).<sup>318</sup>

1772 proved an eventful year in the history of the Pembroke herring fishery. The Town's actions that year provide a glimpse of the social and economic world in which the alewives played such a central role. In particular, the importance of the fishery for the maintenance of the Town's poor whites, as well as its extant American Indian population, becomes clear. That spring, on the first of April, just as the first outrunners of the alewife invasion of the North River valley would have been making their way up the coastal streams, “the Question was Put to Know the Towns mind Whether the town Would Sell the Fish Called alewives and it Passed in the affirmative[.]”<sup>319</sup> It should be noted that, despite the fact that the Town was voting to “sell” – lease would probably be our contemporary description of the transaction – this common piscine resource, this does not a market society make. Indeed, when the facts of the transaction are considered – that it was only allowed by collective legislative action, that it was used expressly for communal ends – its non-market character becomes evident. The Town appointed Capt. Edward Thomas “for a Vendue Master to sell the fish”, which were ultimately sold to “Jn.o Chamberlin at Publick Vendue for 42=16-0 for Which he gave a note of hand  
....”<sup>320</sup>

In fact, these communal ends were made expressly clear by the subsequent vote of the Town Meeting. It “Voted at Said meeting to Give to the Poor of Said Town the Tenth Part of What the Fish

<sup>318</sup>Pembroke Town Meeting, Nov. 25<sup>th</sup>, 1771.

<sup>319</sup> Pembroke Town Meeting, April 1<sup>st</sup>, 1772, from adjournment on March 16<sup>th</sup>.

<sup>320</sup>Ibd.

Shall Fetch to Be Paied in fish at one Shilling pr hundred” – an indication not only of the collective, corporative purposes of this transaction, but perhaps also of increasing poverty, likely the result of demographic and environmental pressures that made Plymouth County such a fertile source of excess young male labor during this period. Of course, this largesse on behalf of the Town also entailed a high degree of public exposure, and no doubt humiliation, for the poor of the Town, as well as a degree of dependence upon the local notables who ran 18<sup>th</sup> century Pembroke: “Voted that the Poor of Said Town Shall apply to the Selectmen of Said Town on the Day that the Selectmen Shall appoint to Receive the Benefit of What Fish the Town have ordered to Be Given them in Such Proportion as the Selectmen Shall think Reasonable and the Fish So Delivered to answer So much Towards the Purchase of Said Fish[.]”<sup>321</sup> Indeed, the fact that the fish delivered to the poor were “to answer So much” towards their overall purchase, further indicates the relatively non-market character of these transactions; after all, a kind of subsidy was built into the purchase itself by the Town's ruling elite in order to provide for the poorest in their community. This was no doubt patriarchal and hierarchical in its own way, but also a fitting illustration of what Peter Laslett calls “the world we have lost.”

But it was not only the poor of Pembroke who benefited from the collective harvesting of the alewife run; every inhabitant of the Town was entitled to a share of the fish: “Voted that Whosoever Shall Purchase Said Fish Shall Deliver to all Persons Six Score for one Hundred \_\_\_\_\_” This, in addition to prescribing the corporate and communal character of the interaction, was something of a price control, presumably promising 120 (six-score) fish for every 100 units of currency – pence or shillings, though presumably not in cash – exchanged.

The herring run was also crucial for the Town's American Indian population in the latter 18<sup>th</sup> century. Indeed, the presence of American Indian people in significant numbers in the latter 18<sup>th</sup> century in Plymouth County is too often ignored (see below); this serves as a useful reminder of Indian

<sup>321</sup>Ibid.

persistence in southeast New England. The Town “Voted that Jn.o Turner Shall have Liberty to Demand of the Parcher [purchaser] five Barrills of Said fish to Distribute among the Indians in Said Town of Pembroke in Such Proportion as he Shall think Reasonable and the Fish to be Drawed to answer So much Toward the Purchase of Said fish....” Of course, while providing some measure of physical sustenance for the Indian people of Pembroke, this sustenance was entirely under the power of one man, John Turner, Town Clerk and a member of a prominent local clan.<sup>322</sup>

Finally, the Meeting voted for several men “to ... See that the fish Called alewives are not obstructed in their Passage into the Ponds to Cast their Spawn....” Anyone violating “the Laws of this Province and votes of the Town of Pembroke” was to be prosecuted.<sup>323</sup>

## II

Events recorded in the Town Book that Spring also provide evidence that, while Pembroke, like the rest of Plymouth County and New England, was a majority white, English, society, it was not exclusively so. In Plymouth and the other Old Colony counties, settlements of intermixed African and Algonquian peoples formed at the edges, in the wild neglected corners, of the 18<sup>th</sup> century landscape. In places such as at the southern end of Manomet Pond (today's Great Herring Pond), on the southern border of the County, bands of Algonquian (primarily, but not exclusively, Wampanoag) peoples had established a lasting settlement by the last decades of the 17<sup>th</sup> century. On the Plymouth-Plympton line, the Parting Ways settlement was made up of free black soldiers of the Revolutionary War. And in the burgeoning, though small, seaports of Plymouth and Scituate, the life of the sea would have brought African sailors and other maritime workers within the bourn of the collective life of the several Towns in the County. The inhabitants of these settlements, typically of mixed Amerindian and African

<sup>322</sup>Ibid.

<sup>323</sup>Ibid.

descent, were universally called “black” by the 18<sup>th</sup> and 19<sup>th</sup> century inhabitants of southeast Massachusetts. Thus, a description of physical blackness, or other descriptors of dark skin (e.g. “tawny”, “brown”, etc.), need not, and indeed did not, carry the exclusive connotations of African descent that have accompanied it in later periods, when racial categories had become more fixed and reified in the American mind.

Thus it was that in the spring of 1766, the Town of Pembroke found itself locked in a dispute with the Town of Scituate over the care of one Thomas Nicolson. John Turner, Capt. Josiah Cushing, and Captain Thomas Turner were

Chosen agents to Defend Said town of Pembroke against the Petition of the selectmen of the town of Scituate Preferred to the Court of General Sessions of the Peace Began and held at Plim.o within and for the County of Plimo. on the Second Tuesday of April Last Past Praying that the Town of Pembr may Be at the Cost and Charge of the maintaine of one Tom a mollato man By Some Called Thos Nicolson for the Reasons mentioned in Said Petition as By Said Petition may fully appear and to Shew Cause Why the Prayer thereof Should not Be Granted....<sup>324</sup>

As the instructions to the would-be defenders of Pembroke in this matter indicate, Thomas Nicolson appears to have been, in some senses, an outcast, a man without belonging in the corporate order of early New England. Indeed, that fall, around harvest-time, Constable Benjamin Barstow was paid by the Town for his service in warning him out and “Carreing him out of town” twice.<sup>325</sup> Nor was this the end of the dispute with Scituate over Nicolson. And yet, despite these overt acts of exclusion, Nicolson still had been there; this is no insignificant thing, especially when this presence of men and women of color in New England has been studiously ignored for nearly two centuries. It is necessary for any contemporary historian of the region to acknowledge this critical reality.

<sup>324</sup>Pembroke Town Meeting, May 19<sup>th</sup>, 1766.

<sup>325</sup>Pembroke Town Meeting, Sept. 29<sup>th</sup>, 1766.



### III

Pembroke, in these years of crisis and imperial confrontation, remained a staunchly Whiggish Town, a town which can fairly be labeled a member of the Province's Country Party. In 1766, it not only sent a representative to the General Court (John Turner, also the Town Clerk); it also provided him, via committee, with instructions, an unprecedented event, and one probably reflecting the gravity and complexity of the imperial crisis. The Committee was made up of Thomas Josselyn, Capt. Josiah Cushing, Capt. Benjamin Turner, Capt. Edward Thomas, Josiah Keen, Esq., Capt. Henry Josselyn, and Aaron Soule, all town notables. The local establishment was firmly in the camp of the provincial Opposition, and this would have consequences as the years went on and the crises mounted.<sup>326</sup>

That the Town remained politically engaged in the greater imperial dispute is evident from a Town Meeting in the autumn of 1768. At this meeting, “the Question was Put to Know the Towns mind Whether they Would make Choice of any Person or Persons to Joyn with Those that are or Shall be Chosen in the several Towns in this Province in order that such measures may Be Consulted and advised as his Majestys Service and the Peace and Safety of his Subjects in this Province may Require and it Passed in the affirmative and then the town made Choice of John – Turner a Committee man for the Purposes above Said....”<sup>327</sup> Turner, as in other years, was also Town Clerk, thus recording his own participation in the political life of Pembroke – a situation standing in stark contrast to the subterfuge resorted to by the Clerk of Wareham.

Tempers must have cooled a bit as the 1760s wore on. The Town voted not to send a representative to the General Court in 1769<sup>328</sup> – likely a sign of calmer political waters. But if there was

<sup>326</sup>Pembroke Town Meeting, May 19<sup>th</sup>, 1766.

<sup>327</sup>Pembroke Town Meeting, September 19<sup>th</sup>, 1768.

<sup>328</sup>Pembroke Town Meeting, May 22, 1769.

calm, it was that which precedes a September gale on the New England coast. The 1770s would prove a dramatic and turbulent decade in the life of the Town, as its latent Whiggery became active and overt.

As in the life of the fishery, 1772 was also a critical year in the political history of Pembroke. Late that year, towards the end of December, “At a Meeting of the Freeholders and Other Inhabitants of the Town of Pembroke Duly Warned and assembled according to Law”, the Town made its boldest expression of rebellious Whiggery up to that date. A pamphlet, “Received from the Town Clerk of Boston Directed to our Selectmen By order of Said town”, was read to the inhabitants of Pembroke, detailing the “Infringement and Violations” of the rights of the American colonies in general, and Massachusetts Bay in particular. The pamphlet proved popular in Pembroke, and a number of resolves were agreed on by the townspeople in response; according to the records, the resolves were approved “nemine Contradicente” – no one contradicting.<sup>329</sup>

First, the Meeting argued, both Massachusetts Bay, and Pembroke as one of its constituent Towns, were fully entitled to register their opinion on matters of grave public concern. “Resolved that this Province and this Town as Part of it Hath a Right Whenever they think it Necessary to give their Sense of Publick Measures and if Judged to Be unconstitutional and oppressive to Declare it Freely and Remonstrate or – Petition as they may Deem Best....”<sup>330</sup> Second, the concern with oppressive public measures was not limited to a few Whig hotheads, and was entirely appropriate given conditions: “it is peculiarly Necessary in the Present alarmin Crisis of our affairs to give our opinion.....” The Meeting wished “it to Be Known that not a few men only of factious Spirits as Been falsly Represented But the Whole Body of the People – Complain and are uneasy.”<sup>331</sup>

Continuing its resolves, the meeting of the Pembroke freeholders and inhabitants appealed to a common vision of New England history in elucidating its constitutional theory, a theory which, in its

<sup>329</sup>Pembroke Town Meeting, Dec. 28<sup>th</sup>, 1772.

<sup>330</sup>Ibid.

<sup>331</sup>Ibid.

emphasis on inherited liberties, the corporate sovereignty of the political community, and of the local, rather than national or imperial, seat of legally constituted political power, was widely consonant with the New England political tradition as described by David Hackett Fischer and others.<sup>332</sup> The Meeting conceded that “the British Parliament is the grand Legislative of the Nation....” However, its writ and authority did not extend to matters like the internal governance of the several colonies; this, in the case of Massachusetts, was properly left to the local legislature, an arrangement premised on the unique compact made between the first Reformed Protestant settlers of New England and the Stuart monarchs: “yet according to the original Compact Salomnly Made and Entred into Between the King of England and our ancestors at their First Coming into this Countory and the Present rioal [Royal] Charter no Legislative Authority Can Be Excersiesed in or Over this Province But that of the grate and general Court or assembly Consisting of the King or His Representative his Majestys Counsel and the House of Representatives.”<sup>333</sup>

Therefore, the Town “Resolved that acts of the British Parliament Made for and Executed Within the Limits of this Province are in our opinions aganist Law and the Most essential Principles of our Constitution....”<sup>334</sup> The Meeting continued its defense of this particularly American understanding of the British constitution with an attack on that great bugbear of 18<sup>th</sup> century republicanism, ministerial corruption: “The attacks that have of Late Years in this Way Been Made and By Meer ding [dint] of ministerial Influancis are Dayli Making on our Happy Constitution are of a Verey alarming Nature....”<sup>335</sup>

In a very Country Party formulation – a formulation that would prove rhetorically powerful down to the present day – the Town Meeting suggested that these attacks on the constitutional order

<sup>332</sup>cf. David Hackett Fischer, *Albion's Seed*.

<sup>333</sup>Pembroke Town Meeting, Dec. 28<sup>th</sup>, 1772.

<sup>334</sup>Ibid.

<sup>335</sup>Ibid.

“ought to Excite the Jealocy an attention of Every member of this Community....” Indeed, the divisiveness of the issue becomes clear when the Meeting hurled the equivalent, in 18<sup>th</sup> century Massachusetts, of “fighting words” at what was emerging as a proto-Loyalist faction in the politics of the province: “and that Such Persons as advise to a Subminision [to imperial authority] ought to Be Esteemed as enemies of their Cuntory.”<sup>336</sup> These are powerful words, and their impact must have been significant.

The Pembroke Resolves, as they would come to be called, continued on the subject of ancient, inherited liberties, and the perfidy of ministerial subterfuge. The Meeting declared “that the Rights and Libertyes Civil and Religous Which have been Transmitted to us from our Illeustors [illustrious] ancestors ought to Be Deemed Sacred and Kept inviolate By us their Posterity.” In addition, it decried ministerial attempts improperly to influence and control the provincial judiciary: “the Late Ministerial Manecue [maneuver?] in affixing Stipends or Salaries to the offices of the Judges of our Superior Court is an innovation that menaces the total --- abolition [of] fair Tryals and equitable Issues at Law....” Pembroke, as a more developed Town than Wareham in the southern part of the County, had a number of Esquires before and after the war, and the phrasing and concerns expressed above seem to have been written by someone with at least a passing familiarity with Coke, Blackstone, and the Magna Charta. Moreover, these were hardly theoretical or academic concerns: the attempt to suborn the judiciary “Directly affects Both the Life and Property of the Subject as an intire Dependance on the Crown for a Support has a Tendancy to Bias the minds of the Judges and Prevent that Strict Imparti[a]lity Which ought to attend their decisions....” This, the Resolves continued, was not intended to cast aspersions on the character of any individual jurist, but rather expressed the suspicion of human nature and of the emoluments of Court that minds raised on 18<sup>th</sup> century Calvinism and Country political ideology would naturally express. “But it is not our design to Reflect in the Least on the verey

<sup>336</sup>Ibid.

Respectable Gentlemen Who at Present adorn those offices But We ground our opinion on the Imprefection and Depravity of Human Nature.”<sup>337</sup>

The Town found further cause for complaint in the way in which Parliamentary laws were enforced by the military might of the Hanoverian state: “the Measures so Justly Complained of By this Province and the other Colonies on the Continent are Persisted in and Enforced by Fleets and armies....” Though it troubled the hearts of the Resolves' authors (“We think of it With Pain” they add in a parenthetical side note), these measures were likely to cause a fatal breach between Britain and the colonies. The continuation of current policies, the Meeting warned, “Will in a Little time Issue in the total Dissolution of the union Between mother Country and the colonies to the infinite Loss of the Former and regret of the Latter.”<sup>338</sup>

In response to the enumerated grievances, the Town took a number of practical steps. Pembroke's representative was “Instructed to use his utmost Efforts in the next Sessions of Our General Assembly *to obtain a Radical Redress of our greavinces.*” [Emphasis added] The Town also chose a “Committee for Greavinces”, designated to communicate with other similarly formed committees throughout the Province – “in our Metroplius and the other Towns throughout the Province” – an embryonic version of the wide and deep network of revolutionary organs that would come to dominate Pembroke, and New England, as the revolution progressed. Men were selected for this committee, and “ordred to Transmitt a Copey of the Proceedings of this town at their Present Meeting to the Committe of Corrispondance of Boston[.]” The regional infrastructure of revolution was taking shape.<sup>339</sup>

And yet, throughout all of the turmoil wrought by the imperial crisis, the longer, slower rhythms of agricultural life continued unabated. A committee was chosen in the spring of 1773 to sell land that

<sup>337</sup>Ibid.

<sup>338</sup>Ibid.

<sup>339</sup>Ibid.

used to belong to the late Resolved Stetson. The land, which had been mortgaged to the Town to pay for Stetson's healthcare, was to be sold at public auction.<sup>340</sup> As always, the matter of the fish took some portion of the Town's attention. The Town “Voted that the money Coming to Said Town By the Sale of the fish Called alewives For the year 1772” – after expenses for clearing the brook and providing fish for the Town poor and Indians – “Shall Be Devided Equally on the taxable Polls Within the Town of Pembroke....” In addition, Pembroke voted not to sell the fish in 1773 as it had in 1772. Instead, the fish laws extant in 1765 would apply.<sup>341</sup>

The care of the highways also occupied Pembroke's collective mind, even as the revolutionary crisis grew in intensity. In the Spring of 1773, “The Following By Law Was Laide Before the Town and accepted and ordred to Be Lade Before the Court of General Sessions of the Peace for their Confirmation and approbation ....” The bylaw in question stipulated “that such a Sum of money Be Voted Evry March Meeting of the Town as Shall Be Judged Necessary For the Repareing and Mending of the HighWays of the Town the year Ensuing.....” The money was to “Be Raised By a Tax on the Inhabitants of Said Town Partly upon the polls & Partly upon the Estates,” the polls to provide 40% of the funds, and estates to provide the remaining 60%.<sup>342</sup> At the same time, the Town took a number of measures that, in my view, appear intended to protect the interests of those parts of Pembroke society who could least afford new taxes, the poor and “middling sort” as opposed to the biggest landowners and scions of old families. It “voted that the assessors of Said Town Be [directed] to Assess the – Inhabitants thereof agreeable to the Last State Bill so Far as in their opinion at the Time of Making *the Taxes Shall Be Conformable to Justice and Equity....*” [emphasis added]. What exactly did justice and equity mean in an 18<sup>th</sup> century New England agricultural village? In part, at least, it seems to have been an embrace of a more or less traditionalist iteration of the labor theory of value; that is, taxes for the

<sup>340</sup>Pembroke Town Meeting, March 22<sup>nd</sup>, 1773.

<sup>341</sup>Pembroke Town Meeting, March 29<sup>th</sup>, 1773.

<sup>342</sup>Pembroke Town Meeting, March 29<sup>th</sup>, 1773.

upkeep of the public highways ought to be payable in labor performed on the roads themselves.

“...Every Person So assessed Shall have Liberty if they Please to Pay their Tax Contained in Said List By Working on the High ways agreeable to the order and Direction of the Surveyor....” The daily rates at which labor would be valued were: two shillings, six pence “for a man Having a good Shovel or some other Tool to the acceptance of the Surveyor”; two shillings “for a yolk of oxen”; one shilling, four pence “for a Cart”; one shilling, eight pence “for a Plow”; “and for a good Draw horse,” one shilling, four pence. “Eight hours [was to] Be Reckoned a Days work”, and the surveyors of the Town's several road districts were to be allowed to expend excess taxes or labor on the roadwork of other districts, if acceptable to the surveyor of that district, and “if it Be Judged By them to Be Most Conducive to the good of the Town....”<sup>343</sup> Those who refused to pay their taxes would face a variety of legal sanctions from the Town.

By January of 1774, the imperial crisis again occupied Pembroke's attention. Just weeks before, the confrontation over the importation of East India Company tea in Boston Harbor had exploded into crowd action. In those weeks, the rhizomes of the incipient revolutionary movement were active. On January 10<sup>th</sup>, in Pembroke, “The Committee of Corrispondance Lade Before the Town a Letter Which had Been agreed upon By the Committee of Several Towns in the Province to Know their minds at this Verey Criticel and allarming Juncture and also the Votes and Proceedings of the Town of Boston thereon....” The Town Meeting then chose a large committee (Abel Stetson, Aaron Soul, Seth Hatch, Josiah Smith, Josiah Keen Esqr., John Turner, Jeremiah Hall, Capt, Freedom Chamberlain, Eleazer Hamblin), which met for half an hour to formulate its response. At the end of the half-hour, Josiah Keen spoke for the committee, reporting “the follow votes and Resolves”: “Voted that we Highly approve of the Publick Conduct of the town of boston and others in their Late Town meetings and the Resolutions they Came into in order to Prevent the Landing [and] vending the Tea Sent here By the

<sup>343</sup>Ibid.

East India Company.....” The committee continued in this defiant vein: “and [we] Shall Deem Such as may Dare for the Future to attempt to Entre any Teas at the Custom House Subject by Act of Parliment to a Duty [(] for the Detestable Purpose of Raising a Revenue in America more Effectually to Inslave the Colonies) enemies to our Country.” The themes of the Whig-Country discourse of resistance, with their terror of Slavery, and the increasingly hardening conviction that advocates of Parliamentary rule were effectively traitors, echo loudly and resoundingly in the committee's report.<sup>344</sup>

In a sign of the awakening of what would, in the 19<sup>th</sup> century, be labelled a “national spirit”, the Committee castigated individuals willing to accept the tea:

Voted that We much applaud the deperiment of the Gentlemen of the Southern Colonies To Whome the East India Companies Teas Were Consignd in that they have done themselves the Honour to Refuse their apportion[ment?] out of Regard to the Intrests of their Country While we Detest that of the Tea Consignees in this Government for their Obstantly Refuesing to Comply with the Reasonable Request of their fellow Ctterzons and Country men\_\_<sup>345</sup>

Here, then, is the first appearance of the term “citizen” in the rhetoric of the rebellious freeholders of Pembroke. “Country” had appeared often in their grievances; but never “ctterzons”; in this sense, then, we can say that the republican ideology, so long growing in Pembroke, finally emerged from its chrysalis, and showed itself plainly in the pale light of that January day.

In its peroration, the committee both pledged further defiance, and connected the colonists’ rights as colonists with what would, in a later century, be called “human rights”: “we Will at the Resque [risk] of our Lives and Fortunes in every Justifyable method affect and Defend our Just Rights and Privelidges as Men and as Colonists...This was read to the Town Meeting, which, approving it, directed that it be recorded in the Town Records, and sent also [to] the Committee of Correspondence

<sup>344</sup>Pembroke Town Meeting, January 10<sup>th</sup>, 1774. On Whig fears of Slavery (with a capital “S”), see Edmund S. Morgan, *American Slavery, American Freedom* (New York: Norton, 1975).

<sup>345</sup>Ibid.



of the Town of Boston.” The Committee of Correspondence was also expanded, a sign, perhaps, of the weakening power of the hierarchy in Pembroke in the mid-1770s.<sup>346</sup>

Political affairs continued in their own, higher register; John Turner was sent that Spring to represent the Town in the General Court, “By a Majority of 61 Votes”, indicating contested and popular elections. But even more so than its choice of representatives, it is in the words of its minister – its local intellectual and cultural leader – that Pembroke's spirited resistance to British rule becomes starkly apparent. Rev. Gad Hitchcock, A.M., pastor of the Church in the West Parish of Pembroke, was a leading clergyman on the Whig side of the dispute. Born in Springfield in 1718 from old Connecticut Valley settlers<sup>347</sup>, Hitchcock was noted as both a prominent speaker on public issues (for instance, the War with France during the middle decades of the century) and as a rather unusual clergyman. He was, according to one 19<sup>th</sup> century remembrance by a fellow Pembroke clergyman, uncommonly egalitarian in his social relations for a clergyman of Massachusetts' Standing Order:

There was a familiarity in the manners and conversation of Dr. Hitchcock, not common among clergymen at that day. He was likely to enter into conversation with any person he met in journeying, and would amuse himself in giving and receiving jokes. On his way to Boston, he once fell in company with a sailor, and questioned him pretty freely concerning his name, residence, business, &c. The sailor, having answered the questions, proposed, in his turn, similar questions to the Doctor, and the reply was " My name is Gad Hitchcock, and I belong to Tunk — (by this name his parish was distinguished, when it was part of Pembroke.) The sailor repeated the three names, and, in his own peculiar manner, cried out, — " Three of the worst names I ever heard." This retort cheered the old man during the rest of his journey. When the Doctor was in Boston, at a certain time, he met a sailor, and asked him if he could box the compass. The answer was "Yes." " Let me hear you." The sailor performed correctly. " Now," said the Doctor, " reverse it." This too was done with equal promptness. The sailor then asked what his occupation was; and, on being informed that he was a minister, asked him if he could repeat certain portions of Scripture; and when the Doctor had repeated them, " Now " said the sailor, " reverse them." Such a joke Dr. Hitchcock would enjoy, and repeat with great satisfaction.<sup>348</sup>

<sup>346</sup>Ibid.

<sup>347</sup>Information on Hitchcock, some of which reprises the Rev. Allen's letter (see below), can be found in “The History of Hanson,” in Hamilton Hurd, ed., *History of Plymouth County*, 343-344.

<sup>348</sup>Letter from the Rev. Morrill Allen, Pembroke, March 28<sup>th</sup>, 1858, printed in William Buell Sprague, *Annals of the American Pulpit: Unitarian Congregational*. 1865. Vol. VIII. (New York: Robert Carter & Brothers, 1865), 31.

Perhaps this free-and-easy manner made Hitchcock a natural ally of the Whig cause; in any event, the Reverend was invited to preach the Election Day Sermon in Boston before the newly installed military governor, General Thomas Gage, on May 25<sup>th</sup>, 1774, days after the election of John Turner and the other representatives to the legislature.

Rev. Hitchcock did not mince words. He took as his text Proverbs 29:2 – “When the righteous are in authority, the people rejoice: but when the wicked beareth rule, the people mourn.” Indeed, his sermon was bold enough in its political message that it was almost certain to ruffle the feathers of imperial officials. Hitchcock had written it under the assumption that Gage would not be personally present, and friends of the minister, upon finding that the Governor would in fact be in the audience, urged him to moderate or qualify the piece. “My sermon is written, and it will not be altered,” Hitchcock is said to have replied. Indeed, the address so “filled Governor Gage with rage” that Samuel Adams, the Clerk of the House of Representatives, along with others in the radical Whig faction, purchased Hitchcock a new “suit of clothes.”<sup>349</sup>

Almost by way of clearing his throat, he twisted the rhetorical knife deep in the breast of Gage and the pro-British party: “It will not be thought improper by any, who have a veneration for revelation, and the instruction of princes, to make it the subject of our present consideration – Especially as our civil rulers, in acknowledgement of a superintending Providence, have invited us into the temple this morning, to ask counsel of God in respect to the great affairs of this anniversary, and the general conduct of government.”<sup>350</sup>

Hitchcock continued his exegesis. “Civil government,” he said, was “vested with authority, on this constitutional basis, to make and execute such laws, in future, as should be found necessary; the public security and welfare being their grand object. --- This, at least, appears to be the most just and

<sup>349</sup>Hurd, ed., *History of Plymouth County*, 344.

<sup>350</sup>Gad Hitchcock, “A Sermon Preached before His Excellency,” Boston: Edes & Gill, 1774. American Antiquarian Society Copy, obtained online via the Evans Digital Early American Archive, 6.

rational idea of government that is founded in compact; as, I suppose, all governments, notwithstanding later usurpations, originally were; and if the compact, in early ages, hath not always been expressed, yet it has been necessarily implied, and understood, both by governors, and the governed, on their entering into society.”<sup>351</sup>

He continued, turning his analysis to the situation of Britain's uniquely “mixed” constitution: “In a mixed government, such as the British, public virtue and religion, in the several branches, though they may not be exactly of a mind in every measure, will be the security of order and tranquility – Corruption and venality the certain source of confusion misery [in?] the state.”<sup>352</sup> In mixed governments, he continued, “rulers have their distinct powers assigned them by the people, who are the only source of civil authority on earth, with the view of having them exercised for the public advantage....”<sup>353</sup>

Hitchcock warmed to his theme of the ultimately popular sources of political authority. In particular, he lauded resistance to the executive branch. For resistance to be legitimate, it should represent the general will of the community, rather than the complaints of a few grumblers: “With respect, therefore to rulers of evil dispositions, nothing is more necessary than that they should believe resistance, in some cases to be lawful. *I intend not for a few discontented individuals who may happen to take it into their heads to resist, but for the majority of a community, either by themselves or representatives.*”<sup>354</sup>

Indeed, rulers exercised a rather limited trusteeship: “They are also the trustees of society, as their authority, under God, is derived from the people, delegated to them with design it should be exercised for, and to no other purpose than, the common benefit; and this renders them justly

<sup>351</sup>Ibid., 7.

<sup>352</sup>Hitchcock, 17.

<sup>353</sup>Hitchcock, 19.

<sup>354</sup>Hitchcock, 25., emphasis added.

accountable to their human constituents, whose tribunal, however some have affected to despise it, is full of dignity and majesty – Kings and emperors have trembled before it!”<sup>355</sup> This last barb at royal authority could not have gone unnoticed.

Royal authority and the sovereignty of the executive, Hitchcock continued, were limited by the facts of British history, and by the founding of the modern British state itself in the Glorious Revolution of 1688: “The people being judges of their own constitution of government, is the principle from which the British nation acted, and on the truth of which they are to be justified, when they determined, their constitution was invaded by their sovereign, and that he was carrying on designs, which if pursued, must issue in the destruction of it.

“But if they were no judges of such matters, if they meddled with that which did not belong to them – the revolution, and succession of an illustrious house, may have taken place without right, against law and reason, being founded in misconception and error; and the heirs of an abjured popish prince, still remain the only just, and lawful claimants to the British throne; a doctrine, which, I am sure, no American, and I hope, but few in great Britain, will ever admit. If the foundations be destroyed, what can the righteous do?”<sup>356</sup>

Beyond simply acknowledging the constitutional and traditional limitations on the executive branch under the British constitution, rulers “should also be acquainted with” international law, should be equitable and reasonable; “but especially [should be concerned] with the genius, temper, customs and religion of the people they are called to govern...”<sup>357</sup> In other words, Gen. Gage ignored the distinctive New England political tradition, and its well-established political culture, at his own grave

<sup>355</sup>Hitchcock, 30-31.

<sup>356</sup>Hitchcock, 33-34.

<sup>357</sup>Hitchcock, 34-35.

peril. He was also warned that “the executive power is strictly no other than the legislative carried forward, and of course, controulable by it.”<sup>358</sup>

Hitchcock expressed a fear of corruption in magistrates that rings forth with the language of classical republicanism: “And if they make use of their authority, or the influence of their rank for any different purposes – if it be their chief aim to aggrandize themselves, their posterity or friends by means thereof; if the selfish passions predominate and guide and determine their public conduct; if they are slaves to covetousness, ambition or effeminacy; *if, led by flattering prospects, they are devoted to the meer will, and arbitrary mandates of others greater and higher than themselves*; if there be any thing they are more solicitous to obtain or promote than the good of the society they are connected with, and are bound to serve, – *they ignominiously prostitute their trust, and basely counteract the main design of their institution.*”<sup>359</sup>

Of course, while Hitchcock expressed himself in language imbued with republicanism, he was also a minister of the Christian gospel; it is hardly surprising that he preferred pious rulers.: “It is the wisdom of christian states, to have christian magistrates.....” Nevertheless, Hitchcock showed considerable liberality towards Enlightenment theological currents: “If it be allowed, as to be sure it ought, that magistrates of deistick principles may have a regard to the civil interest of mankind, and do many worthy deeds for society; it must also be allowed that they are not so likely, as those of christian principles, to be nursing fathers to the church of Christ, which, agreeable to ancient prophecy, magistrates, under the present dispensation of the divine grace, are obliged to be.”<sup>360</sup>

In the last third of his sermon, Hitchcock finally quit beating around the bush, and addressed himself explicitly, and somewhat feistily, to contemporary events. “We come now – thirdly – to apply

<sup>358</sup>Hitchcock, 35.

<sup>359</sup>Hitchcock, 37, emphasis added.

<sup>360</sup>Hitchcock, 39.

the subject to ourselves, and the occasion of our present assembling.”<sup>361</sup> He continued: “... I could not obtain forgiveness of my own mind nor of the public, if I should forbear explicitly to affirm, that the two honorable branches of the legislature, we before have had, which derived their political existence more immediately from the people, have been in their general conduct and measures, but especially in the late months and years of our distress and controversy, accepted of the multitude of their brethren.”<sup>362</sup>

After expressing his best wishes to the representatives that were elected, and the Councillors to be elected, Rev. Hitchcock took up the cause of the colonies’ “natural rights” and “invaluable privileges”: “The choice of persons from among ourselves, to sit at council board, both in a legislative capacity, and as his majesty’s council to give their advice to his representative here, on all matters of government, as circumstances may require, we esteem a great security of our natural rights; and one of our most invaluable privileges – a privilege, which we never have forfeited, and we are resolved we never will, or voluntarily resign it into the hands of any of our fellowmen....” Being, after all, a Calvinist clergyman, he did admit that “the many crying sins, and enormities committed in our land...” would perhaps justify God – but not any merely civil authority – in depriving the Bay Colony of self-government.<sup>363</sup>

He also reviewed the constitutional history of the province itself. “... [F]or though we remember our first charter with affection, and the arbitrary despotic manner of its dissolution with abhorrence, yet we have been used to put great confidence in the paternal goodness of our gracious sovereigns” in appointing governors “as would seek the peace and welfare of this people.”<sup>364</sup> In fact, the welfare of the populace was inextricable from the welfare of the body politic as a whole: “... it is as impossible for his

<sup>361</sup>Hitchcock, 41.

<sup>362</sup>Hitchcock, 41.

<sup>363</sup>Hitchcock, 42.

<sup>364</sup>Hitchcock, 43.

majesty to have any good in America, separate from the good of his American subjects, as it is to have any good in Great-Britain separate from the good of his British subjects.”<sup>365</sup>

In a vein reminiscent of fellow Whig – though no revolutionary – Edmund Burke's distinction between license and liberty, Hitchcock stated that “Prerogative itself is not a power to do any thing it pleases, but a power to do some things for the good of the community, in such cases as promulgated laws are not able to provide for it.”<sup>366</sup>

“On these principles,” therefore, “it is reasonable to expect that his Excellency who is lately appointed to the government of this province, and of whose candor and moderation we have heard with pleasure, will enter on the duties of his high station, with honor to himself and advantage to the publick, and make the happiness of this people the great object of his administration, which is the surest way to conciliate their affections, and establish his own authority.” And, in a pointed reminder to the Anglican General Gage, he added: “We wish his Excellency much of the divine presence and guidance – the supports of religion – and the plaudit of his final Judge.”<sup>367</sup>

The interests, the Reverend continued, not only of Massachusetts Bay, but of the colonies as a whole, were at issue: “MUCH lies at stake, honored Fathers – much depends, and will probably turn on the choice you make of Councillors, not to this province only, but to the rest of the colonies. In the present scenes of calamity and perplexity, when the contest in regard to the rights of the colonists, rises high, every colony is deeply interested in the public conduct of every other.

“The happy union and similarity of sentiment and measures which take place thro' the continent in regard to our common sufferings, and which have added weight to the American cause, must be cherished by every prudent and constitutional method....”<sup>368</sup> The Council not only advised His

<sup>365</sup>Hitchcock, 43.

<sup>366</sup>Hitchcock, 44.

<sup>367</sup>Hitchcock, 44.

<sup>368</sup>Hitchcock, 45.

Majesty's Governor, and supervised Harvard College, the nursery of the Standing Order; it also spoke for the entire continent. Hitchcock, in his ringing peroration, reminded listeners that “the united voice of America, with the solemnity of thunder and with accents piercing as the lightning, awakes your attention, and demands fidelity.”<sup>369</sup>

“Our danger is not visionary,” Hitchcock insisted, “but real – Our contention is not about trifles, but about liberty and property; and not ours only, but those of posterity....”<sup>370</sup> Nevertheless, the Reverend acknowledged the presence of a Loyalist faction within the province: “For however some few, I speak it with regret and astonishment, even from among ourselves, appear sufficiently disposed to ridicule the rights of America, and the liberties of subjects....”<sup>371</sup> Loyalists, imperial authorities, and other, unnamed figures presented a fatal threat to American liberties: “If I am mistaken in supposing plans are formed, and executing, subversive of our natural, and charter rights, and privileges, and incompatible with every idea of liberty, all America is mistaken with me.”<sup>372</sup>

At any rate, even if the British and loyalists viewed their claims as spurious, Whigs considered themselves legitimately aggrieved. “We think we are injured – We believe we are denied some of those privileges, enjoyed by our fellow subjects in *Great-Britain*, which have not only been insured to us by Royal Charter, but which we have a natural independent right to.” This was especially so in consideration of the struggles of 17<sup>th</sup> century colonists “in planting this American wilderness, and turning it into a fruitful field!” (a fine example of Hitchcock's Biblical diction).<sup>373</sup>

Hitchcock did, however, leave himself some wiggle room, providing careful caveats to avoid charges of treason, sedition, or libel. “Before I close, I may not omit putting the whole body of this

<sup>369</sup>Hitchcock, 46.

<sup>370</sup>Hitchcock, 46-47.

<sup>371</sup>Hitchcock, 47.

<sup>372</sup>Hitchcock, 47.

<sup>373</sup>Hitchcock, 48.



people in mind to be subject to principalities and powers, and to obey magistrates.”<sup>374</sup> Yet, he continued, “As a people we have ever been remarkably tender both of our civil and religious liberties; and 'tis hoped, the fervor of our regard for them, will not cool, till the sun shall be darkened, and the moon shall not give her light.”<sup>375</sup>

Indeed, only enemies of established British liberties would deny the justice of the American cause: “If we have complained, we have had too manifest occasion for it; and all writers on government but *those of a rank, arbitrary, popish complexion*, allow of complaints, and remonstrances, and even opposition to measures, in free governments, which the people know to be wrong; and indeed were not this the case, there would soon be no such governments on earth.”<sup>376</sup>

In a final few paragraphs, Hitchcock defended the rights of New Englanders to their land, both by rights of purchase, and, after King Philip's War, by the right of conquest. “The soil we tread on is our own, the heritage of our Fathers, who purchased it by fair bargain of the natives, unless I must except a part, which they afterwards, in their own just defence, obtained by conquest --- We have therefore an exclusive right to it.” Indians, the Reverend continued, would have had just as legitimate rights to claim Great Britain “if their navigation had been able ... to have wafted them in sight of it.”<sup>377</sup>

In closing, Hitchcock sounded once more a reliably republican theme, again reminiscent of Burke's later formulation: “... especially, let us be on our guard against a spirit of licentiousness, which is the reproach of true liberty, and has been the overthrow of free governments.”<sup>378</sup>

It was, in short, a stemwinder of a sermon, one that expressed ideas that, in less high-flown and eloquent language, must have been circulating in Pembroke, Plymouth County, and the province at large. Reverend Hitchcock had certainly earned his new suit of clothes.

<sup>374</sup>Hitchcock, 52.

<sup>375</sup>Hitchcock, 53.

<sup>376</sup>Hitchcock, 53-54. Emphasis added.

<sup>377</sup>Hitchcock, 54.

<sup>378</sup>Hitchcock, 55-56.

#### IV

As summer reached its fullness, the evidence indicates that events in the political sphere had begun to take on a revolutionary logic and momentum of their own. The Town directed its Treasurer to “Pay to the Committee of Congress appointed at the Last Setting of the General Court the sum of Two Pounds Five Shillings and ten Pence Lawfull money to Enable them to Carrey on that Bisness...” Meanwhile, in the first evidence in the Town Records of the existence of a provisional government for the rebellious province, John Turner, elected representative to the General Court a month-and-a-half earlier, was directed to sit at the General Court to be held at Salem that coming October, rather than Boston. In some senses, politically at least, the revolution had begun.<sup>379</sup>

In a different octave, the regulation of Pembroke's common resources continued to occupy the Town's consistent attention. The affairs of this relatively small agricultural community continued with seasonal regularity. That March, at the Annual Town Meeting, collectors were chosen, the fish were again regulated, and repairs to the highways were voted. Farm pests annoyed the inhabitants: “Voted to Give a Bounty on Ground Squorril heads of four Pence each that Shall Be Killd Within the Town of Pembroke Within Six months from this day Said Heads to be deliverd to the Town Treasurer he to destroye the Heads....” Similar measures were taken against crows and “Crobill Black Birds”; in these avian cases, the heads were to be destroyed by the Treasurer by burning. Though these votes were later

<sup>379</sup>Pembroke Town Meeting, July 11<sup>th</sup>, 1774.

reconsidered, they still indicate that pests were enough of a problem to come to the public attention<sup>380</sup> ...In the summer of 1774, bog iron once more came under the purview of the Meeting. The Town “Voted to Choose a Committee to Sell the Town Iron Oar in Jones River Pond...”; the “oar to be Sold for Cash only until the Town shall otherwise order....” After choosing a committee of David Crooker, Abel Stetson, and Eleazer Hamlon, the Town instructed the three men “to Render an account of their doing thereon once a Year to the Town of Pembroke or oftenor if the Town Shall Demand it....” The Committee was additionally “to Inspect the oar in Said Pond and Take Care that no Person take any of Said oar Without Leave from the Committee,” these latter to be reported to the Town. The ore was to be sold “at Four Shillings per Tuns Lawfull money.” In an interesting confirmation of the observation of several scholars of the Old Colony and Southeastern Massachusetts – that the Old Colony never reached the heights and purity of Orthodoxy seen in Massachusetts Bay or Connecticut – provision was made to exempt religious minorities from taxation: “Voted to Excuse the Quakers from Paying for the Collecting the Precinct Rates in Both Precincts..<sup>381</sup>

Early that winter, at the Town's budgetary meeting, preparations for war, in addition to the continuing life of this small farming community, become increasingly evident. On the one hand, the usual sums were disbursed for the care of the poor, and it was “Voted that the Taxable Palls Shall have the Benefit of the Fish Money in order to inable them to Pay their next Town Rate[.]” On the other, more bellicose expenditures were approved: “Voted to Raise the Sum of 30:ll to make an addition to the Towns Stock of ammunition in Powder and Ball as Shall appear necessary....”<sup>382</sup> Preparations for

<sup>380</sup>Pembroke Town Meeting, March 21<sup>st</sup>, 1774. For the reconsidered votes, see Pembroke Town Meeting, March 30<sup>th</sup>, 1774.

<sup>381</sup>Pembroke Town Meeting, May 23<sup>rd</sup>, 1774; Pembroke Town Meeting, July 11<sup>th</sup>, 1774.

<sup>382</sup>Pembroke Town Meeting, Dec. 5<sup>th</sup>, 1774.

war continued as the old year turned into a new one. At a Town Meeting in early February – the season of great blizzards in New England – the Town “Voted to Raise the Sum of Sixty Seven Pounds Six Shillings and Five Pence into the hands of Henry Gardner esr for the Defence and Safty of this Province[.]”<sup>383</sup>

1775, then, dawned amid a tide of recrimination and revolutionary activity. In the day after the Town Meeting described above, Pembroke played host to an extraordinary gathering of Plymouth County selectmen. The Selectmen of Pembroke, Duxbury, Scituate, Hanover, Kingston, and Plymouth -- among the more ardently Whig of the Plymouth County Towns – sent a petition to Gen. Gage in Boston, complaining that Loyalists in Marshfield had been spreading false rumors about the county's Whigs in order to justify the stationing of troops in Marshfield.

Declaring themselves “his Majesty's loyal subjects,” and “endeavouring to preserve the peace, and maintain the authority of the laws; at a period, when the bands of government are relaxed, by violent infractions on the charter of the province”, the collected Selectmen charged the Loyalist faction with precipitating and exacerbating the kind of violent struggle that would result in the “exition” of the united, trans-Atlantic British state. Indeed, the Loyalists had acted as kinds of *agents provocateurs*, the Selectmen charged: “our enemies are practising every insidious strategem, to reduce the people into acts of violence and outrage.”<sup>384</sup>

Unlike their foes, the Selectmen told Gage, they “promise[d] to pay that sacred regard to truth, which had our adversaries observed, we flatter ourselves, it would have precluded the necessity of our addressing your Excellency, on this occasion.” The whig officials averred that they had reliable information that Loyalists in Marshfield and Scituate had requested a detachment of Regulars be sent to guard their persons and estates. However, the actions of the Loyalists themselves, said the Whig

<sup>383</sup>Pembroke Town Meeting, February 6<sup>th</sup>, 1775.

<sup>384</sup>Petition of the Selectmen of Six Towns in Plymouth Co., Feb. 7, 1775, and printed in *The Massachusetts Spy*. Accessed via the Archive of Early American Imprints: Evans Series I: 1639-1800.

selectmen, belied the claims they had made to Gage about Whig conspiracies walking abroad in the countryside: “Several men of unquestionable veracity, residing in the town of Marshfield, have solemnly called God to witness, before one of his Majesty's Justices of the peace, that they not only never heard of any intention to disturb the complainants; but repeatedly saw them, after they pretended to be under apprehensions of danger, attending to their private affairs, without arms....” Furthermore, these Loyalists “frequently declared in conversation with the deponents, that they were not apprehensive of receiving any injury in their persons or properties....”<sup>385</sup> Many of the Loyalist element, the Selectmen charged, had not even attained their legal majority – and, they implied, many of them were intimidated into supporting the imperial cause: “and one of them, who is a minor (as many of them are) being persuaded to save his life, by adjoining himself to the petitioners, but afterwards abandoning them by the request of his father, deposeth in the like solemn manner, that he was under no intimidation himself, nor did he ever hear any one of them say that he was.”<sup>386</sup>

Thus, the selectmen charged, it was “as evident as if written with a sun-beam, from the general tenor of the testimony” – which they offered to place before the Governor – “that [the Loyalists'] expressions of fear, were a fallacious pretext, dictated by the inveterate enemies of our constitution, to induce your Excellency to send troops into the country....” This would “augment the difficulties of our situation, already very distressing....” The selectmen assured the governor that, having investigated the rumors of plots against the Loyalists, they had found them without basis. Yet the threat of troops being stationed was a grave one; they urged Gage “to remove the approbrium, which this movement of the military reflects on this country; and as a spirit of enmity and falsehood is prevalent in the country, and as every thing which comes from a gentleman of your Excellency's exalted station, naturally acquires

<sup>385</sup>Ibid.

<sup>386</sup>Petition of the Six Towns, 1-2.

great weight and importance....,” the selectmen therefore rather pointedly “intreat[ed]” Gage “to search into the grounds of every report, previous to giving your assent to it.”<sup>387</sup>

The question of whether the Loyalists had legitimate bases to their allegations – or whether, perhaps, they had actually provoked the conspiracies they so feared – would be brought before the public again that spring.

## V

Later that spring, after fighting had broken out at Lexington and Concord, the war came to Plymouth County; though bloodshed was avoided, the Patriot-Whig character of the countryside of Plymouth County was established – by force of arms.

After the complaint of the Marshfield Loyalists to Gen. Gage, one hundred private soldiers, under three subalterns and a Capt. Balfour, were sent from Boston on small vessels to Marshfield, where they were stationed in the high tension of early 1775. According to a letter from a Boston loyalist to a correspondent in New York, detailing the event, they were well-armed, bringing two field pieces and “300 stands of arms for the use of gentlemen of Marshfield.....” The troops were well-disciplined, and, aside from gazing in the windows at the Duxbury Meeting House on the Sabbath (the descendants of this extreme wing of the Reformation must have held a quaint interest for the soldiery), there were relatively few incidents between the garrison and the people of the Plymouth County towns.<sup>388</sup>

This is not to say there were no incidents. Indeed, one detachment of several soldiers, and, I believe, a non-commissioned officer, was sent into the countryside, particularly in the neighborhood of

<sup>387</sup>Ibid.

<sup>388</sup>Winsor, *History of Duxbury*, 128-129. Letter quoted is from a Boston loyalist to a correspondent in New York, and dated Jan. 26<sup>th</sup>, 1775.

Halifax, in search of a deserter named Taylor. Thomas Drew, of Halifax, harbored Taylor in his house, word of which must have reached Captain Balfour at Marshfield – a reminder that the rural networks of information on which the Whig cause relied could also be used to good effect by Loyalists. A detachment was sent to apprehend Taylor; their plan must have been to have taken Taylor by stratagem, for one of their number ran ahead to Drew's house, where he told Taylor that he, too, was a deserter, “hoping thereby to detain him until the others should arrive.” Drew, however, correctly guessed the nature of the ruse, and sent Taylor “to flee to the woods” – a further sign of the importance of local knowledge in making a revolution in Plymouth County and America at large. Taylor was saved, but the Regulars were infuriated. The patrol, in an act of retribution, intimidatingly visited Noble Thompson's house, who was bed-ridden. They threatened Thompson, telling him they would shoot him unless he gave up Taylor to them – surely a poor way to win “hearts and minds.” “Thompson ...rose in his bed and taking down his gun, which hung above his head on wooden hooks, brought it to his shoulder, and with fire flashing from his eyes exclaimed, 'You are dead men, or leave my house!'" The soldiers left.<sup>389</sup>

The three British regulars were not through with their ordeal in Halifax. Rural networks of news and communication, and mutual assistance quickly spread word of the incident; it “spread like wildfire.” Passing through Halifax Center on their journey back to Marshfield, they came before the Meetinghouse, where two hotheaded Whigs named Bartlett and Bradford confronted the soldiers with muskets raised. Unfortunately for the bravado-filled Minutemen, their muskets were ancient and out of use, a fact quickly detected by the soldiers, who promptly drew pistols and captured the men. They marched them to the house of a prominent loyalist, Daniel Dunbar. The rural networks of information were active once more: “hardly an hour had elapsed before the house was surrounded by the entire company of minute-men,” who demanded Bartlett and Bradford's release. On the refusal of the soldiers

<sup>389</sup>From “History of Halifax”, in Hurd, ed., *History of Plymouth County*, 1130.

to surrender their townsmen, the Halifax crowd threatened to enter the house and forcibly seize them, to which the regulars responded with a promise of immediate death for their hostages, which the hostages, much reduced from their previous bravado, assured their countrymen would be made good: they “entreated their friends not to molest them, as they felt sure the threat would be executed.” Eventually the standoff ended, and a more serious outbreak of violence was prevented, when the two Whigs were handed over to local (Loyal) Justice of the Peace, Josiah Sturtevant. They were “to be tried for breaking the law upon the king's highway.”<sup>390</sup>

If relative quiet had prevailed prior to Lexington and Concord, all changed after word came of the outbreak of fighting northwest of Boston. The militias of the majority of the Plymouth County towns began mustering under their respective leaders. Colonel (Josiah?) Cotton, the commander of the County's regiment of minutemen, began to muster his men and consult with his fellow officers in the hours and days after the battle. One of these officers, Major Judah Alden, of Duxbury, happened to be in Rhode Island when word of the fighting in Middlesex County arrived, and rode hard all day on the 20<sup>th</sup> to be back in Plymouth County. An incident that occurred on his return is worth relating: Maj. Alden encountered Cato, a Negro attached to Capt. Balfour's garrison, and guessed that he was reconnoitering the rebel forces and dispositions. “Maj. Alden suspecting his design, told him to tell Balfour, they were coming in a host after him, and dismissed him.” What is particularly notable here is the multiracial reality of life in 18<sup>th</sup> century Plymouth County, and also the intensely personal nature of these small, agricultural societies; even the metropolis, Boston, was only the size of contemporary Hanover, New Hampshire. It seems supportable to read this as suggesting that Cato was, if not known personally, at least known *of*, by Maj. Alden; otherwise why would he immediately send him back to Balfour with a threatening message?<sup>391</sup>

<sup>390</sup> Ibid.

<sup>391</sup> Winsor, *History of Duxbury*, 129-130; for info on the size of colonial Boston and a spy narrative, see J. Benjamin Cronin, “Spies in the Countryside”, a paper delivered in Fall, 2009, at the Dept. of Comparative Literature “This is



At seven o'clock on the morning of the 21<sup>st</sup>, Col. Cotton set out from Plymouth with elements of the regiment – the Plymouth company, commanded by a Capt. Mayhew; the Kingston company, commanded by Capt. Peleg Wadsworth; and the Duxbury company, commanded by Capt. George Partridge. These marched to Marshfield, positioning themselves a mile or so northwest of the house of Capt. John Thomas, where the redcoats were stationed. Col. Cotton and his executive officer, Lt. Col. Briggs Alden, now held a lengthy conference of war. By midday, a total of around 500 men had mustered, supplemented by many of the crews of the fishing vessels in Green Harbor. As the afternoon wore on, companies from the interior and southern parts of the country arrived – the Rochester company under Capt. Clapp and the Plympton company under Capt. Harlow.<sup>392</sup>

That this Plymouth County force was only loosely disciplined is evinced by the conduct of Capt. Peleg Wadsworth, of Kingston. Frustrated with what he viewed as timidity on Col. Cotton's part, he moved his company to within striking distance of the garrison house, but halted when it became clear that his numbers were too small to sustain a successful assault. By three o'clock in the afternoon, the impasse began to draw towards a close, as two British sloops anchored off Brant Rock. Balfour quietly ferried his men in small boats through the Cut River – the 17<sup>th</sup> century canal connecting the Duxbury-Plymouth bays and Green Harbor – and out to the waiting sloops. Capt. Wadsworth may have been somewhat justified in his criticism of the militia leaders; Winsor quotes an unnamed Duxbury veteran, who, running into Capt. Balfour in New York later in the war (another sign of the intensely personal nature of the conflict; Balfour also related that he led the company at Bunker Hill, where it sustained roughly 95% casualties), heard from the latter that he would have surrendered without firing a shot, including all his guns, had the Plymouth County men attacked in force. Precisely how reliable this information is, is open to interpretation.<sup>393</sup>

Nowhere” Conference on The Local,, University of California, Berkeley.

<sup>392</sup>Winsor, *History of Duxbury*, 130.

<sup>393</sup>Winsor, 130.

## VI

And yet, as in years past, Pembroke dealt with its more workaday needs. At the annual Town Meeting, in March, collectors were chosen as usual – to get 3% of what they collected as payment for services rendered – and £100, to be assessed on polls and estates, was voted to repair the highways. It was still an era of “open range”, the swine being allowed to run abroad so long as they were yoked and ringed. The Town exercised its corporate sovereignty by “[Voting] to Choose Four men to Say When Where and how long the Several Occupants of the mills within this town Shall Open and Keep open their Sluce Ways for the Fish to Pass made Choice of Thos Turner Jr David Darlin Isaac Crooker and Josiah Thomas...” Moreover, the meeting “Voted that this Town Highly Resent and Disprove of any Person or Person[s] Selling Strong Liquor that have no Licence or approbation for their So doing.”<sup>394</sup>

The Town met once more. It “Voted to Choose three Delagates to Joyn\_ With the other Delagates that are or may Be Choosin Within this Province and then made Choice of ----- Jno. Turner Jeremiah Hall and Capt Edward Thomas....”<sup>395</sup> Further provision for these delegates to what was, in effect, a provisional government, was made in the autumn budgetary meeting. In addition to £10-5-8 being voted to Nehemiah Ramsdell “for keeping Eunis Hicks and one Pare Stockings and mending his [her?] Cloaths,” the Town voted to disburse £12-14-4 “to Jno. Turner in Full For time and travel in attending the Congress at Watertown and Concord”; thus, Pembroke was, barely a month after Lexington and Concord, so engaged with the Patriot cause that it provided a significant sum of money for travel far beyond its bourne to the Provincial Congress. Capt. Edward Thomas was also paid “for

<sup>394</sup>Pembroke Town Meeting, March 13<sup>th</sup>, 1775.

<sup>395</sup>Pembroke Town Meeting, May 29<sup>th</sup>, 1775.

attending ye Congress at Watertown,” as was Major Hall. Seth Briggs was voted 18 shillings “for going after Powder.” Indeed, the need for military preparations was even more acute now that war had broken out: “Voted that the SelectMen and the Captains of this Town Take Care of the Towns Fire armes and Deliver them to such Persons as they Shall think Stands in the most Need of them on alarams and Said Persons that Shall Receive the Fire armes to Return them to the Selectmen When the Alarm is over and that those Persons Shall have Liberty to Train with Said Fire armes and to Return Said [arms] When the Training is over to the SelectMen\_.”<sup>396</sup> Pembroke's supply of arms, then – in contradistinction to the hysterically ahistorical screeds uttered by 21<sup>st</sup> century gun fetishists – remained firmly under communal control. Indeed, the Town “Voted that the thirty Pounds that was Raised the Last year to Purchase Powder and Ball to Be applied for the Payment of the Towns Fire armes” in 1775, and directed the raising of 20 more pounds. Finally, in a sign that this was still far from a community caught within the “cash nexus”, the Town elected to pay the remaining cost of the pieces, powder, and ball, “out of the Towns Iron Oar for Said armes[.]”<sup>397</sup>

Pembroke next met on March 18<sup>th</sup>, 1776 – the day after the British evacuation of Boston in the face of the artillery dragged across the mountains from Ticonderoga. Collectors in Pembroke received 3% as they did in 1775, and a similar committee was chosen to guard the herring fishery, and determine when and where mill sluices would be pulled up out of the several streams. The Committee of Correspondence, Inspection, and Safety was chosen once more, seemingly, at 21 members, larger than it had been in 1774 or 1775 (11 was to be a “corum”). Swine were voted to run at large, yoked and ringed, and another £100 was voted for the upkeep of the highways.<sup>398</sup>

As it was for the rest of the continent, the summer of 1776 proved to be something of a turning point in Pembroke. War work continued unabated, including the raising of men and money for one of

<sup>396</sup>Pembroke Town Meeting, Nov. 27<sup>th</sup>, 1775.

<sup>397</sup>Ibid.

<sup>398</sup>Pembroke Town Meeting, March 18<sup>th</sup>, 1776.

the two New England expeditions against Canada (one, led by Ethan Allen and aiming at Montreal, in the west; and, in the east, one led by Gen. Richard Montgomery, and, upon his death, Benedict Arnold, and aiming at Quebec City; neither was successful):

“Voted to Raise the Sum of £80 by a Tax on the Town to add to the Colony Bounty of Seven Pounds Making a Bounty of 15 Pounds in the Whole to Be Given to ten Men to Be Raised for Canada Which Will Be 15 Pounds to a man....” Pembroke also made provision for that other front in the war, two hundred and twenty five miles to the southwest – New York. “Also Voted to Raise the Sum of £120 to Repay the Money Hired By a Committee For a Bounty For the Number 30 men Destine to New York -----”<sup>399</sup>

But beyond preparations of an exclusively military character, the increasingly fervent republicanism of Pembroke during these months is evident. For one thing, word of the Declaration of Independence arrived in town. Whereas no mention was made of the Declaration whatsoever in the records of tiny, distant Wareham, at the southern extremity of the county, in Pembroke the text of the Declaration was copied out word for word, in a very fine and careful hand. After this text, the following directive, issued by the Council – that is, the Upper House of the Provincial Congress -- occurs in the Town Book:

Ordered that the Declaration of Independance Be Printed and a Copy Sent to the Minister of Each Parish of Every Denomination Within this State and that they Severaly Be Required to Read the Same to their Respective Congregations as Soon as Devine Service is ended in the afternoon on the First Lords Day after they Shall have Received it and after Such Publication thereof to Deliver the Said Declaration to the Clerks of their Several Towns or Disstrects Who are hereby Required to Reed the Same in their Respective Town or Disstrect Books their to Remain as a Perpetual memorial thereof in the name and By order of the Council R. Derby Jur Presdient A True Copey Attest John Avery Dep Sec.y Attest Jno Turner Town Clerk<sup>400</sup>

<sup>399</sup>Pembroke Town Meeting, July 29<sup>th</sup>, 1776.

<sup>400</sup>Ibid.

A number of facets of the directive are noteworthy. First, the use of the pulpit as a relatively immediate way of distributing news of continent-wide political developments within the body politic of one New England province bolsters the idea that, in early New England, the clergy and the “Standing Order” truly were at the center of intellectual, cultural, and indeed, political, life. It is also notable that copies were to be sent to all denominations, a sign not only of the increasingly pluralist quality of religious life in late 18<sup>th</sup> century New England, but also of the ecumenical exigencies of war. Second, it is clear how closely intertwined Town and Church were; after doing its service in the republican cause in a religious context, it was to be recorded in the various Town Books of Massachusetts Bay – “as a perpetual memorial” to the revolutionary cause. Long Whiggish and Country in its sympathies, Pembroke was emerging as a hotbed of revolutionary activity within Plymouth County.

As summer turned into fall, Pembroke prepared for its annual reckoning and accounting of its collective resources – that is, its budgetary meeting. As in budget meetings past, the quotidian and the world-historic mix in indifferent profusion. Money is disbursed to pay for a drum in the possession of Capt. James Hatch, or to keep Naomi Bishop in the essentials of life for another fourteen months. But what is most remarkable about this meeting is the inclusion of a remarkable price list; the Town, facing a situation of wartime inflation – and, no doubt, war profiteering – sought to fix, through the civil authority, a series of prices for common items. This gives an insight not only into the material culture of revolutionary Pembroke, but also of the profoundly local-municipal funding of the war. There are many economies which are distinctly not classically liberal market economies, but perhaps none more so than a war economy.<sup>401</sup>

The list is worth reprinting in full:

<sup>401</sup>Pembroke Town Meeting, October 8<sup>th</sup>, 1776.

“The Following are the Prices of articles agreed upon By the Selectmen and the Committee and Recorded By order of the General Court ---- Good Wheat at 7s. a Bushill) good English hay of the Best Quality at 2/6 a hundred and So in proportion for a Meaner Sort) good Grass fed Beef at 23/4 a Pound ) good Oak Wood Delivered at the Buyers door to the Northward and Eastward of a Line from Lemuel L[ittle?] to ye Widow Delanoes as the Road goes at 10s a Cord ) good oak Wood Delivered at the Buyers Door to the Southward and WestWard of the afore Said Line at 8s ) good Oak Cole Delivered at the Works at 14/8 a Lood) good Charcole Commonly used By Blacksmiths at 13/4 a Lood ) good all Wool Cloath 7=8 Wide of the Best Quality Well Dressed at 9/4 a yard) and So in proportion for a narrower width and meaner Quality) Veal Mutten and Lamb at d31/2 a Pound ) Horse Keeping a Night of Twenty Four hours on English hay at 1s a night) a Dinner or a Boyld Dish one Shilling on Boyld and Rosted 1s/2 a Breekfast /8 ) a Supper /8 a night Lodging 31/2 a Potte of Oats 31/2 ) a mug of Phlip or Toddey made With newengland Rum /9d made With Westindia rum 1s/ Cyder By the Barril at the Press and at 7s / Mens Shoes Made of good neats Leather at 7/6 Womans Shoes 5/8 and other Shoes in Proportion according to their Size ) Making Men Shoes at 2/6 and Woman Shoes the Same the Shoemaker Finding heals ) May June July August and Sepetember 3s: a day for mens Labour and found as usual ) Ottober March and April at 2/6 and Found as usual) Nov.r Decm.r Janu.r and Feb.r at 2/ and found as usual ) and in the usual proportion for Tradssmen) for Shewing a horse Plane 4s/ and if the Toes and Corks are Steeld 6/ A Syth and narrow ax 8s/ each and other Smithin in the Usual Proportion) a good yoak of oxen 2/4 a day ) a good newground Plow at 2/8 a day and other Plows in Proportion ) a good Cart and Wheels at 1/8 Weaving all Wool Cloath Five Quarters Wide at /8 a yard and other Cloaths in Propertion) Horse Hire By the mile 3d Single Dubble or otherwise – Loaded Equal to Dubble /6 amil ) good Marchantable White Pine Bords at the mill 42/8 a Thousand and other Bords in proportion ) good marketable Ceder Shingle or White Pine Without Sap at 15/8 a Thousand and in proportion for other Shingle ) good English hay of the Best Quality at 2/6 a hundred and So in Proportion for a meaner Sort) good Fresh Hay of the Best Quality When it Can Be Come at With a Team at 28[s]/ a Tons and So in Propertion for a meaner Sort ) for Summering a Cow Well at 24s/ and so in Proportion For other Cattle ) and for horse Keeping in the Summer By Grass at 2/Shilling a Week and for Keeping a horse a night or 24 hours By Grass/7d ) for – Bording a man a week 6/8 ) for Fulling Dying Shearing and Pressing a Clarret or London Brown Colour 1/6 a Yard ) for Fulling Shearing and Pressing mixt Cloath /8 a yard ) for Fulling and Cording of Blankiting at /4 for Pressing Worsted on Worsted and Wool Cloath at two Pence one Farthing a Yard and all other Cloath in the usual proportion

Providing the material means for the conduct of the war continued in 1777. Early that year, the Town “Voted to Appropriate the Sixty Pounds fines Paied By Lot Keen Abiel Shearman Saml.l House Thomas Josselyn Jur and Isaiah Josselyn for Payment of the Soldiers now at Bristol What Was agreed to Give them in addition to their Wages Being Twenty Shillings a month to Each man....”<sup>402</sup> A week

<sup>402</sup>Pembroke Town Meeting, February 17, 1777.

later, the Town “Voted to Raise the Sum of Fourteen Pounds to Be Paied each Saldeir that has or Shall Inlist into the Continantel army for three years or During the Continuance of the Present War to Be added to the Continantal and State Bounty already Given Making in the Whole the Sum of 826 Pounds to Be Paied in Notes of hand Payable to Each Soldier or his order Within Six months With Intrest on his Passing Muster Signed By the Treasurer of this Town in Behalf of Said Town...”<sup>403</sup> Compared with the preparations seen in 1774 and 1775, the reality of a long war seems to have set in for Pembroke. The phenomenal rate of inflation is also evident – the sum of £826 simply would not have appeared in the records of Pembroke in the Old Regime.

The annual Town Meeting that spring dealt with its usual subject matter of swine, fish, and highways, but greater pressures were evident. For instance, it was “Voted that the Surveyors Shall Call upon those Persons that Were Taxt for Mending the Highways the Last Year to Work out What they are Behind...” In the event that this amount of labor was “not ... a Suffeciant Sum to Repare the HighWays” throughout the Town, the surveyors were to do what was necessary to keep up a minimally effective transportation network – “to mend the Bridge and Other Places that Shall Be absolutely Necessary for Passing...”<sup>404</sup> Similarly, pressures for greater representation from the western precinct of Pembroke – centripetal pressures that would eventually lead to the creation of Hanson as a separate Town in 1820 – made themselves known. “Voted that one third Part of the Town Meetings for the Future Shall Be Held in the West Precinct in Said Town Excepting Town Meetings for Jurymen[.]”<sup>405</sup>

Some measure of political stability appears to have returned to Massachusetts that spring. For the first time since the establishment of a provisional government in 1774, the ancient language of government was reinstated: John Turner, Esq., was chosen as Pembroke's representative “at the Great and General Court”, rather than the Provincial Congress. The new regime may have been

<sup>403</sup>Pembroke Town Meeting, February 24<sup>th</sup>, 1777.

<sup>404</sup>Pembroke Town Meeting, March 31<sup>st</sup>, 1777.

<sup>405</sup>Ibid.

revolutionary, but it was able to return to the established forms of government with remarkable speed.<sup>406</sup>

At the same time, signs appear of consciousness of membership in a new political community that extended beyond the bourn of Town, Province, and region. The Meeting specifically began to address concerns of a continent-wide, pan-colonial nature: “Voted to Raise the Sum of Thirty Pounds to Be Paied Each Soldier that Shall Inlest into the *Contenantel Service* for three Years or During the War until the Full Quota for the Town of Pembroke Be Completed....” [emphasis added] In a similar and more explicit vein, the Town “Also Voted to Raise the Sum of Ten Pounds to be Paied Each Soldier that Shall Inlest *into the Service of the Continant* until the Tenth day of Jan.r next Provided the Soldier Cannot Be Raised for three Years or During the Present War.”<sup>407</sup> [emphasis added] While there had been signs, earlier in the imperial crisis, of a kind of intercolonial cameraderie, and before that, of a larger identity as freeborn Englishmen, never, before this point, does Pembroke express itself in such a specifically *American* fashion.

This consciousness emerged amid trying economic conditions. That it was a cashless economy did not stop – or, perhaps, in fact encouraged – the wide circulation of “notes of hand.” The soldiers above recruited, for instance, were to receive “notes of hand to the Soldier or his order to Be Paied in Six months with Intress....”<sup>408</sup>

Late that summer, the Town voted to increase the bounty for eight months' soldiers in the Continental Army, raising it to sixteen pounds from ten – a sign of both wartime inflation, and, what is likely, the difficulty of getting long-term enlistments out of the farmers, fishermen, and sailors of Plymouth County. There is evidence of a role for cash in this wartime economy – a Town Committee was instructed to make an effort to “Procure the money for those Saldiers that Will not Engage Without

<sup>406</sup>Pembroke Town Meeting, May 22<sup>nd</sup>, 1777.

<sup>407</sup>Pembroke Town Meeting, May 13<sup>th</sup>, 1777.

<sup>408</sup>Ibid.



Cash in hand....” But the more typical recourse appears to have been to personal notes-of-hand: “Voted that the Town Treasurer Be Directed to Give notes of hand on Intrest For Six months Payable to those Soldiers that the Committee Shall engage into the Contenantal Service For three Years or During the War or Eight Month....” Indeed, the fact that Pembroke found it necessary “to Reimburs all those Persons that have advanced any Money for Raising Men for the Contenantal Service...” suggests that the colossal effort needed to fight the war strained the resources of this ardently Whig, but nevertheless small, agricultural community. Those members of the collectivity able to advance resources in the near-term would be paid back by the Town in the medium and long-term.<sup>409</sup>

In the autumnal fiscal meeting, further evidence of the importance of non-cash resources – of the ultimately material basis of economic life – is discernable. For, in addition to the usual expenses of pulpit and schoolhouse, or the three pounds and eight shillings voted to Capt. Edward Thomas for 8½ cords of wood he gave to Edward Cox, the Town made special provision for the preservation of its bog iron – a particularly valuable resource in a time of war. Pembroke “Voted and Made Choice of David Crooker Lemuel Bonney and Caleb Howland a Committee to Take care of the Towns Iron Oar in all ye Ponds in Said Town and Sell the Oar By the Tons For the Most it Will Fetch and Render an account to the town....” The Town further “voted that David Crooker Be Towns agent to Prosecute those that have Taken or Shall Hereafter Presume to Take any of the Towns Oar Without ye order of the Town or their Committee....” Curiously enough, while taking strict measures to protect the raw material required for military manufactures, the immediate threat to Pembroke itself must have been deemed less acute than in the previous several years, for the Town voted to sell its muskets: “Voted to Sell the Towns Fire arms at Publick Vendue and that the Selectmen Sell them they Giving Proper Notice of Such Sale[.]”<sup>410</sup> Or perhaps, in order to pay for other war-time costs, such as raising soldiers, Pembroke was obliged to

<sup>409</sup>Pembroke Town Meeting, August 25<sup>th</sup>, 1777; Pembroke Town Meeting, August 29<sup>th</sup>, 1777.

<sup>410</sup>Pembroke Town Meeting, November 17<sup>th</sup>, 1777.

rob Peter to pay Paul, as it were, selling the pieces in order to be able to pay the salaries of newly enlisted soldiers.

At the Annual Town Meeting in the late winter of 1778, the cares of war continued to weigh heavily on the Town's mind. The swine were allowed to run abroad, though with an unusually high number of hogreeves (10), and the herring were given their usual legal precedence over the sluice-ways and mills of Pembroke. After choosing a relatively large Committee of Correspondence, the Town turned to military matters. A want of able-bodied men must have still been acutely felt by the Continental Army, for Pembroke still struggled to provide soldiers: "Voted to Choose a Committee of Two to Right [write] to Capt Stetson to Know Whether he Can procure 12 Saldiers for the Town of Pembroke and then made Choice of Cal.l Hall and M.r Seth Briggs for that Purpose...." A bounty of fourteen pounds was to be paid to three men in Capt. Thomas Turner's company (to be returned to the Town treasurer if the three should not show up for service).<sup>411</sup>

Yet this persistent flurry of martial preparations must have proven wearying, for as March, 1778, continued, signs of war fatigue began to show, even in ardent Pembroke. The Town "Voted not to Draft any Saldiers When Sent For Excepting in the Case of an alaram." It also seems to have aimed at regularizing the finances of the war effort, for it decreed that, in the future enlistment of soldiers, Pembroke "Will Hire them at the Cost and Charge of Said Town to Be Rated By a Tax on the Polls and Estates of Said Town...." Finally, the Meeting sought to tie up loose ends: "Voted to Choose a Committee to take into Consideration the several Services Heretofore done By any Person as a Saldier in the Present War in order to make an Equality amongst Said Saldiers...."<sup>412</sup>

The spring of 1778 would prove politically significant. For while Pembroke was in many ways a leading Patriot town in Plymouth County, far more enthusiastic in the rebel cause than the more

<sup>411</sup>Pembroke Town Meeting, March 2-3 (by adjournment), 1778.

<sup>412</sup>Pembroke Town Meeting, March 16, 1778.

remote inhabitants of Wareham, it was still a rural, semi-peripheral community, and it had its limits in terms of the amount of metropolitan control it was willing to tolerate. Thus, while it voted to send a representative to the General Court – John Turner, as in years past – it also exhibited considerable dissatisfaction with what, from the Massachusetts Country perspective, must have seemed an increasing urge towards centralization. This is particularly evident in the matter of the proposed 1778 Massachusetts Constitution. Like the Berkshire Constitutionals, Pembroke disapproved of the proposed basic law; indeed, it roundly rejected it: “at Said meeting the Town Took under Consideration the Constitution and form of Government for the State of Massachusetts Bay and ye Vote Passed against it 151 and for it 5”. Yet, by sending a representative to Boston, Pembroke perhaps tempered the vociferousness of its rejection.<sup>413</sup>

Beyond fundamental questions of political organization, the war threw up another, more immediate difficulty in the life of Pembroke: namely, the outbreak of smallpox. Like many rural New England communities, it elected not to inoculate its people: “at Said Meeting the Question was Put to Know the Towns Mind Whether they would Consent to the Setting up in this Town an --- Inoculating Hospital or Hospitals and it passed in the Negative.”<sup>414</sup> There are a number of reasons the Town may not have wanted to inoculate. At a practical level, 18<sup>th</sup> century inoculation bore grave risks of passing the disease on to other, uninoculated people; it was only worthwhile if the epidemic was acute, or if the inoculated individuals could be isolated (as, for instance, Thomas Jefferson was after he was inoculated before his journey to France). At the same time, inoculation, especially in the more conservative towns of Massachusetts and Connecticut, had something of an air of sorcery about it, and was not tolerated by

<sup>413</sup>Pembroke Town Meeting, May 25<sup>th</sup>, 1778. On the Berkshire Constitutionals, see Robert Taylor, *Western Massachusetts in the Revolution* (Providence, Brown University Press, 1954), Ch. V.

<sup>414</sup>Pembroke Town Meeting, May 25<sup>th</sup>, 1778.

the orthodox (as Ethan Allen discovered to his chagrin in Salisbury, Connecticut, in 1764, when he was charged with blasphemy for having himself inoculated).<sup>415</sup>

Inflation continued to increase in a dramatic fashion. In the summer of 1778, the Town “Voted to Raise the Sum of three thousand Five Hundred Pounds for the Payment of the Saldiers Hired By the Town of Pembroke to Be immediately Levied on the Palls and Estates Ratable By Law Within Said Town of Pembroke[.]”<sup>416</sup> Indeed, the hiring of soldiers took up what were, in context, vast sums. David Crooker, the Collector that year, was paid £51-19-07 for his collection of a total of £2,099-02-10. The Town voted £1,500 “for the Carring on the Warr” that October, while even thirty quarts of milk from the Widow Goold went for £1-10-00.<sup>417</sup>

In response, the Town closely controlled prices. It “Voted that good Toe and Lying Shirts Sufficient for mens were to Be set at 1=16=0 for each,” and “that good Shoes fit for Soldiers use Be set at 2=8=0 a Pare[.]” Of course, Pembroke was not entirely its own sovereign; it still lay generally under the authority of the General Court. Thus, its vote “that in Case the General Court Should not allow ye above Prices Set to the Several articles then the Town Promis to Bear ye Loss and in Case the General Court Should Set the articles higher then the Town to Recieve the over Plus....”<sup>418</sup> Pembroke's enthusiasm for fixing prices was in line with its Country sentiment; according to Mary F. and Oscar Handlin, “on such vital questions as price-fixing, commodity control, and representation in the General Court, urban areas – artisans and laborers included – were bitterly hostile to the country section.”<sup>419</sup>

<sup>415</sup>On Allen and his inoculation, see Michael Bellesiles, *Revolutionary Outlaws*, 22.

<sup>416</sup> Pembroke Town Meeting, June 22, 1778; the soldiers were also promised produce.

<sup>417</sup> Pembroke Town Meeting, Oct. 5<sup>th</sup>, 1778.

<sup>418</sup> Pembroke Town Meeting, Nov. 4<sup>th</sup>, 1778.

<sup>419</sup> Mary F. and Oscar Handlin, “Radicals and Conservatives in Massachusetts after Independence,” *The New England Quarterly*, Vol. 17, No. 3 (Se, 1944), pp. 343-55. Quotation appears on pp. 350-51.

As the war dragged on, Pembroke was called to pronounce its views on larger issues of government and the body politic. The question of how to organize the revolutionary government of Massachusetts Bay remained open. In the spring of 1779, “the Question was Put to Know the Towns mind Whether they Choose to have a new Constution or form of Government made and it Passed in the Nagative By 40 and none in the affarmitive[.]”<sup>420</sup> By the summer, they had settled on the choice of Rev. Hitchcock as a delegate to the constitutional convention that would meet in Cambridge in September.<sup>421</sup>

But this was not the only convention for which the Town needed to choose delegates. At the same meeting that Rev. Hitchcock was chosen as a delegate to the Massachusetts constitutional convention, the Town Meeting “made Choice of Call Jeremiah Hall a – Delegate to Joyn with the other Delegats that are or may Be Choosen within this State for the Purposes of appreciating the Continental Currency to meet at Concord ye 14th day of July Instant.”<sup>422</sup> The voters of Pembroke evidently approved of the currency convention's work, for later that summer, “the Question was Put to Know the Towns Mind Whether they would axcept of the Report of the Convention held at Concord on the 14 Day of July Last for the Purpose of appreciateing the Continantal Currency and it Passed in the affirmative unanomusly[.]” A committee for affixing prices in line with the convention's decisions was then appointed.<sup>423</sup>

A subtle, but nevertheless notable, shift can also be detected for the first time in the language of the Town Book, an indicator, perhaps, of the levelling effect of the Revolution on class relations in Plymouth County. For the first time, when discussing the inhabitants of the Town appointed to the committee to affix prices as per the convention, the Town Clerk uses the term “Genll “ – that is, “gentlemen” -- for all of them. Here then, it is fair to say, is a kind of archival snapshot, a moment of

<sup>420</sup> Pembroke Town Meeting, May 17, 1779.

<sup>421</sup> Pembroke Town Meeting, July 12, 1779.

<sup>422</sup> Ibid.

<sup>423</sup> Pembroke Town Meeting, August 2<sup>nd</sup>, 1779.

social transformation, captured in the amber of the Town Records. The Revolution was changing what it meant to be a gentleman – and, conversely, it seems defensible to assume that the opposite was true – the meaning of the “lower sort” and other lower class markers must have changed as well.<sup>424</sup>

While a state-wide convention met at Concord, a county convention met at Plympton to supplement and clarify price controls based on local conditions. Thus, on August 16<sup>th</sup>, the Pembroke Town Meeting “voted to Choose Two Delegates to Joyn in a County Convention to meet at Caleb Lorings in Plimton on ye 24th day of august Instant to Settle Prices on Produce and other articles and then Made Choice of Jn.o Turner Esqr. And Capt Elijah Cushing for the Purposes afore Said[.]”<sup>425</sup> By early September, the Town had ratified the decisions of the county convention, but made one adjustment, perhaps reflecting Pembroke's status as a significant source of the multiple raw materials required for the smelting of iron, a vital war material. The Town “Voted to Accept the Request of the Convention held at Plimton on the 24 day of august 1779 With the altreation of Oak Cole from nine Pounds a Lood to £12 a Lood[.]”<sup>426</sup>

## VII

Even as the well-established routines of town government ground on, political developments, with the newness of epiphany, were felt throughout Massachusetts. The making of a new constitution for the Commonwealth – itself a revolutionary idea, inherited from the 17<sup>th</sup> century writings of Harrington and others – occupied the convention . By 1780, Pembroke had come to accept the validity

<sup>424</sup> Ibid.

<sup>425</sup> Pembroke Town Meeting, August 16, 1779.

<sup>426</sup> Pembroke Town Meeting, September 2, 1779. Given the central role of county conventions in the conduct of the war in Massachusetts, it is no wonder that the New England Regulators of 1786-87, i.e., the Shaysites, declared it the baldest hypocrisy for their opponents to castigate the county conventions called by the Regulators.

of the new constitution. This is evident mainly in the negative: no specific moment of assent occurs in the Town Records; something, perhaps, more portentous is recorded: the first election under a republican government. On September 4<sup>th</sup>, 1780, at a Town Meeting moderated – as in legislative elections under the old provincial government – by the selectmen, Pembroke voted for the first time as a Town within the Commonwealth. Yet, though these were, in the formal sense, contested elections, the communitarian and consensualist spirit of traditional New England society resulted in nearly unanimous “bloc voting.” In this election, John Hancock bested James Bowdoin in the gubernatorial contest by 70 votes to one. Likewise, Jeremiah Powell received 66 votes for Lieutenant Governor, with no votes opposing him. A similar pattern prevails in all of the early elections for executive officers in Pembroke and the other Plymouth County towns.<sup>427</sup>

The legislative elections, particularly the elections for Senators and Councillors, were far more closely contested. The results were as follows: “Hon. William Sever, 13; Revd. Mr. Charles Turner, 30; William Watson, Esq., 22; Benj. Willis, Esq. 12; Hugh Orr, Esq. – 7 votes; Honbl. Nathan Cushing Esqr 10 votes; Oaks Angriv Esq. – 1 vote.”<sup>428</sup> In subsequent years, the rivalry would even become of a family nature, with Charles Turner and John Turner coming within eleven votes of one another in 1781. That same year, John Hancock received 59 votes for Governor, with none received for any opponent. Thomas Cushing received 48 votes for Lieutenant Governor, while Azor Orne received eight. The more important the office, the greater the tendency towards voting *en bloc*.<sup>429</sup>

Problems of war and currency continued to bedevil the new republican government. Soldiers still had to be raised to man the cordon established around the British lodgement on the island of Rhode Island (not so called today), site of Newport, Middletown, and other communities. Others were sent further afield, to West Point on the Hudson. All of these had to be supplied, and the town's quota of

<sup>427</sup> Pembroke Town Meeting, Sept. 4<sup>th</sup>. 1780.

<sup>428</sup> Ibid.

<sup>429</sup> Pembroke Town Meeting, April 2<sup>nd</sup>, 1781.

beef provided for. Rampant inflation required ever more fiscal and monetary gymnastics. In the late autumn of 1780, for instance, Pembroke was required to establish a new conversion rate between a new, harder currency and the inflated emissions produced by the war. £ 9-0-0 in “Old Money” became £ 0-9-2½ ; £ 1009-0-0 became £ 25-04-06, a change in valuation of more than 40 times.<sup>430</sup> The economic stresses on this small agricultural community must have been great, for near the end of the war, the question of a work house was for the first time put before the Town Meeting. “The Question Was Put to Know the Towns mind Whether they would Build a Work house and it Passed in the negative[.]”<sup>431</sup>

As the war wound down, its settlement occupied the Towns of the Massachusetts countryside. Feeling against Loyalists and Loyalism evidently remained strong, for the freeholders of Pembroke gave the following instructions to their representative at the General Court in May, 1783: “Sir you are Directed to use your Best Indeavours to Prevent the return of those Better [bitter] and Inplable [implacable?] Enemies to america the Tories from Gaining admittance into this Countory as far as may Be Consistant with the Ingagements of Congress...”<sup>432</sup> No doubt some of this sentiment stemmed not only from “legitimate” fratricidal hatred over independence and revolution, but also from the pecuniary interest local notables would have had in confiscated Loyalist estates and fortunes.<sup>433</sup>

At the same time, there were signs that a kind of wartime *burgfried* (“domestic peace”), inasmuch as one ever existed, was breaking down. Pembroke voiced its complaints about inequitable rates of taxation on improved and unimproved lands in its instructions to its representative.

We Sir have though With Silence Beheld an unequal Tax on the Lands of this Good  
People of this Common Wealth with Silence as we had matters of Such Grate  
Importance to attend too Which Noble Exertion of america Heaven has Rewarded with  
Such in Granting to us Independence and Peace We have Considered with attention the

<sup>430</sup> On service in Rhode Island, see, *inter alia*, Pembroke Town Meeting, July 25<sup>th</sup>, 1781; for the currency conversion, see Pembroke Town Meeting, Nov. 27<sup>th</sup>, 1780.

<sup>431</sup> Pembroke Town Meeting, March 7<sup>th</sup>, 1783.

<sup>432</sup> Pembroke Town Meeting, May 12<sup>th</sup>, 1783.

<sup>433</sup> Cf. Oscar and Mary Handlin, *Radicals and Conservatives*.



matter in Question and are not able to see the Justice or Good Policey of Taxing Improved Lands at Six pr Cent and unimproved Lands at Two per Cent only[.] you are therefore to move in General Court and Do your uttmost to obtain a Repeal of that Discriminating act and that all Lands are at Six pr Cent as other property -----<sup>434</sup>

The lesser tax on unimproved lands mainly benefited speculators and would-be landlords with holdings in the western part of the state and in Maine. The injustice of this taxation scheme would become one of the grievances of the New England Regulators three years later, during Shays' Rebellion.

Underneath it all, the regular affairs of this rural agricultural society – the ultimate material affairs, the business of living and dying – continued in a fashion largely similar to that prevailing before the war. Men were still appointed “to order When the Several Mills Standing on the Herring Brook in this Town shall open their Sluce Ways for the fish to Pas into the Ponds to Cast their Spawn and how Long they Shall Be Kept open[.]”<sup>435</sup> Simeon McFarland was reimbursed by the Town for “supplying y<sup>e</sup> Widow Sarah Mcfarland one Cord of Wood Thre Pounds Casse Twelve Pounds Sugar”; that Mcfarland was paid in both country pay and in “Casse” [cash] is perhaps suggestive of a greater circulation of currency after the war years of inflated money; but it is also true that the prominence of cordwood and sugar means Pembroke had yet fully to enter “the cash nexus.”<sup>436</sup> Swine and hogs continued to run at large.<sup>437</sup>

Yet Pembroke was not isolated from larger trends. The postwar depression appears to have had its effect on the town, for in the late fall of 1784, the Town “Voted to Build or Hire a workhouse and then made Choice of a Committe to Consult how Big the house Shall Be and in what Part of the Town said house Shall Stand and the Cost of said house and make Report at ye next march meeting....”<sup>438</sup>

<sup>434</sup> Pembroke Town Meeting, May 12<sup>th</sup>, 1783.

<sup>435</sup> Pembroke Town Meeting, March 8<sup>th</sup>, 1784.

<sup>436</sup> Pembroke Town Meeting, Sept. 15<sup>th</sup>, 1783.

<sup>437</sup> See, e.g., Pembroke Town Meeting, March 8<sup>th</sup>, 1784.

<sup>438</sup> Pembroke Town Meeting, March 22<sup>nd</sup>, 1784.

And unlike previous – and subsequent – elections, the state elections of 1786 were closely contested – a sign, perhaps, of the discontent fermenting in the countryside on the eve of Shays' Rebellion. James Bowdoin (whose name, in contrast to the Wareham Town Records, is spelled correctly), received just seven votes for Governor, despite prevailing in the Commonwealth as a whole. Plymouth County's Thomas Cushing received fourteen votes, while Benjamin Lincoln, of Hingham, soon to command state forces in the New England Regulation, received two. In addition, Bowdoin and Lincoln both received votes for Lieutenant Governor.<sup>439</sup> In a further sign of the political turbulence of the period, later that spring Pembroke, for the first time since the war, began to look after its armaments: the Town chose “a Committe to Procure a Town Stock of Powder and Ball and Lay their amount Before the Town for Payment....”<sup>440</sup>

Though Pembroke and the other Plymouth County towns, unlike their neighbors in Bristol, did not enter into actual insurrection in 1786-87, dissatisfaction with the Bowdoin government became apparent in the elections of 1787. Another contested election – though not as closely as the year before – saw Gov. Bowdoin win just sixteen votes, compared with 56 for the reformist candidacy of John Hancock. Gen. Benjamin Lincoln, whatever the martial virtues of his dispersal of the Regulation in the western part of the state, received just two votes, and for Lieutenant Governor only. It was as stinging a rebuke as voters in town had yet dealt to an incumbent, and indeed, Hancock won the election statewide.<sup>441</sup>

As momentum built towards a federal constitution, Pembroke appears to have been supportive of the federalist cause. Indeed, the Town, like Duxbury next door, voted in support of ratification. Even Wareham, isolated in the southern part of the county, voted for ratification. However, not all Plymouth

<sup>439</sup> Pembroke Town Meeting, April 3<sup>rd</sup>, 1786.

<sup>440</sup> Pembroke Town Meeting, May, 1786 (no date given; possibly the 8<sup>th</sup>, when Capt. John Turner was chosen as representative).

<sup>441</sup> Pembroke Town Meeting, April 2<sup>nd</sup>, 1787.

County towns were so supportive; Plympton and Rochester, for instance, both voted against ratification.<sup>442</sup> In December, 1788, it cast its first votes for United States representatives, and for Presidential electors, inaugurating the federal republic in Pembroke: “At a Meeting of the Freeholders, & Other Inhabitants, of the Town of Pembroke (qualified [to] Vote for Representatives), on Thursday the 18:<sup>th</sup> day of December 1788, for the purpose of Choosing or Voting for A Person to Represent the Countys of Plymouth and Barnstable, in the General Government of the United States, also to Vote For two persons within Said Counties, For Candidates for an Elector To Elect A President, Vice president, &c &c . . . . for s<sup>d</sup>: United States....”<sup>443</sup>

Yet the federal constitution and federal elections were hardly the matter that required the most attention from the Town. That continued to be the management of common lands and waters. In particular, 1788 witnessed a number of new additions to the fish bylaws. A committee was chosen to look into the matter and the “Com:<sup>tee</sup> Reported, that the Catching of the Fish, be done by him or them, that will do it Cheapest, that a Committee be Chose to Aportion the Fish taken, Among the Inhabitants, According to y<sup>e</sup> Numbers in Each Family...” Thus, the fish were not to be sold in a *laissez faire* fashion, but rather distributed according to the inhabitants’ established rights and privileges. Amos Standish was chosen to “Catch y.<sup>e</sup> Fish, and is to have one Seventh part thereof, for Catching them”; in addition, a committee was chosen to distribute the alewives equitably . It was instructed that “Reasonable Allowance” be made for the Overseers of the Brook (who controlled the timing of the pulling up of mills) – that is, to pay them as well in fish. As in years past, strictures of time and location were promulgated: “Voted that the Fish Shall not be taken, Below the Bridge Called Davis's bridge, Nor above the bridge next below the Fulling Mill, but between the two[.]” And: “Voted that the time,

<sup>442</sup> See, for instance, map in Introduction.

<sup>443</sup> Pembroke Town Meeting, Dec. 18<sup>th</sup>, 1788.

for Catching, and the time to Let the Fish Run Unmolested, be the Same as last year, .Viz After the Sun Sets on Saturday, until She Shall Rise Monday Morning, they may not be Catcht[.]”<sup>444</sup>

As the herring run approached, the committee for apportioning the fish changed personnel and was expanded to four men. The Town then sought a clarification of the regnant legal stipulations regarding herring fisheries: “Voted That the above named Committee, make Inquiry, Whether, the Law, passed the Gen:<sup>l</sup> Court in 1770, Regulating the Alewife Fishery in this Town, Be in Force and being, if Not, then, they are to Adapt the Regulations Respecting s<sup>d</sup>: Fish, that Were in being, and in Force the last year \_\_\_\_\_”<sup>445</sup> At the local level, the Town sought to further refine its own laws relating to the herring, choosing “[a] Committee, to Consider of Some Amendments in the Law Respecting the Herrings, In this Town, and Lay the proposed Alterations before the Town, at their next Town Meeting....”<sup>446</sup>

From the political historian's point of view, it may seem obvious that the establishment of a federal republic, and Pembroke's approbation of, and participation in, this momentous political transformation, was the single most critical event of the year. Yet the Town had expended far greater energy on the herring fishery, and for the lower and middling sort in Pembroke, its steady maintenance and equitable distribution may have proven of far greater concern than the changes in government taking place across the continent.

The revolutionary period covers nearly a quarter century of Pembroke's story, and its consequences are multifaceted. At one level, it is marked by discontinuities of the most severe kind.

<sup>444</sup> Pembroke Town Meeting, March 17<sup>th</sup>, 1788. It is interesting that the Sun is described as “she” here, in contradistinction to the other kinds of gendered language around the sun and the moon (cf., inter alia, “La Roi Soleil” of 17<sup>th</sup> century France; and “The Last Words of Copernicus,” from the *Sacred Harp*: “Farewell, thou ever changing Moon, pale empress of the Night!”).

<sup>445</sup> Pembroke Town Meeting, April 7<sup>th</sup>, 1788.

<sup>446</sup> Pembroke Town Meeting, May 12<sup>th</sup>, 1788.

War, and political and to a real extent, social, revolution meant the collapse of the old royalist order, with its hierarchical structure (“the Great Chain of Being”), including the provincial elite, such as the Winslows of Marshfield or Peter Oliver of Middleborough. Social distinctions seemed to have been leveled, to a degree – witness the widespread use of “gentlemen” after the revolutionary break.

Unprecedented responsibilities and powers were placed in the hands of the Town government, as the exigencies of war caused it to expend ever greater effort in procuring soldiers and materiel. At the same time, the economic hardship caused by the war deeply affected all levels of society. Massive inflation, and a real increase in the demands on the production of the countryside, meant hardship both for elites, required to cover public expenses, and the poorest, especially the wives and families of soldiers thrown on public relief. Meanwhile, the establishment of republican government at both the state and federal levels marked a permanent change in the political life of the Town.

Yet there was much that remained the same, or changed only by degree rather than kind. The basic material life and culture of Pembroke remained largely unchanged; it was still an agricultural society in which common resources played a critical economic and social role. The swine and the fish continued to occupy the Town Meeting throughout the war years, and beyond. The longstanding Country and Whig leanings of the town, though intensified since the currency controversies of the 1740s, meant that very often prewar elites who shared these views kept power in the organs of the new revolutionary state, such as the Committees of Correspondence and Safety.

The revolutionary period, then, was one of both transformation and continuity in the life of Pembroke.

## Chapter 7: Wareham, Massachusetts, during the Revolution, 1765-88

Wareham, Massachusetts, was marked during the period of the American Revolution (1765 – 1788) by both a continuity of already extant patterns, and at the same time by relatively sudden and dramatic changes. The economy of this small agricultural community on the semi-periphery of Massachusetts – along with its ecology – was marked, at one level, by the maintenance of the well-established Commons regime, and on another, by increasing poverty, and economic and ecological stresses. Political changes acted as both an exacerbation, and in some senses, a cause of these increased stresses, for during this period, the Town underwent a change from monarchical to republican government, a change made possible only by the exigencies of war, a war the Town stretched its resources to help, supply, in piece-meal and no doubt somewhat chaotic fashion with both soldiers and materiel. Yet here, too, there were continuities; the older and more established families, like the Fearings, who formed a local gentry during the era of the Royal Province, maintained their prominence in the annals of Town government through the turbulence of the Revolutionary period, continuing in office, in many cases, well into the decades of the new federal republic after 1788. Thus, while

ecological and agricultural patterns guaranteed a certain degree of continuity in what was, after all, primarily a “safety-first” agricultural-fishing economy, linked tangentially with larger markets, at the same time, epochal upheavals throughout the period guaranteed that even a thinly-populated, rural community like Wareham was the site of extraordinary change.

### I: Continuing Preservation and Regulation of the Commons

In many senses, the early years of the Revolutionary period in Wareham are far less distinctly divided from the immediate past than they were in Duxbury and Pembroke, both of which witnessed significant resistance to the Stamp Act in 1765. The same insistence by the electors of the Town Meeting on the maintenance and preservation of common resources of field, stream, and forest that so marked the earlier decades of the 18<sup>th</sup> century was equally strongly in evidence as the first tensions with the mother country evinced themselves.

The Town Meetings throughout these early years of the Revolutionary Era continually voted for the maintenance of free grazing rights on the Commons, or, in the term of the 19<sup>th</sup> century, a free range. At a Wareham Town Meeting in the spring of 1766, echoing language approved also in 1764 and 1765, “ye Town Voted Sheep to goon [go on] y<sup>e</sup> Commons this year without a Shep herd + voted Swine to go on y<sup>e</sup> Commons this year as y<sup>e</sup> Law Directs.”<sup>447</sup> These Commons, located primarily in the southern portion of the forests, ponds, and pine barrens of the Plymouth Woods, constituted a crucial source of common sustenance to the households of the Town, and its continued protection by the Town Meeting

<sup>447</sup>Wareham Town Meeting, May 5<sup>th</sup>, 1766.

testifies to the importance of these rough pastures for the life of this small agricultural village. They would remain open to common grazers for decades to come.

These early years of the Revolutionary period did, however, witness a change in the common regulation of livestock. In these years the office of “Yarder of Sheep” appears for the first time in the Town Book. The Town, in 1769, voted “Noah Fearing + John Fearing Esq. Benj<sup>a</sup> Fearing to be Yarders of sheep from + after the first Day of December Such Sheep as is not Budg<sup>d</sup> [? – wintered?] + Such Persons as bring Sheep to the Yard to have five [coppers?] [when?] and four [coppers?] more to ye Yarders if taken out in a reasonable time.”<sup>448</sup> At the very least, the institution of these Sheep Yarders suggests both an active use of the Town's common pastures, as well as an increasing problem with sheep running wild and uncared for in the winter months – a sign, perhaps, of a more intense grazing culture during these years.

Just as in prior decades, the preservation of common fish and game resources also occupied the attention of the annual Town Meeting. In these years, as in the past, men were chosen to see to “the Preservation of the Deer.”<sup>449</sup> In addition, and more central to the life of the community, was the regulation of the anadromous fisheries in the streams and rivers of the Town, which occupied a great deal of the Town Meeting's attention. Its centrality in the life of the community can in part be inferred from the prominent, often genteel, status of many of the men chosen by the Meeting to see to the preservation and regulation of these fisheries. In the above year, 1766, for instance, three men, including John Fearing, Esq., from perhaps the leading family of the Town, were chosen “to be y<sup>e</sup> men to see that y<sup>e</sup> Fish call<sup>d</sup> Alewives have a free course up + Down y<sup>e</sup> Rivers” in Wareham (that is, the Weweantic, the Agawam, Gibbs' Brook, and Cohasset/Red Brook).<sup>450</sup> John Fearing, Esq., again served

<sup>448</sup>Wareham Town Meeting, March 27<sup>th</sup>, 1769.

<sup>449</sup>Ibid. Later that spring, in June, 1769, the Town Book records a fine example of the famously sardonic Yankee wit: they were forced to choose a temporary Town Clerk, “the [duly chosen] Town Clerk Being Providentially not at home.”

<sup>450</sup>Wareham Town Meeting, March 10<sup>th</sup>, 1766; on the rivers and hydrography of Wareham, see Ch. 3 *passim*.



as one of three men charged with the care of the migratory fish in 1767, while another Fearing – Noah – served in 1768 as one of three men “to See that the fish Called Alewives + other fish have free Course up + down the rivers according to law.”<sup>451</sup> The prominent position of Fearings in these committees ( though the term “committee” is not used at this point, these bodies of several men serving in an *ad hoc* fashion on any given subject were, more or less, committees), and the partial control it gave them over this common resource, can only have served to have enhanced and strengthened the local power of the family.

Of course, preservation of the Commons also entailed a destructive side, namely the elimination of species that acted as pests in the eyes of this agricultural society. Animals that depended on either crops or livestock made life difficult for the freeholders of Wareham. Thus, in 1766, “The town voted a Bounty on Red fox heads three shillings oldone [old one, i.e., an adult red fox] + young ones... one shilling that are killed in Wareham.”<sup>452</sup> Notable here is not only the incentive given to the townspeople to kill red foxes, both young and old, but also the corporate, communitarian element of this incentive – for the Town specifically notes that it will only pay a bounty on foxes “that are killed *in Wareham.*” [emphasis added]. In earlier as in later years, bounties were also offered on the heads of crows, both young and adult.<sup>453</sup>

A picture of the Wareham landscape on the eve of the Revolution can be glimpsed from a fall, 1773, description of a perambulation of the Town boundaries by the selectmen of Plympton and Wareham -- in language that suggests a certain organic, living reality to the Town, renewing the bounds of the Towns as one renews an oath: “having this day Preambulated the line + renewed the bounds between the towns of Plympton + Wareham have agreed on the following bounds. Viz. .... “ The

<sup>451</sup>Wareham Town Meeting, March 16, 1767; Wareham Town Meeting, March 21, 1768.

<sup>452</sup>Wareham Town Meeting, March 10<sup>th</sup>, 1766.

<sup>453</sup>See, for instance, Wareham Town Meeting, March 11<sup>th</sup>, 1765.

Selectmen then proceed to describe, after a fashion, a portion of what the landscape of northern Wareham and southern Plympton (after 1790, the Town of Carver) must have appeared. The line ran

S.E.  $\frac{3}{4}$  of a Pond Southerly to a stake heap of stones from there the same Course to south Meadow river + down said river as the river runs until s<sup>d</sup> river meets with the mouth of Samsons Brook where it falls into s<sup>d</sup> River from there south 34 degrees East about six rods to two Pine trees both marked with “P” on the East side and “W” on the west side from thence the same Course South 34 degrees East by a range of marked Trees + So over the s<sup>d</sup> South Meadow river + over the meadow [thence? Then?] by a range of Marked Trees until it comes over said River again + so from thence the Same course by a range of Marked Trees some with “” on the Easterly side + “W” on the Westerly side + some Plain marked until it comes to a great level Bogg lying by Waninco River to a pine tree Standing in s<sup>d</sup> Bogg. marked with”P” on the Easterly side + “W” on the Westerly side +from Thence the same Course until it Comes to Wankinco river.

The Wareham Town Records are notable, in comparison with Duxbury and Pembroke, for the relative lack of roads and road-building that appear in them; much of the early foot travel in the town must have been by relatively rude and unimproved woodland paths. However, in 1774, the Town “Voted to have an offers [?] road from Aaron Sturdifants Down to Brick Kiln Landing Where it Shall Be Least Prejudicial without any Cost to the Town to obtain s<sup>d</sup> Road.”<sup>454</sup> The relatively late date of this road construction, compared with the infrastructure-building activities of the towns in the central part of the county, demonstrates further the rural and relatively undeveloped character of Wareham.

During the early years of the Revolutionary period, the Town's relationship with its poorest inhabitants – typically widows and families of men struck down in the prime of their life – remained for the most part similar to what it had been in earlier decades of the 18<sup>th</sup> century. The unfortunate poor were “bid off” to a certain individual for a certain sum of money for a certain specified period of time; this disbursement of public money in return for a freeholder’s taking over the responsibility to feed and clothe the poor was far from magnanimous, however, for whomever the widow or young family in

<sup>454</sup>Wareham Town Meeting, May 16<sup>th</sup>, 1774.

question was “bid off” to, was entitled to their labor, which, in the case of the widows, was apparently of considerable value.<sup>455</sup> The practice bears more than a passing similarity to other forms of human bondage in early America, a kind of cousin of indentures, though distinctly different from chattel slavery.

The bidding off of the poor appears occasionally rather than with regularity in the records during the middle decades of the 18<sup>th</sup> century. By the beginning of the 1770s, however, the practice is noted with increasing frequency. Indeed, the practice worked so well, according to William Root Bliss, that the Town had no need of a poor-house – voting at a January, 1774 Town Meeting “Not to build a Work house”.<sup>456</sup> Meanwhile, though, the bidding off of the poor, especially poor widows, continued apace. Jane Bump, from one of the Town's (admittedly more plebeian) founding families, left for many years to the mercy of the Town Meeting, was bid off for one of many times at the Annual Town Meeting in 1774: “The person that bids her of to Keep her a year + return her in as good apparrell as he Took her in.”<sup>457</sup> Similarly, Jane George was “Vendue[d]” at the same meeting.<sup>458</sup>

The auctioning off of indigent widows seems to have increased in frequency and regularity as the pressures of war and revolution pressed upon the Town. Two years later, the Widow Lovell was “sold” in an event the high drama of which so seared itself into local memory that it has been handed down, in the form of a folk tale, well into the 20<sup>th</sup> century.<sup>459</sup> Jane George was again vendued in 1778, while early in 1779 “the Widow Lovell was Vendued to see Who would bond her + Struck of to Isaac Savery he to keep her till the first day of next April for Forty Eight Shillings per week”<sup>460</sup>

<sup>455</sup>Cf. William Root Bliss, *Colonial Times on Buzzard's Bay*, 62-65.

<sup>456</sup>Wareham Town Meeting, January 17, 1774.

<sup>457</sup>Wareham Town Meeting, March 21, 1774.

<sup>458</sup>*Ibid.*

<sup>459</sup>Wareham Town Meeting, Dec. 31<sup>st</sup>, 1776. See Elizabeth Reynard, *The Narrow Land: Folk Chronicles of Old Cape Cod*.

<sup>460</sup>Wareham Town Meeting, March 16<sup>th</sup>, 1778; Wareham Town Meeting, January 11<sup>th</sup>, 1779.

The auctioning off of the widows continued throughout the war years, and continued far into the 1780s. Generally, Jane George was bid off for a year at a time, while the Widow Lovell's sale was on a more short-term basis – generally three months or so until she was once again vendued. Though the war would challenge gender norms in Duxbury, in powerful ways they remained unchanged in Wareham.

Thus, during the beginning of the Revolutionary Period, the Town Meeting's concern with regulation and preservation of the Commons of field, stream, and wood, and indeed, of the inhabitants themselves, continued unabated. Indeed, the only change that seems in evidence is a slightly intensified use of these resources. It remained a rural place, and those who dwelt there lived lives whose ultimate rhythms and exigencies were determined by the regular passage of the seasons and the wheeling of the stars between summer and winter. Hints of this world creep even into the at-first-glance stuffy Town Records – as when the overheated freeholders retired, of a summer day, into a cooler, shadier locale: “Voted to aggor[n] [adjourn] this meeting from ye meeting house unto an Oak tree out of doors[.]”<sup>461</sup> Though political, economic, and even ecological changes would transform the region in coming decades, seasonal and climatological limits remained firmly in place.

## II: Affairs of the Town: Officers and Disputes

The Town was a collectivity, of course, and just as a collectivity may bring certain benefits to a human community as a whole, it by its very nature is often liable to impose its general will on private individuals in a fashion that might fairly be described as a trampling of their rights. This was true in Wareham as it was elsewhere in 18<sup>th</sup> century New England. But in the 1760s, in Wareham, the tension

<sup>461</sup>Wareham Town Meeting, June 26<sup>th</sup>, 1771.

between public duty and private enjoyment became particularly fraught, in this case over the issue of getting townsmen to serve as Constable. This series of incidents is significant in that it illustrates that the Town, in addition to its defense of ancient common liberties, had a strongly coercive, punitive side as well.

Something seems to have changed in the mid-1760s, because for the first time the Town of Wareham began to have trouble filling the office of Constable. It will be recalled from the previous chapter that the Town, as a result of its formation out of outlying districts of other, larger Towns, was in the habit of appointing two officials where other Towns would have appointed one, that each might tend to the lands of Agawam (“the East End of the Town”) and Sippican (“the West End of the Town”). By the 1760s, this had become very difficult indeed. In June, 1766, “the Town voted Lieu<sup>t</sup> Rowland Swift to Prosecute Nathaniel Chubbock for not Takeing y<sup>e</sup> oath of Constable when Excepted.”<sup>462</sup> At a September, 1767, Town Meeting, the Town chose two men to serve as constables for the ensuing year; upon their refusal, “y<sup>e</sup> Town voted” Benjamin Fearing “to Prosecute Joshua Besse + Barnabas for refusing to serve Constabells for y<sup>e</sup> year Insuing.”<sup>463</sup> The next spring, the problem continued to plague the Meeting. In May, 1768, the Town issued threats of prosecution if the men chosen Constables for the East and West ends of Wareham did not “take the oathes of Constables before the next Inferiour Court.”<sup>464</sup> But this hardly marked the end of the affair. At the annual Town Meeting in 1769, the Town chose two constables, one for each end of Town, as usual; however, only one of them accepted. The Town then voted “Josiah Carver to be the man to Prosecute all the Town officers that refused to Except of their office.”<sup>465</sup> At the 1770 annual Town Meeting, John Millard was chosen a constable for that year. He, at first, refused to accept the office, along with Josiah Stephens.

<sup>462</sup>Wareham Town Meeting, June 2, 1766.

<sup>463</sup>Wareham Town Meeting, September, 1767 (no date).

<sup>464</sup>Wareham Town Meeting, May, 1768 [no date].

<sup>465</sup>Wareham Town Meeting, March 27<sup>th</sup>, 1769.

Millard, however, reconsidered – likely under tremendous social pressure – and agreed to serve as constable.<sup>466</sup> In 1771, “Josiah Declared and Promised in ye meeting If ye town Let him alone and did Not make him Serve Constable this year he would Sirve the Town as Constable Next Year.”<sup>467</sup>

At the very least, this indicates that, for whatever reason, service as one of two Town constables had become onerous and disagreeable enough that freeholders would risk prosecution rather than serve. Was the job too poorly paid? Or was it that rising tensions with the metropole via the provincial government made men less willing to serve its writs and warrants? Though this latter explanation is tempting, the latter 1760s were notable precisely as the calm before (and after, when we consider the Stamp Act Crisis) the storm of revolution; why would we see such resistance at this particular point? In fact, I believe it is far more likely that this reflects some purely local dissatisfaction than a dispute over larger, imperial political questions.

Indeed, the fact that we are dealing with a semi-peripheral Town that did not, in this period, even send regular representatives to the General Court, bolsters this judgment. The Town, for instance, voted not to send a representative to Boston in 1763, 1765, 1767, and, it can be inferred, though not explicitly stated, in other years as well: while some years in the Town Book record the decision not to send a representative, in others the matter is simply not discussed at all; this hardly seems dispositive evidence that Wareham was sending a representative in those years, especially when the fact is taken into consideration that the established usage of the inhabitants was typically not to send a representative.<sup>468</sup> In 1771, in language suggestive of a still deeply monarchical society, “The town of Wareham meet to geather Regularly warned By Vertue of His Majestey's Presents and made choice of No man to Serve in a General Coort”[.]<sup>469</sup> Indeed, that the Town lacked regular representation in the

<sup>466</sup>Wareham Town Meeting, March 12<sup>th</sup>, 1770.

<sup>467</sup>Wareham Town Meeting, March 11<sup>th</sup>, 1771.

<sup>468</sup> Wareham Town Meeting, May, 1767 [no date]; May 20, 1765; May, 17, 1763. The latter Spring was evidently already well-established as the season in which provincial and later, state, level officials were chosen.

<sup>469</sup>Wareham Town Meeting, May 20, 1771.

seat of provincial power in Boston is suggested by the fact that, when it did have interests that needed tending at the provincial level, it tended to choose an agent to go to the legislature, rather than simply instruct a regularly-chosen representative. In December, 1770, for instance, the Town chose an agent to go to the “Greuit and General Coort” “to show their Reaisons why Coor [Court] Should not give Liberty to y<sup>e</sup> town of Rochester to Sell y<sup>e</sup> lands and muddows [meadows] that was Donated in y<sup>e</sup> Propriety of Rochester for ye use of the Minster.”<sup>470</sup> Relevant here is a feature of Wareham’s low population: the Town was likely too small to qualify to send a representative; this, at least, was the opinion of the Town Meeting on numerous occasions, voting itself unqualified to send a representative. As Rev. Noble Everitt points out in his 19<sup>th</sup> century history of the Town, under the Act in force in the province at the time, “every town having forty qualified voters was enjoined to choose one freeholder as their representative; towns having less than forty and more than thirty voters might send or not, as they saw fit...” Everitt believed the necessity of sending an agent, rather than a representative, meant that the Town lacked even thirty qualified voters – a small community indeed.

The constabships were not the only Town officers whose situation underwent changes during this period. The office of the Collector, the official responsible for the collection of Town as well as provincial taxes, was apparently split in two, in consonance with the larger divisions within Wareham between the eastern and the western sections of the Town. At the annual Town Meeting in 1771, for the first time I could detect in the records, reference is made to a separate Collector for the West End of Town being selected – implying the choice of a separate Collector for the Eastern side of Town, as well.<sup>471</sup>

Town affairs, such as the disposition of unresolved land claims related to these Ministerial Lands, as they were frequently called in the records of the Town, occupied more time and attention for

<sup>470</sup> Wareham Town Meeting, December, 1770 [no date].

<sup>471</sup> Wareham Town Meeting, March 11<sup>th</sup>, 1771.

the freeholders of the Meeting than did imperial affairs. The lands allotted for the use of the minister settled in Wareham, could credibly be claimed by neighboring Rochester – one of Wareham's two parent towns – given their origins in the 17<sup>th</sup> century proprietary grant of the area when the Old Colony exercised sovereignty over the region. As seen above, the possession of these lands was considered crucial by Wareham, even impelling it to send an agent (not a representative) to the General Court in Boston, a body not attended by representatives of Wareham.<sup>472</sup> Moreover, the Town not only applied to the General Court for a disposition of the rival claims; it went so far as to obtain the services of a lawyer: Ebenezer Briggs was “voted ... to go to an attorney and Git advice Relating to y<sup>e</sup> Minister land and meddows in y<sup>e</sup> Propriety of Rochester Laying Parte in y<sup>e</sup> town of Wareham and make his Returns to s<sup>d</sup> town of Wareham,” the orders affirmed by the signature of “Noah Fearing,” the “T. Clark [Town Clerk].” The fact that an attorney had to be specially procured suggests that the Town lacked any lawyers itself, which, if true, would further indicate its distance from metropolitan centers of commercial life, as well as its largely agrarian character.<sup>473</sup>

On the whole, the machinery of Town Government showed signs of new stresses and problems in the early decades of the Revolutionary period. Significant Town offices, such as Constables and Collectors, were continually refused by men chosen to fill them by the Town Meeting, while at the same time, the contested legacy of settlement-era land grants led to legal disputes with neighboring communities. Nevertheless, certain continuities remained: Wareham continued to choose not to send a representative to the General Court in Boston, likely a sign both of low population and of a relative lack of interest in the political life of the colonial metropole. On the eve of Revolution, then, Wareham, unlike Duxbury and Pembroke, appears relatively apolitical, its concerns those of a rural, semi-peripheral, traditional community.

<sup>472</sup>Rev. Noble Warren Everitt, “History of Wareham”, in Duane Hamilton Hurd, *History of Plymouth County, Massachusetts...*, Vol. 1, 196.

<sup>473</sup>Wareham Town Meeting, May 20, 1771.



#### IV: Politics, Revolution, and War

The Revolution in Wareham approached with greater suddenness than was the case in either Duxbury or Pembroke, where the storm gathered for a decade or more. Despite the strong demonstrations in Duxbury, Pembroke, and elsewhere during the Stamp Act Crisis, by the 1770s Plymouth County, and the Old Colony more generally, were known more for their political quiescence than anything else. Bliss reports that “there was at this time a good deal of loyalty to the King in the Old Colony. Many families had always kept bright the lion and unicorn in the back of the chimney....” In addition, the inhabitants of Plymouth dissolved the Old Colony Club, devoted to the memory of the Pilgrim Fathers, rather than see it be used for the promotion of anti-royalist sentiment.<sup>474</sup> It was this seemingly imperturbable conservatism, Bliss avers, that led Dr. Joseph Warren, Plymouth's leading Whig, to write Samuel Adams in despair at the state of public opinion in 1772. Describing efforts to organize resistance to imperial measures, he wrote: “I shall not fail to exert myself to have as many towns as possible meet, but fear the bigger part of them will not. They are dead, and the dead can't be raised without a miracle. I am sensible that the Tories spare no pains (as you say) to disparage the measures; which, with their other conduct, shows their apprehension. They are nettled much.”<sup>475</sup> Wareham sent no representative to a 1768 Convention of the Towns called by Boston, though 96 Towns did. Finally, the presence of gentry, associated with the provincial military establishment – especially as officers, as in the case of the Winslows of Marshfield, or as suppliers, as in the case of Middleboro's Peter Oliver – in the Old Colony made for a markedly different political environment

<sup>474</sup>Bliss, *Colonial Times on Buzzard's Bay*, 127-128.

<sup>475</sup>Dr. Joseph Warren to Samuel Adams, Dec. 8<sup>th</sup>, 1772, quoted in Richard Frothingham, *Life and Times of Joseph Warren*. (Boston: Little, Brown & Company. 1865), 212.

than that prevailing in Boston or other ports and conurbations; it was a traditional countryside rather than an urban crucible.<sup>476</sup>

In this political context, the development of revolutionary sentiment came about surreptitiously, near the eve of the Revolution itself. Bliss reports that the first overtly Whig sentiments appeared secretly in the Town Book, in a place where they were unlikely to be found by casual perusal; significantly, these entries do not appear in the 1904 transcription of the Wareham Town Records (the original manuscript book having rotted away). According to Bliss, Noah Fearing, the Town Clerk, and several other Whig partisans, extra-legally met and recorded the following incendiary sentence: “At a Request of ye Town of Boston the Inhabatance of the Town of Wareham met together on ye 18 Day of Jan<sup>r</sup> 1773 To Consider of matters of Grevinces ye Proviencie was under.” The Whigs chose three men to put to the Town “ye above said matters of Grevince”; the meeting was then adjourned to Benjamin Fearing's inn on February 8<sup>th</sup>.

On the 8<sup>th</sup>, the Whigs met once again, “to Consider of a Letter of Corrispondence from the town of Boston Occasioned by Sundrey Grievences the People of this Provence at Present Labour under Respecting Sundrey acts of the Parliament of Greait Brition thereby Drowing a tribute or tax from the People of this Proviencie.”<sup>477</sup> The statement went on to declaim upon the ancient liberties of Englishmen, declaring, in language Bliss finds indicative of the influence of the Boston Committee of Correspondence, and similar in substance to that seen in other Towns, that the people of Massachusetts “have been and still are” denied their rights as freeborn Britons.<sup>478</sup>

<sup>476</sup>Bliss, 127. Bliss quotes a rather condescending late 19<sup>th</sup> century repudiation of the crowd politics of the Boston rebels: “There was at the same time in and about Boston a large mob element professing ardent patriotism, and commonly regarded as auxiliary to the movements which issued in the war of independence. I believe that this element was in every respect as harmful and detrimental as it was unlawful and immoral; that it thinned the ranks of the patriots, disgusted many worthy citizens with the cause which it professed to further, and was of unspeakable benefit to the neighboring provinces of Nova Scotia and New Brunswick in giving them from among the exiles from Massachusetts the best judges, lawyers, clergymen, and men of elegant culture that they have ever had, including not a few graduates of Harvard College.” — Dr. Andrew Peabody's address to the Bostonian Society, April, 1888.

<sup>477</sup>Whigs of Wareham quoted in Bliss, *Colonial Times on Buzzard's Bay*, 124-125.

<sup>478</sup>Ibid.

Nevertheless, the Town officially did very little in favor of the Whig cause. The official records of the Town Meetings, as Bliss correctly notes, do not show that the freeholders of Wareham came at all to the material aid of the people of Boston when they were shut up, in 1774, by the Port of Boston Act, though other Massachusetts towns sent all manner of food and other materiel. Moreover, he points out that the proximity of Wareham to what came to be called New Bedford – where the *Dartmouth*, the ship which carried British tea into Boston Harbor in December 1773, sailed from – can hardly have left the Wareham farmers under any illusions about the gravity of the struggle over the tea taxes. Nor does any notice occur in the Town Records of an event that must have galvanized opinion – both Whig and Loyalist – in this corner of southeastern Massachusetts: crowd action directed against local Tories early in the autumn of 1774, just around harvest-time.

Bliss's report on the details of the crowd suggest that it had much in common with crowd actions and rituals of popular dissent – what Charles Tilly has called “repertoires of contention” – throughout the 18<sup>th</sup> century Atlantic world:

A large number of young men met in the adjoining town of Rochester, September 26, 1774, and organized themselves "to make an excursion into the county of Barnstable," and there by forcible means to prevent the county court from holding its regular session. This band, intent on disorder, styled itself "The Body of the People," a title which recalls the three tailors of Tooley Street, who in an address to Parliament styled themselves, "We the People of England." It passed through Wareham, where it was joined by Noah Fearing, John Gibbs, Nathan Briggs, and Salathiel Bumpus, and arrived at Sandwich in the same evening. The next morning it marched to Barnstable, a part on foot, a part on horseback, a drumcorps at its head, and Wareham men or boys riding as guards in its rear.<sup>479</sup>

Several features noted here – the presence of drummers, of men on both horseback and on foot, of boys bringing up the rear of the procession – are found in crowd actions not only in revolutionary

<sup>479</sup>Bliss, 129-133.

America, but as scholars such as E.P. Thompson and George Rude' have shown, in Britain and France as well, with roots in the ancient practice of *charivari* or “rough musick.”<sup>480</sup>

The next morning, the crowd, having attracted more members and grown to such numbers that Bliss refers to it now as “a mob”, arrived before the Courthouse at Barnstable, and began at once to exercise its punitive powers, “sending scouts through the town to ferret out loyal people and compel them to renounce 'toryism.’”<sup>481</sup> The justices of the County Court were at the moment sharing a mid-day meal, as it would have taken most of the morning for the crowd to walk from Sandwich to Barnstable. The crowd sent word to the jurists “that the 'Body of the People' desired them not to open the court and would send them an order to that effect in writing” – a written order, perhaps, being intended to cast greater legitimacy upon the actions of the crowd. The judges, upon receipt of this written message, “soon appeared in the street, wearing their official robes, and led by the high sheriff,” and proceeded towards the Courthouse. However, the crowd would not move. The chief justice of the court asked the crowd the reason for its assembly. The crowd's leader “replied, in the style of a modern politician” ‘All that is dear to us and the welfare of unborn millions direct us to prevent the court from being opened.’” Bliss's piquant observation, that the popular leader spoke in the style of a 19<sup>th</sup> century politician, suggests an increasingly republican spirit of popular defiance in the Old Colony.<sup>482</sup>

The chief justice protested, pointing to the legal legitimacy of the court: “This is a constitutional court, the jurors have been drawn from the boxes as the law directs, why do you interrupt us?” To which the popular leader replied: “But from the decisions of this court an appeal lies to a court whose judges hold office during the King's pleasure, over which we have no control!”

<sup>480</sup>See, for instance, Thompson, “The Moral Economy of the English Crowd in the 18<sup>th</sup> Century,” and George Rude', “The London 'Mob' in the Eighteenth Century”, *inter alia*.

<sup>481</sup>Bliss, 129 - 133.

<sup>482</sup>*Ibid*.

In the royalist world of 18<sup>th</sup> century southeast Massachusetts, these must have been revolutionary words, especially considering that the local royalist elite – Winslows and Olivers and others – held their positions, ultimately, from royally appointed placeholders in Boston and elsewhere. Moreover, it suggests that, in common with other rural American communities, an ethos of localism and local control that had heretofore led to southeastern Massachusetts' relative quietism in the face of the demands of the noisy metropole, had now been used towards insurrectionist, and even revolutionary, ends.

The crowd would not yield, successfully preventing the sitting of the court. It even went so far as to force the judges to sign what were, in effect, loyalty oaths: the crowd, Bliss writes, “compelled the justices to sign certain political obligations in harmony with its own views. It was not dispersed until it had made a general disturbance in the town, had resolved to boycott British goods, and to suppress peddlers who sold Bohea tea.” As an instance of popular rebellion against the provincial royal order, the events of those late September days in 1774 were unprecedented; at the same time, as Bliss correctly notes, nothing is to be found of them whatsoever in the official records of the Town, which remain as staid as ever. Indeed, Bliss rightly, and not a little tartly, notes that “Town meetings were held, as usual, and the Town's Mind expressed its will in regard to sheep, foxes, hogs, alewives, highways, the minister, the schoolmaster, the meetinghouse, the rates, the paupers, as it had done in preceding years.”<sup>483</sup>

1775 seems to have been the year that brought change to the hitherto staid and non-interventionist mind of the Town – though there were, of course, continuities. The Town, true to its previous traditions and, no doubt, to its construction of the relevant law, “Voted not to Send a man to Provincial Congress,” a continuation of Wareham's nearly backcountry-style unconcern with the formal legislative affairs of the capital. However, dramatic evidence does appear of the newly revolutionary

<sup>483</sup>Bliss, *Colonial Times on Buzzard Bay*, 131-132.

tenor of the Town's Mind – the first appearance of Minutemen. In January, 1775, amid winter's cold and blasts, the Town “Voted to Allow to each Minute Man ¼ per week” of their service.. And, in a strong sign of the deepening resistance of the official organs of the Town to imperial rule, the Town “Voted not to make any Provincial or County Tax.” This refusal to make any rates, especially considering the relative assiduity and concern the Town evinced on the matter of the collection of taxes in previous years, demonstrates that the imperial crisis had reached even into the distant corners of the countryside of southeast Massachusetts.<sup>484</sup>

The Town Meeting met again in February, from the adjournment of the last meeting. At this assembly, the Town continued to deal with the imperial crisis, “Voted to Pay the Province tax to And<sup>w</sup> Mackie + he to keep it till the Town Shall order it otherways[.]” Yet matters unrelated, or only tangentially related, to the imperial crisis also occupied the Meeting. It voted not to give Rev. Thatcher anything “more than his Stated Sallery” – a sign, perhaps, of increasing inflationary pressures brought on by the threat of war and social-political revolution. The Meeting further “Voted to Vendue the Minister Lands + Meadows in the West End of y<sup>e</sup> town the Improvement of it for one Year + the Profits to go towards Defraying the Rev<sup>d</sup> Mr Thatchers Sallery.”<sup>485</sup>

That March's annual Town Meeting was notable for the strange confluence of the imperial crisis, and all its attendant effects, with the usual concerns of the farmers and fishers of Wareham. The Town, as in years past, saw to the preservation of its Commons, including deer and the ever-valuable alewives. In this latter, task, though, for the first and, in this historian's search so far, only time, the Town made use of the militia to help in the regulating of the fish. "Voted for Capt Israel Fearing with his Company to assist in takeing Care of the Alewives." In addition, this Meeting witnessed the first mention of the preservation of shellfish in the town's history, an indicator of increasing pressure on the

<sup>484</sup>Wareham Town Meeting, January 16<sup>th</sup>, 1775.

<sup>485</sup>Wareham Town Meeting, Feb. 6<sup>th</sup>, 1775.

clams, quahogs, oysters, and mussels of Wareham's dozens of estuaries and coves: "Voted that there Should be no Shell fish nor Shells Sold nor carryed out of town." Part of this pressure may have stemmed from the fact that crushed oyster shells make a fine paving material<sup>486</sup>. The fact that the shellfish were reserved to the residents of the Town only -- a practice still adhered to in parts of the New England coast -- further illustrates the corporative character of Wareham and the other early New England communities. Finally, in a sign that war truly was seen as probable, if not imminent, the Meeting "Voted to Purchase Six Guns for use of y<sup>e</sup> Town."<sup>487</sup>

The fighting at Lexington and Concord broke out on the 19th of April; five days later, on the 24th, the Town Meeting of Wareham met. There is no direct mention of the outbreak of war, but the Town's attitude was apparently hardening, for it finally effected a disposition of the matter of its provincial tax, toward which it had earlier adopted a "wait-and-see" attitude. It "Voted to pay the Province Tax to Henry Gardiner Esq at Stow[.]"<sup>488</sup>

Over the summer, the Town replaced the Rev. Rowland Thatcher with Rev. Josiah Cotton, which, in the course of normal events, would have been a gigantic event, equivalent perhaps only to a change in provincial governor, though, of course, a change with far more intimate and personal resonances; after all, the pulpit in the "Standing Order" of old Congregationalist Massachusetts -- an Established church -- was the primary source of cultural and intellectual life for the men and women of the Massachusetts countryside. One historian has analogized its importance to that of television to late 20<sup>th</sup> century Americans.<sup>489</sup> It is a testament, then, to the crisis engulfing the province that the change in ministers is just one of many items of business facing the Town Meeting. The Town did agree to pay

<sup>486</sup> Reference lost, but perhaps to Lovell, *Glimpses*. I can personally attest to the use of shells for paving in coastal New England.

<sup>487</sup> Wareham Town Meeting, March 20<sup>th</sup>, 1775. On oysters and paving, see:

<sup>488</sup> Wareham Town Meeting, April 24<sup>th</sup>, 1775.

<sup>489</sup> For a fine discussion of the Standing Order, see Peter S. Field, *The Crisis of the Standing Order: Clerical Intellectuals and Cultural Authority in Massachusetts, 1780-1833* (Amherst: University of Massachusetts Press, 1998).

fellow clergyman Rowland Thatcher for entertainment during the ordination of Rev. Cotton, but most of its attention seems to have been devoted to revolutionary matters. The Town disbursed £21-5-4 “To the Minute men for their Service”, while agreeing to pay 16 shillings and six pence “To Nathan Bassett for making bayonets.” Meanwhile, John Gibbs was granted six shillings “for going to Mattapoyset”; in addition, there is evidence of much travel to and from Dartmouth, presumably related to the ongoing crisis.<sup>490</sup>

The Town did not meet again until the following spring. This, however, was a critical passage in the development of revolutionary sentiment, and the reality of revolutionary government, in Wareham. It opened the day after the British evacuated Boston, with the usual choosing of officers, with one notable exception: while Dr. Andrew Mackie was chosen Town Clerk for the coming year, Noah Fearing, the chief Whig partisan in town, was chosen “clerk for the day.” In addition, for the first time, an organ of the new revolutionary state makes its appearance: “John Fearing, Andrew Mackie, Israel Fearing, Joshua Ellis and Prince Burgess a committee of Corespondance + Inspection + Safety”. Meanwhile, however, the Town continued to pay its usual attention to the preservation of deer and of alewives, and to regulate the public ways. The Town, for instance, voted “To repair the highways by rate to a Man per Day two Shillings to a pair of oxen + Tackling one shilling and four pence. A cart + tackling Eight pence.” As in years past, sheep “should run at large on the commons without a shepherd,” and swine, too, should go free, so long as they were yoked and ringed as was legally enjoined.<sup>491</sup>

Further evidence of the exigencies of war can be seen in the fall, 1776, budgetary or fiscal meeting. Fifteen shillings and eight pence were paid to Ebenezer Briggs “for paying Province Tax & Congress”. Lemuel Swift was voted £3-13-0 for six spades, presumably for the construction of

<sup>490</sup>Wareham Town Meeting, Sept. 4<sup>th</sup>, 1775.

<sup>491</sup>Wareham Town Meeting, March 18, 1776.



earthworks. Likewise, John Bates was paid £8 for five pick axes, Nathan Bassett was voted £3 for five spades, and Captain David Nye was voted £2 for “six narrow axes.”<sup>492</sup>

Later that autumn, the Town Meeting of Wareham explicitly addressed the question of the political organization of the province in light of the reality of revolution and war with the mother country. The Town Meeting met “To consider of a Request for the Hon<sup>b</sup>. Generall Court Resolved as follows. That wee Judge it best that ye Plan of Government by ye late charter viz: - by the house of Representatives and Council be still continued + strictly adheard to + that no alteration be made [illegible] Respecting a form of Government at least during the Present war.”<sup>493</sup> Even in as fluid a situation as revolutionary Massachusetts, the farmers and freeholders of Wareham expressed their preference for government as it had hitherto existed under the Provincial Charter. This preference for the older forms of government, certainly, is consonant with the consistent and evidently deep-rooted conservatism that Wareham displayed before the war. This was not the home of proto-Whiggery in the way that the towns of the central part of the County were.

The annual Town Meeting of 1777 continued to deal with the manifold manifestations of the war and political revolution. The meeting “Voted to Chuse a Committee[.]” consisting of Samuel Savery, Jeremiah Bump, and Edward Sparrow, “... to Join with the Selectmen to make out a list + say who should vote in Town Meeting.”<sup>494</sup> At the very least, this vote indicates the desire of the Town to revisit the question of suffrage, especially in light of recent revolutionary events. What is probable, though not directly stated, is that this selection and listing of those eligible to vote in the Town Meeting, was an effort by the new, revolutionary regime, to deprive local Tories of the ability to

<sup>492</sup>Wareham Town Meeting, Sept. 30<sup>th</sup>, 1776.

<sup>493</sup>Wareham Town Meeting, Oct. 14<sup>th</sup>, 1776.

<sup>494</sup>Wareham Town Meeting, March 26<sup>th</sup>, 1777.

influence public events. It is also possible that the increasingly radical egalitarianism of authors like Thomas Paine was infiltrating the mind of the Wareham Town Meeting.

Meanwhile, of course, the Town went about its usual business as a small subsistence community. Men were chosen to “take care of the herrings in Weweantic River” and to see to the preservation of the deer. The Town “Voted for the Selectmen to lease out a Piece of the Minster Meadows in Long Neck for a certain term of time”, and “for sheep + swine to go on the common as the law directs Sheep without a Shepherd swine yoked & ringed....” Further, “if any ram is found on the common from the first of June till the twentieth of November,” it was stipulated that “the owner of said Ram shall forfeit him to the Person that takes him up.” The imposition of this relatively steep fine is perhaps indicative of increasing pressures on the common rough pasturage that lay throughout the Town.<sup>495</sup>

The proceedings of the Town Meeting in the fall of 1777 evince the increasing degree of economic pressure that more than two years of war were beginning to take on the New England countryside. The Town voted £66-13-04 for that year to Rev. Cotton, “to be Paid Partly [in] Specie. Such as grain, wool flax meat be at the same Price as such articles went at when he was settled[.]”<sup>496</sup> That the Town felt the need to specify that what salary the Reverend did receive in country pay be reckoned “at the same Price as such articles went at when he was settled”, indicates that wartime inflation was becoming rampant. Indeed, the clergyman likely refused to countenance being paid in goods or foodstuffs that now, at dramatically increased prices, would have left him with precious little on which to survive. Later that November, the Town “Voted to Raise [100 pounds] to Supply the

<sup>495</sup>Ibid.

<sup>496</sup>Wareham Town Meeting, Nov. 10<sup>th</sup>, 1777.

Continental Soldiers[?] famileys[.]” It “Chose Samuel Savery, John Ellis David Nye a committee to provide such articles as the above famileys stand in need off.”<sup>497</sup>

The exigencies of war and revolution appear to have receded somewhat in 1778. That year, the annual Town Meeting dealt primarily with the matters that had regularly occupied the attention of the Town in years past; though a Committee of Correspondence was formed, this seems to have been the only item directly related to larger political affairs. Rather, the free course of alewives up the Weweantic River, the preservation of deer, and the free pasturing of sheep and swine on the Commons were, once again, the Town's collective concern.<sup>498</sup> At a subsequent meeting that March, the Town “Voted to Vendue the Minsters Lands Meadows” and “Voted to Cut and make market of his hundred cord of wood of the Ministers Land”. The unfortunate Jane George was also vendued.<sup>499</sup>

As in years past, the fall budgetary meetings of the Town show evidence of the economic effects of the war on the life of this agricultural community. Both the traditional economic activities of Wareham, and increasing inflation, are demonstrated in the transactions of a September meeting. The Town sold “forty Cord of oakwood at 24/- Cord.” to Benjamin Morey. While oak is a valuable wood for heating, with a relatively high output in terms of British Thermal Units, the price of 24 shillings per cord would likely not have been entertained or encountered before the war. In addition, Morey agreed with the Town “the salt meadow to cut for the Sum of 22 Pounds four shillings...” It “Also hired to Benj<sup>a</sup> Morey the upland for Eighty one bushells of corn.”<sup>500</sup> The fact that Morey was allowed pay for the use of the upland in corn demonstrates that, though wartime Wareham was afflicted with rampant inflation, it was not a market society. Wartime inflation alone is not conclusive evidence of any

<sup>497</sup>Wareham Town Meeting, Nov. 25<sup>th</sup>, 1777.

<sup>498</sup>Wareham Town Meeting, March 2<sup>nd</sup>, 1778.

<sup>499</sup>Wareham Town Meeting, March 16<sup>th</sup>, 1778.

<sup>500</sup>Wareham Town Meeting, Sept. [no date], 1778.

putative market revolution's having yet taken place; the mere existence of quantifiable economic activity does not a market society make.

Later that fall, in addition to witnessing the first appearance of a dollar sign (tellingly alongside the symbol for pounds sterling), the Town “Voted [to] Raise money to Pay for the Soldiers Clothing.” It also chose a committee of three men to settle the Town's delinquent accounts with the families of soldiers, and to provide for those families in the coming year.<sup>501</sup> Still later in October, in a manifestation of wartime inflation, “Town Charges” required raising the sum of £350-14-09, a figure which simply would have been almost fantastic under pre-war conditions. Nor did this exhaust the debts owed by the Town: it voted Rev. Cotton his sixty pounds salary, as usual, but supplemented it with a £390 “Gift” in order to induce him to preach for the year Nov. 1<sup>st</sup> 1778-79. Conditions must have been poor for the Town to regard the making of such a gift as a necessity. But evidently it had not been generous enough, for Rev. Cotton refused both the salary and the £390 gift. Perhaps it was a matter of semantics, the Reverend seeking to avoid the setting of a baleful precedent, accepting a gift rather than a regular salary. It was only in the winter, early in 1779, that he and the Town settled on a £450 salary.<sup>502</sup>

The Town also attended to the fiscal aspect of fighting a war. It “Voted to Raise in the West End of the Town by a Tax one hundred Eighty four Pounds to Pay of the two nine months men.” Moreover, it “Voted to raise Soldiers for the future by a Town Tax + Committee chose to hire them for the Town.” Finally, in a reminder that this was a society in which the prosperity and legal personhood of women was subsumed under their male next-of-kin (*femme couvert*), “the Widow Lovell was

<sup>501</sup> Wareham Town Meeting, Oct. 5<sup>th</sup>, 1778.

<sup>502</sup> Wareham Town Meeting, October 19<sup>th</sup>, 1778, by adjournment from Oct. 5<sup>th</sup>; Wareham Town Meeting, Feb. 16<sup>th</sup>, 1779, by adjournment from Oct. 19<sup>th</sup>.

Vendued to see Who would bond her + Struck of to Isaac Savery he to keep her till the first day of next April for Forty Eight Shillings per week[.]”<sup>503</sup>

The next year was another one devoted to affairs of arms and men. At the annual Town Meeting, the freeholders of Wareham chose both Town officers and a Committee of Correspondence. In addition, in a sign of the economic stresses produced by the war, the Town “Chose John Fearing Esq. Jonathan Gibbs + David Nye a committee to See that there be no Forestalling or Monopolies in y<sup>e</sup> town Agreeable to an act of the General Court.” That the response of both the revolutionary government in Boston and the freeholders of Wareham was to restrict the ability of private interests to forestall or monopolize economic life is surely significant. The Town also must have found its current method of financing the war insupportable, for it “Voted to Raise Soldiers for the future by a Town Tax[.]”<sup>504</sup>

At the same time, the concerns of this small agricultural community at the head of the bay returned with seasonal regularity. The constables were proving delinquent as they had before the war, and minor officers like fence viewers and tithingmen continued to be chosen. Three men were chosen to secure the free passage of herring “up + down the [Weweantic] river + Israel Fearing to See to them [in] Agawam river”, a fluvial division of labor that made good ecological and geographic sense. The Ministerial lands were again of collective interest, the Town voting “to hire by a Vandue the Minister Land that was Planted last year to be Planted this Year + then [sown] with Rye + hire out the Ministerial Meadow at y<sup>e</sup> East End of the Town to be done by the Selectmen.....” In addition, the meeting “Voted to Reconsider Elisha Swift, Ben<sup>j</sup> Morey + Samuel Joseph, with regard to the Corn they Raised last Year [...] On s<sup>d</sup> Ministerial Land + to Relinquish to them one Sixth Part of s<sup>d</sup> Corn.” This corn must have been of much importance to Wareham, for the Selectmen were directed to “Dispose of

<sup>503</sup> Wareham Town Meeting, Oct. 19<sup>th</sup>, 1778.

<sup>504</sup> Wareham Town Meeting, March 8<sup>th</sup>, 1779, and Wareham Town Meeting, n.d., March, 1779.

the Remander as they see best to Render a Line account thereof to ye Town.” The easy coexistence of country pay and more formal methods of enumerating costs is often evident: “The Planting Land on the Ministrel to Benjamin Morey for Seventy bushells of Corn the Meadow to Thomas Samson for Four hundred + five Dollars.” Swine and sheep were to run at large on the Commons, Jane George was once again vendued, and the construction of a “road from the Meeting house to the Narrows where Benjamin Fearing has made his lane” was approved.

However, all was not well, for the Rev. Cotton refused the 450 pound salary that had been voted for him in February.<sup>505</sup> Cotton would settle later that Spring for £600, but even this was evidently insufficient. Perhaps there was some degree of bad blood on both sides, for the Town eventually “Voted to Dismiss the Rev<sup>d</sup> Josiah Cotton from his Pastorall Relation in Wareham.”<sup>506</sup> Joshua Gibbs was enjoined that July to find a minister “for the Present to Supply the Pulpit,” and “the Minister by his meadow to mow in the West End of the town. To the highest bidder for the Present Year the Money to be Converted for the Support of the Gospell.”<sup>507</sup> In the fall, Cotton was voted £262-10-00.<sup>508</sup>

Of course, the negotiations with Rev. Cotton were hardly the only affair occupying the Town's mind during the spring of 1779. Significantly, the first evidence appears of the summoning of a jury under the new, republican regime. Jury summonses under the old, royalist government, had been elaborate, rococo affairs, expressing in language the politesse and infinite gradations characteristic of a hierarchical and monarchical society – a society in which the Great Chain of Being was still intact. By contrast, the new regime's summons was imbued with republican simplicity, stating merely that “Thomas Samson was drawed out of y<sup>c</sup> box to serve on the Petitt Jury.”<sup>509</sup>

<sup>505</sup> Ibid.

<sup>506</sup> Town Meeting, May 3<sup>rd</sup>, 1779; Wareham Town Meeting, May 31st, 1779.

<sup>507</sup> Wareham Town Meeting, July 5<sup>th</sup>, 1779.

<sup>508</sup> Wareham Town Meeting, October 27, 1779.

<sup>509</sup> Wareham Town Meeting, n.d., March, 1779.

Wareham must have felt safe by this point from immediate military threat, for the Town “Voted to seel the Nine Guns that came from Boston at a Publick Vendue accordingly They were Sold for three hundred + Eight Dollars + a half.”<sup>510</sup> Later, in the fall, a committee was chosen “to Supply the soldiers familys with the necessaries of life.”<sup>511</sup> The inhabitants of the West End of Wareham were assessed £550-18-00, their proportion due for hiring soldiers, and a sum that had yet to be paid. Capt. David Nye was sent to Boston to collect a certain sum of money due the Town.<sup>512</sup>

1780 saw a continuance of the prevailing wartime conditions. At the annual Town Meeting, a Committee of Correspondence was chosen, “deer men” were chosen, and a committee was established to see to the free passage of the alewives up the Weweantic. Sheep and swine were to run at large as in years past. In addition, in a sign that this was still an agricultural society, it was voted “For the Selectmen to take Care of the Corn that is due the Town.”<sup>513</sup>

Later, as Midsummer approached, Wareham once more turned its mind to military matters. On June 20<sup>th</sup>, the Town “Voted that the Six months men now sent to go into Service be hired by a Tax Equally assessed on the Town + that such men have sixty nine Silver dollars as a bounty and one hundred + thirty paper Dollars per man as Mileage money.”<sup>514</sup> About two weeks later, immediately after the fourth anniversary of the revolutionary states' Declaration of Independence, the Meeting voted 11 three months' soldiers forty silver dollars each as a bonus, plus “an additional to their Mileage One paper dollar per mile to their of Destination.”<sup>515</sup>

As the Earth wheeled onward towards the fall, military affairs remained prominent. The Town voted to raise the sum of eighty-six pounds and seventeen shillings “+ [in?] Hard money to Pay for the

<sup>510</sup> Wareham Town Meeting, March 23<sup>rd</sup>, 1779

<sup>511</sup> Wareham Town Meeting, October 18<sup>th</sup>, 1779.

<sup>512</sup> Wareham Town Meeting, October 27<sup>th</sup>, 1779.

<sup>513</sup> Wareham Town Meeting, March 22<sup>nd</sup>, 1780.

<sup>514</sup> Wareham Town Meeting, June 20<sup>th</sup>, 1780.

<sup>515</sup> Wareham Town Meeting, July 6<sup>th</sup>, 1780.

beef sent to the Army.”<sup>516</sup> Later, as fall turned into winter, the Meeting “Voted to raise by the Town Seven men for the Army during the War. + the Militia officers to be a Committee to Procure the[m].” The unfortunate Widow Lovell was also vendued once again. Affairs must have been more than a little desperate, for the Town met again shortly after the New Year. It “Voted to have a Lottery to Raise two hundred nighty Hard Dollars for to raise Soldiers with y<sup>c</sup> Marrages Benj<sup>a</sup> Briggs. David Nye + Benj<sup>a</sup> Fearing.” It was “Agreed with Joseph Bates to Go + Get the money Due to the Town at Boston”, and the “Scheam of the Lottery as it now stands” was approved.<sup>517</sup>

The annual Town Meeting that year saw the usual mixture of local and cosmopolitan concerns. Significantly, no Committee of Correspondence was chosen, evidently a sign of the re-establishment of constitutional government in Massachusetts. At the same time, the old agricultural concerns – the preservation of the deer, the free course of the alewives up the river, the regulation of sheep and swine – remained most prominent. Oysters were once more a subject of legislation: “Voted that No. Oyster shells shall be Caught to Carry out of the Town without leave of John Fearing, Joshua Briggs, + Joshua Crocker on the Penalty of Paying Six Shilling per bushell[.]” Constabships for either end of Town, as well as Jane George and the Widow Lovell, were “Struck of” as in years past. The Town likewise made careful stipulation for the use of common lands and meadows: “Ichabod Samson Jun<sup>r</sup> Hired the Salt Meadows at the East End of the Town at forty one hard dollars. Salt meadow to Tho<sup>s</sup> Samson for twenty Seven and a half hard dollars, at the West End of the Town the fresh meadow to Joseph Bump for Seventeen hard dollars also the Minister Land hired to Jahesh Besse for Sixty three bushells of Corn + he is to sow on Every Acre Six Pounds of hay Seed.” This apparent selling of constabships to the lowest bidder raises questions. From the perspective of the 21st century, this looks like overt political corruption. Yet the fact that it is noted, without comment, openly in the town

<sup>516</sup> Wareham Town Meeting, Nov. 6<sup>th</sup>, 1780.

<sup>517</sup> Wareham Town Meeting, January 3<sup>rd</sup>, 1781.



records suggests something different, perhaps a distribution among a small population of an office and a responsibility that was both somewhat onerous and somewhat remunerative. By way of analogy, plow drivers in small New England towns occupy a not dissimilar position today.<sup>518</sup>

Several weeks later, the first elections under the new republican Constitution of Massachusetts, authored by John Adams, were held. “The Inhabitants of this Town on legal Warning agreeable to the form of Government of this Common Wealth this day gave them votes for a Governor....” John Hancock received sixteen votes, while James Bowdoin received just two. In the contest for Lieutenant Governor, Thomas Cushing received fifteen votes, with one vote for James Warren.<sup>519</sup> Thus, at the inception of republican government in Wareham, the Town was small enough that only sixteen to eighteen freeholders took the trouble to vote in state elections.

During the summer and fall of 1781, Wareham continued to struggle to provide men and materiel for the war effort. A three man committee was chosen in June “to Procure a Quantity of beef for the Army”, while in September the Town “Voted all the Persons that have accounts against the town for Supply Soldiers familys to Carry them in to the Select men + they to adjust + Settle them and assess the town for the same.” It also “Voted for two five months Soldiers twenty one Pounds for four three month soldiers Seventy two Pounds for Seven three year Soldiers One hundred + twenty six Pounds....” In October, the Town “Voted to Raise two hundred + thirty Pounds Eight Shillings to Pay for 9416 lbs [?] of Beef Sent to the Continentall Army + also Ten Pounds for 400 lbs of Beef for Soldiers familey<sup>s</sup>”. Finally, in December, Wareham found itself out of spirit with the General Court in Boston: “Voted to Join with Plymouth in Petitioning the Generall Court to take of the Excise Act --”.<sup>520</sup>

<sup>518</sup> Wareham Town Meeting, March 12<sup>th</sup>, 1781.

<sup>519</sup> Wareham Town Meeting, April 2<sup>nd</sup>, 1781.

<sup>520</sup> Wareham Town Meeting, June 12<sup>th</sup>, 1781; September 24<sup>th</sup>, 1781; October 8<sup>th</sup>, 1781; December 17<sup>th</sup>, 1781.

The next year's annual Town Meeting showed ever greater devotion to the cause of the fish. One committee was selected to treat with the government of the neighboring towns and of the Commonwealth on the subject of alewives: “Chose John Fearing, Ebe<sup>r</sup> Briggs, Sam<sup>ll</sup> Savery, a Committee to apply to Rochester + Plymton in order to get an Act made for the Preservation of the fish callerd Alewives in Weweantit River[.]” A separate committee was tasked with the actual care of the fishery itself: “Chose Sylvester Bump, Isaiah Stevens, Seth Witherell + Gershom[?] Briggs to see to the alewives fish that they have a free course up + down the River Weeweantuk[.]” Oysters were also kept strictly within the town's corporate bounds: “Voted that no Person shall catch any Oyster or Osyster Shells for to carry of of the town, or to carry themselves out of ye town on y<sup>e</sup> Penalty of forfeiting five shillings Eight pence per bushell.” The Town was still troubled by the lack of a settled minister; it elected to sell “Standing on the ministers Land at ye East End of ye town fifty cords of oak + Pine wood each to support the Gospell....” This wood was apparently sold within Wareham – further evidence of a corporate-communitarian order in southeast Massachusetts – for the records record the sale of fifty cords “of oak wood” to Dr. Andrew Mackie “for Fifty dollars”, while Benjamin Money purchased the pine wood for three shillings a cord (making a total of £7-10-00). Sheep and swine were to run at large on the commons, and it was “Voted to Vendue the Poor as Usual[.]”<sup>521 22</sup>

The new Commonwealth held its second election that spring. In Wareham, the contests for both Governor and Lieutenant Governor exhibited signs of consensus-based politics, especially “bloc voting”; “For a Governor His Excellency John Hancock received seventeen votes, while no votes were cast for any opposing candidate. For Lt. Governor, Gen. George Watson, Esq., of Plymouth, received 22 votes.” These were elections, but the influence of the older, consensual order remained remarkably strong, even under revolutionary conditions.<sup>522</sup>

<sup>521</sup> Wareham Town Meeting, March 4<sup>th</sup>, 1782.

<sup>522</sup> Wareham Town Meeting, First Monday of April, 1782.

1782 also witnessed the end of the long-running troubles concerning the settling of a minister in Wareham. The Town came to an agreement with the Reverend Noble Everitt, inviting him in early June to become the Town's official clergyman. The Town's subsequent agreement with the Rev. Everitt is illustrative of the needs of a comfortable existence in Wareham during the Revolutionary era:

“Voted that Wee give Mr Everett the sum of Fifty Pounds for an Annual Salary during His Continuance in This Town as our [minister] together with y<sup>e</sup> use of the Ministers Land + Meadows belong to this Town + also fire wood Sufficient for his use in his own house said wood to be dlever'd at his door always reserving liberty for the Town to cut said wood on the said ministers Land where y<sup>e</sup> Town Shall Think Most Convenient or otherwise we will Give Mr Everitt the sum of Eighty Pounds for an Annual Sallery to gether with his firewood delivered as above + reserving the Minister Lands and Meadows in y<sup>e</sup> hands of y<sup>e</sup> Town. And for his Settlement wee will give him Six acres of land Conveanintly near the Metting house and build him a dwelling house on the same thirty Six feet in Length and twenty Eight feet in Width two storeys high + finished of in an Handsome decent Manner + complete it by y/e last day of November [1783] with a cellar under same and also dig a well of water + Stone y<sup>e</sup> same.”<sup>523</sup>

The importance of firewood in a cold climate is never to be gainsaid.

During the Revolutionary era, then, although much more remote from Boston than were Duxbury and Pembroke, Wareham, too, was drawn into the imperial conflict. It was a sign of the intensity of the crisis that even this semi-peripheral community found itself consumed with war.

<sup>523</sup> Wareham Town Meeting, June 3<sup>rd</sup>, 1782; June 10<sup>th</sup>, 1782.

## Chapter 8: Duxbury, Massachusetts, in the New Republic, 1787-1815

In the early republican era, Duxbury, like its neighbors in Plymouth County and beyond, looked to the physical ordering of its spaces. More so than in the colonial era, and more than during the upheaval of the Revolution, the Town found itself, through its meetings, adjudicating boundaries and borders, drawing lines over the land and waters, and clarifying the bounds of private property. Though the commons still existed, and, indeed, were zealously guarded by the town, they existed alongside an increasingly divided landscape, one more consonant with those conditions that underlay "the capitalist transformation in the countryside," as Stephen Hahn and Jonathan Prude have called it; these conditions were a change -- albeit gradual -- from the older, communitarian order, though traces of that order did, in the final analysis, maintain a powerful and permanent counterpoint to market forces.<sup>524</sup>

As in ages past and in other Plymouth County towns, the regulation of the town's anadromous commons remained a vital concern of the body politic. In the summer of 1798, the Town Meeting "Voted that Major Judah Alden promote the passing of a Law to open a convenient passage for the Herrings, up Island Creek Brook in Island Creek Pond so called, & for the proper regulating of said

<sup>524</sup>See Steven Hahn and Jonathan Prude, eds., *The Countryside in the Age of Capitalist Transformation: Essays in the Social History of Rural America*

Herring fishery. <sup>525</sup> That these efforts were likely highly necessary is indicated by an action of the Town Meeting the next year, implying a certain scarcity of the fish. "Voted that the Selectmen endeavour to git Sum Herrings into Island creek Pond."<sup>526</sup>

The herring must have been growing scarce. The next year, the Town "Voted to act upon the clause in the warrant respecting the herring brook Voted to chuse a committee of five to execute the directions of the Law respecting said Brook." It decided "to leave the method of leting the herrings into said pond discretinary with S<sup>d</sup> committee"; however, it was adamant "that no herrings be taken this year: but that all be permitted to go up into S<sup>d</sup> pond."<sup>527</sup> This was an extreme measure, but one that would become the "normal" course of events in later centuries.

The preservation of the alewife fishery could also involve cooperation with a neighboring town, as was the case on the Green Harbor River, the watershed of which straddled both Duxbury and its northern neighbor, Marshfield. In the early spring of 1803, the Town met and "Voted to chuse a committee to treat with the town of Marshfield respecting Greens harbour herring brook and to take care of the same."<sup>528</sup> During that summer, "King Caesar" Weston developed a plan for the maintenance of the fishery, at the inconvenience of several landowners, including himself. A July, 1803 warrant called the town's legal voters together "To see if the town will act upon the petition of Isaiah Alden and others Viz. To see if the town will accept of M<sup>r</sup> Ezra Westons proposals respecting the flowing & raising a pond Sufficent for Alewives to Spawn in, on his land at a place call'd the Herring-Ware brook; and to see if the town will build a Dam on Joshua Winslow's land over said Brook; or a Dam near Arnolds Bridge so call'd for the above purpose and determine in what way and manner said Dam Shall be built, and also the way and manner the s..<sup>d</sup> Weston, Arnold and Ichabod Weston Shall be

<sup>525</sup>Duxbury Town Meeting, July 30th, 1798.

<sup>526</sup>Duxbury Town Meeting, April 15th, 1799.

<sup>527</sup>Duxbury Town Meeting, March 3rd, 1800.

<sup>528</sup>Duxbury Town Meeting, March 7th, 1803.

indemnified for flowing their land, the town of Marshfield being at one half the expence & intituled to one half the benefit of said herring-Brook." By July 25th, a committee of three men had been chosen to oversee the project. By October, Duxbury was soliciting the protection of the General Court:"Voted that our Representative be instructed to petition the General Court to pass act to protect the alweive fishery at the Herring-Ware Stream so call'd."<sup>529</sup>

As in Pembroke in the previous century, Duxbury also promulgated quite specific regulations of the herring fishery during the early republican period. In 1807, for instance, the Town Meeting "Voted that said [Herring Brook] committee be authorized to take herring on monday in each week only, Also that they sell them to the Inhabitants at two shillings & six pence per hundred." It further "Voted no one family shall have more than two hundred herrings this year."<sup>530</sup> In March, 1809, it "Voted to Chuse thre oversears to the herring brook...." It further "Voted to cetch herrings three Days & three nites towit Monday Tuesday & Wednes Days and their herrings to be sold at thirty three 'Cents p<sup>r</sup> hundred."<sup>531</sup> By 1811, the Green Harbor River alewife population had probably rebounded, for it was necessary to choose an agent "for the North herren brook"; the fish sold at a quarter-dollar per hundred.<sup>532</sup> In 1812, a new officer was added to the town's rolls -- "Collers of Drey Fsh" -- and in 1813, "herrings" were "to be Sold at 25 Cents at both the brooks in Said Town of Duxbury[.]"<sup>533</sup> In 1815, Island Creek still required watching: "Chose Ezra Weston Joshua Brewster and Abner Samson a committee to take care of Island creek brook for the benefit of Herring."<sup>534</sup> Fully engaged in the upheaval of the market revolution in some factors of its life, Duxbury remained stubbornly traditional in others, as evidenced

<sup>529</sup>Warrant for Duxbury Town Meeting, July 13th, 1803; Duxbury Town Meeting, July 25th, 1803; Duxbury Town Meeting, Oct. 10th, 1803.

<sup>530</sup>Duxbury Town Meeting, March 2nd, 1807.

<sup>531</sup>Duxbury Town Meeting, March 13th, 1809.

<sup>532</sup>Duxbury Town Meeting, March 18th, 1811.

<sup>533</sup>Duxbury Town Meeting, March 23, 1812; March 8th, 1813.

<sup>534</sup>Duxbury Town Meeting, March 13, 1815.

by the presence of local elites, like Weston, engaged in the conservation and care of Island Creek's herring fishery, and other fluvial commons of the town.

In these decades, the care and regulation of Salthouse Beach, sometimes shortened to Salters' Beach, today's Duxbury Beach -- the long barrier beach of sand-dunes stretching from Brant Rock in the north to Gurnet Point and Saquish Head in the south, and protecting the shipyards in the bay -- grew to hitherto unknown levels of intensity. Overgrazing of cattle, likely brought on by general demographic pressures, led to dune-erosion and serious breaches in the beach by fierce North Atlantic storms. The responses were quite similar to that undertaken in the late 20th century in response to breaches made by the 'No-Name Storm' or 'Perfect Storm' of October, 1991.

Concern about erosion had occurred in previous decades, and those expressed during the early republican period began in a similar vein. "Chose the Hon<sup>o</sup> George Partridge For to Consult With M<sup>r</sup> Thomas at Kingston Concerning Duxborough Beach," the Town voted in 1785, "about Feeding of S<sup>d</sup> Beach. And Consult With the other owners at Kingston and at Plymouth Concerning duxbury Beach Being Feed ... and Make Report at July Meeting to the town of Duxbury."<sup>535</sup>

During the ensuing two decades, damage must have been severe, for the Town was called "To see if the town will take any method to prevent salters Beach from washing a way & what method &c." In addition, it was "also to see if the town will petition to the General Court to enact a law to prevent any one's Cattle from feeding said beach, as the Beach-grass is the best preservative by growing & stoping [ sic] the sand & raises the same."<sup>536</sup> A committee was evidently formed, for it is referenced a month later in a Town Meeting Warrant of March, 1809: "To see if the Town will accept of the report of their Committee respecting Salthouse-beach so called....."<sup>537</sup> The Town acceded to the committee's

<sup>535</sup>Duxbury Town Meeting, May 9th, 1785.

<sup>536</sup>Warrant for Duxbury Town Meeting, Feb. 19th 1806.

<sup>537</sup>Warrant for Duxbury Town Meeting, March 19th, 1806.

recommendations two weeks later -- a celerity suggesting the severity of the ecological and economic crisis threatened by the destruction of the beach. "Voted to accept of the report of their committee respecting hedging the gaps or breaches on Salters Beach with the addition of one other gap or breach near Cut Island [an island of saltmarsh peat in the northern end of Duxbury Bay, several hundred yards off the Great Marsh] so called which is as follows, Viz. .... That we ought to make a hedge, Beginning Point-point so called one hundred & seventy four rods in the Gaps the present year which extend from said point-point to the high Pines so called."<sup>538</sup> The appearance of two breaks -- one near Cut Island, and one near High Pines, a small forest of Atlantic white cedars about halfway down the beach -- must have particularly concerned the townspeople of Duxbury.

Nor would it be inexpensive. Indeed, "the cost to compleat the work aforesaid will amount to agreeable to our [ estimate ], which may be done under the care of a Suitable foreman by men at fourteen dollars per month which will amount to three hundred & fifteen Dollars & sixty cents."<sup>539</sup>

But the best solution seemed abundantly clear. "Also wee give it as ur opinion that the Cattle being kept off said Beach is the greatest preservative, as the Beach-grass Stops the sand & raises the beach at such a rate that we can produce to the town (if our veracity may be relied on [ ] ) that the Beach in some places is risen from one to seven Groths of said grass where sum grass's are broke through Six feet parpend[i]cular. \_ and that Sea-weed is stoped in the sand and groon over there in consequences of said grass's growing." And: "Also, it is our opinion that the said Town petition the General Court that will enact a Law to prevent any one's feeding said Beach, also that all the drift stuff, stones or ballast of any Kind shall not be taken off by any as it will be a large proportion of stuff to compleat the hedge aforesaid." The Town argued that those whose cattle-grazing rights were thereby extinguished should seek recompense from the state government: -"also, if the proprietors of said

<sup>538</sup>Duxbury Town Meeting, April 7th, 1806.

<sup>539</sup>Duxbury Town Meeting, April 7th, 1806.



Beach should demand any consideration on account of being debared of the harbage [herbage] of said Beach, that the commonwealth be responsible for the same, as said town is at a large expence in presenting said Beach &c."<sup>540</sup>

Precisely the same methods were used as when the effort was made in the 1990s to preserve the beach -- the use of conifers as dune anchors. In the case of the late 20th century, thousands of old Christmas trees were used *en masse* to fill gaps in the beach. In the early 1800s, it was pine trees connected with an even greater cultural lodestone for that day's Duxbury, the meetinghouse. "Voted that the Pine trees & brush growing on the Meeting house lot, may be appropriated for the use of hedging Salters Beach, at the discretion of s..<sup>d</sup> town's agent for that purpose."<sup>541</sup> The expence was a concern. "Voted to raise a committee of three to take a view of Salt-house beach so called, to see what a sum of money is necessary for its repairs: also to see on what conditions the proprietors of said beach will give up, or relinquish their right of improvement, by feeding, or turning Cattle on said beach for; and to report their doings at May meeting next."<sup>542</sup> By 1808, the committee had changed to an agent: "Voted to chuse an agent in behalf of s..<sup>d</sup> town for the purpose of carrying into effect the law's respecting Salters Beach."<sup>543</sup> A year-and-a-half later the Town was still zealous in its protection of these sandy commons. It "voted not to act on the Eight Clause in the warrant Respecting Excusing Elisha Foord from paying for his Cattle being taken up on Salters beach\_\_\_"<sup>544</sup>

In 1811, the beach agent was reinforced by five "beach Watchers."<sup>545</sup> The severity of the breaching crisis in the middle years of the decade past seems to have abated during the Teens. In 1814, the town met and "Chose Simson Saule beach Agent who is to sell drift stuff if he things proper"<sup>546</sup>; the

<sup>540</sup>Duxbury Town Meeting, April 7th, 1806.

<sup>541</sup>Duxbury Town Meeting, July 14th, 1806.

<sup>542</sup>Duxbury Town Meeting, April 6th, 1807.

<sup>543</sup>Duxbury Town Meeting, April 14th, 1808.

<sup>544</sup>Duxbury Town Meeting, August 21st, 1809.

<sup>545</sup>Duxbury Town Meeting, March 18th, 1811.

<sup>546</sup>Duxbury Town Meeting, March 21st, 1814.

fact that Saule was permitted to sell driftwood, rather than use it to shore up dangerously expanding breaches is a good indication of the renewed stability and physical integrity of the beach.

As with fluvial commons, the oceanic commons -- particularly the beach, the *sine qua non* of the bay's flowering shipbuilding district -- were strictly guarded by this coastal New England town.

Fencing, as in Wareham and Pembroke, was an issue of considerable public interest. The warrant for the annual town meeting in 1789, called for the consideration of a number of issues, among which were "To see if the Town will grant the petition of Isaiah Alden & to give him leave to fence across the Road that leads from South River to four mile Hill; he making good Gates or Bars." (This, I believe, refers to today's Franklin Street).<sup>547</sup> A little less than three weeks later, the Town Meeting gave its approval: "Voted that Isaiah Alden fence across the Road to the westward of South River\_".<sup>548</sup>

Eight years later, similar issues came before the Town. At the annual Town Meeting in March, 1797, the meeting voted on two separate but similar questions of fencing and roadways. "The Town voted not to act on the petition of Samuel Darling, which was to see if the Town would give him License to make two Gates across the Road from the Southworth School house to plymouth Road by East end of Dead Swamp." In addition, "The Town voted not to act on the petition of Elepar Prior, which was to see if the Town would give him Liberty to Shut up the Road leading to the westward of his fence and between him, & Nathaniel Delano, from the South East School House to plymouth Road \_\_\_". However, an adjournment and the passage of two weeks seemed to bring changes in the mind of the town, at least in Darling's case: "the Town voted to give Liberty to Samuel Darling to make the two gaits across the Road mentioned in his petition of the 20th of March last\_".<sup>549</sup>

<sup>547</sup>Duxbury Town Meeting Warrant, March 5th, 1789.

<sup>548</sup>Duxbury Town Meeting, March 23rd, 1789.

<sup>549</sup>Duxbury Town Meeting, March 20th, 1797; April 3rd, 1797.

Included in the question of fluvial commons was the regulation of bridges, in this case over the strongly tidal Bluefish River that, crucially, flowed through Duxbury's primary shipbuilding district on the bay's northwestern shore. This was the subject of active controversy and public consideration for several years, beginning with a Warrant issued in January, 1800, for a subsequent meeting "...to see if the Town will Act upon the petition of Ezra Weston and others: To see in what method the town will build the Bridges across Bluefish-river from the land of George Loring to the road near Winslow Thomas's and likewise the Bridge in the line between Ca<sup>t</sup> Sam<sup>l</sup> Delano and Ca<sup>t</sup> Seth Sprague the Creek & marsh on that road."<sup>550</sup> At a February 3rd town meeting, the Town agreed to Weston's petition, voting "to build a Bridge across the Creek in line between Ca.<sup>t</sup> Sam.<sup>l</sup> Delano and Ca<sup>t</sup> Seth Sprague 18 feet wide and a sufficient highth to be above high tides[.]" It further "Voted that [Captain Samuel] Delano be instructed to receive timber of any persons in town, suitable to build said Bridge, at thirteen shillings & two pence per Tun Measured under or within the Bark, which is to be deducted from his or their Highway Tax." It further declared "that the Bridge to be built across blue River be Built sollid from the bottom with flood-Gates 25 feet wide and flume Convenient for a Mill or Mills: the floodgate to be convenient for Vessels to pass up and down." It further appointed a committee to oversee the bridge's construction.<sup>551</sup>

However, the plan quickly fell through. The next month, in March, 1800, the Town "Voted to reconsider the vote of building a Bridge over Bluefish River, as recorded above." It further "Voted not to build a Bridge over the above said River."

The issue of a bridge over the Bluefish rose again about a year later. Duxbury was to decide on the petition of Joshua Winsor "To advise if it may be requisite to proceed to raise such a Sum or sums of money as may be thought necessary to build a Bridge across Bluefish-River so called, ordered by the

<sup>550</sup>Warrant for Duxbury Town Meeting, Jan. 18th, 1800.

<sup>551</sup>Duxbury Town Meeting, Feb. 3rd, 1800.

court of General Sessions of the peace holden at Plymouth on the 17th of August 1799."<sup>552</sup> Twenty days later, "Voted not to raise any money to build the abovesaid Bridge" and "to chuse one agent to appear in behalf of the town at the next Court to prevent its being fined &c."<sup>553</sup> After an adjournment of roughly three weeks, the meeting "Voted to reconsider all the votes passed as above except the first." It elected "to raise a Committee" of five men "to estimate the expence of a Bridge c[o]nstructed to fit a Mill on, and over the marsh a bove the highest tides, the other framed with posts over the river, and cosway'd over the marsh." Nevertheless, after yet another adjournment of two weeks, the Town Meeting again passed on the proposed bridging of the river: "Voted not to Build any Bridge over said River as contemplated above."<sup>554</sup>

Yet the issue of a transportation link in this increasingly active shipbuilding district would not go away, a fact that was made all too real for the town in the interference of extra-local authorities -- in this case, the judicial system of the Commonwealth. That this was at issue is demonstrated by a Town Meeting Warrant of the summer of 1801, calling a meeting "To see if the town will chuse an agent or agents to attend at the Court of General Sessions to be holden at Plymouth wednesday the twelfth day of August next being the second day of the Courts setting to answer or shew cause why the Bridge across Blewfish river so call'd is not compleated if any they have as the town is presented in consequence of the same, or to take any other method respecting the same that the town shall think proper."<sup>555</sup>

Two weeks later, the Town "Chose Major Judah Alden their agent to answer to the indictment at the Court of general Sessions of the peace to be holden at Plymouth for the County of Plymouth August term," and decided "that the whole of the business respecting the Bridge in the presentment be left discretionary with said agent." Nor was this to be Alden's only task assigned at this meeting. He

<sup>552</sup>Warrant for Duxbury Town Meeting, Feb. 3rd, 1801.

<sup>553</sup>Duxbury Town Meeting, Feb. 23rd, 1801.

<sup>554</sup>Duxbury Town Meeting, March 9th, 1801; March 23rd, 1801.

<sup>555</sup>Warrant for Duxbury Town Meeting, July 15th, 1801.

was instructed to "receive communications respecting the villany committed against the Rev.<sup>d</sup> M<sup>r</sup> Allyn and that he prosecute the same"; and, in a sign of the centrality of a settled minister of the Congregational Standing Order to this corner of Massachusetts during the early republic, the danger to the social order of such a crime as a burglary against a minister of the cloth was explicitly noted: "This town having been informed that the Dwelling house of the Rev<sup>d</sup> M<sup>r</sup> Allyn has been repeatedly broken open and sundry stolen & carried away & other outrages committed on said house which conduct is received by the town derogatory to their reputation & honour & dangerous to the peace & order of Society especially as it as been committed on the Dwelling of their Rev<sup>d</sup> Minister." It was "Therefore Voted that whoever will detect and bring to legal conviction and punishment the person or persons concerned in the above audacious villany shall receive the sincere thanks of the town and a Reward of five hundred Dollars in money."<sup>556</sup> An attack on the town's minister was an attack on the town itself.

A year and a half later, in January of 1803, the Town relented on the necessity of a bridge over the Bluefish. "Voted to build a Bridge a Cross bluefish-River So call'd calculated for a grist Mill and to build a mill there on[.]"<sup>557</sup> That a bridge seems to have been opposed at first, especially one for which notable advocates included established and powerful merchant Ezra "King Caesar" Weston, Jr., is a sign precisely that the townspeople of Duxbury were not champing at the bit to see their lands reshaped by the forces of market capitalism. The town's acquiescence to the building of the bridge desired by Weston was a sign of its changing order, and of things to come.

Still, the building of the bridge was a process ordered in clear and well-regulated detail by the democratic, such as it was, force of the town meeting. First, it "Voted to build a Bridge a Cross bluefish-River So call'd calculated for a grist Mill and to build a mill there on"; then "a Vote [was] call'd to see if the Town would build Said Bridge at the place where ordered by the Court of Sessions

<sup>556</sup>Duxbury Town Meeting, July 27th, 1801.

<sup>557</sup>Duxbury Town Meeting, January 17th, 1803.

which pass'd in the negative. \_ " Subsequently, "A Vote [was] call'd to see if they would build it a Cross from the town landing place to the land of George Loring which pass'd in the negative." In a sign of parliamentary maneuvering taking place, there was "A vote call'd to adjourn the Meeting which pass'd in the negative. \_" Finally, it was "Voted to Reconsider the vote of not building the Bridge a Cross the said River where it was laid out by the said Court."<sup>558</sup>

Subsequently, the meeting "Voted to chuse a committee of five to draw a plan of said Bridge constructed for a Grist-Mill and to estimate the expence of building said bridge and dam." The committee included Ezra Weston, Seth Sprague, Joshua Winsor, and two others -- members, for the most part, of the town's power-elite. This committee was instructed by a vote to procure "an engenius Mill wright to assist them in their calculations for a Grist-Mill and the best place where to Set it. and to report at the adjournment." The meeting adjourned to early February, and demonstrated the increasingly liberal tenor of the age, with a newly-found devotion to the execution of a contract. "Voted to contract with Joshua Winsor to build the said Bridge and Mill-dam he to build it, and finish it off every way according to the plan presented to the town by said committee and to allow him therefor the sum of fifteen hundred Dollars." And: "Voted to chuse a committee of three to oversee and inspect the work and to have it finish'd according to Contract."<sup>559</sup>

That fall, the Town met in its legislative body once more to adjudicate issues arising from the bridging of the Bluefish and the creation of the tidal grist-mill; in this case, disposing of the legal milling privileges. On October 10th, it "Voted to accept the arrangements and regulations for selling the Mill Priviledge at blue fish River bridge as reported to the town by the committee chosen for that purpose which is as follows Viz. \_\_\_\_ 1..<sup>st</sup> That the whole Right which this Town have to Set up Mills other Waterworks on the Bridge & Mill-Dam over bluefish River be sold publick Vendue (provided

<sup>558</sup>Duxbury Town Meeting, January 17th, 1803.

<sup>559</sup>Duxbury Town Meeting, Jan. 17th, 1803.

that any man Will advance upon the sum of Six hundred Dollars) on the Terms & Conditions following. \_ 2..<sup>nd</sup> That the Bridge & Dam shall not be injured by the Mill or Water-Works which may be set up so as to render passing the Bridge unsafe. \_ 3.<sup>d</sup> This Town shall not be answerable for any Damage of flowing of meadow or upland by raising the Water for the use of the Water-Works. \_ 4<sup>th</sup>, The Bridge shall be kept in repair by the Town excepting so far as it may be injured by the Mill-Works which injury shall be repaired by the Mill owners. \_ 5<sup>th</sup> That one third part of the purchase money shall be paid in six month's one third in Nine & one third in twelve months and Good Security given to the Town Treasurer for the same & the Deed shall be made out by the Selectmen in behalf of the Town."<sup>560</sup>

The bridge was finished on July 3rd, 1803 -- just in time for the next day's celebration of Independence Day, of which the newly completed bridge would form the centerpiece.

The bridge was in some measure decorated, and a temporary arch erected over it, on which was perched a broad spread eagle of wood, bore this motto -- from Jefferson's inaugural address -- 'Peace, Friendship, and Commerce with all Nations; entangling Alliances with none.' And on the reverse, 'Commerce, Agriculture, Fishery.' The two military companies of the town, under Captains Dingley and Alden, paraded, and after escorting a large party of ladies and gentlemen to the bridge, they formed in a line on each side, while the procession passed between, and then proceeding a short distance they turned , and recrossing the bridge marched to the hill on the southerly side of the River, where the projectors had prepared a bountiful entertainment. Mr. Sprague presided at the tables, and in the devoration of the sumptuous viands before them, many of the opposition [to the bridge -- ed. ] received a check to their feelings of animosity, (if they had any,)and amid the scenes of mirth and rejoicings, many were the thanks expressed for the final completion of that much opposed, yet ably vindicated scheme. The day was remarkably pleasant, and everything that transpired seemed to pass off in happiness, and it is still remembered by the aged yet amongst us, as one of peculiar gratification and enjoyment.<sup>561</sup>

While it was long resisted, the bridge project proved, just as local historian Katherine H. Pillsbury observed, that the merchants and shipbuilders of Duxbury were increasingly getting their way in town.

<sup>560</sup>Duxbury Town Meeting, October 10th, 1803.

<sup>561</sup>Winsor, *History of Duxbury*, 20.

There were other considerations, too, of the common spaces, lands, rights, and liberties of Duxbury. In the late spring of 1799, the town "Voted that the Representative of s.<sup>d</sup> town use his best influence in General Court to have the law respecting Sheep not running at large so far repealed, as that they may be Suffered to run at large in the common lands of the town of Duxbury at the discretion of the inhabitants of s.<sup>d</sup> town." Despite evident demographic pressures elsewhere in the Commonwealth, the citizens of Duxbury, even in its period of economic "take-off", still sought to maintain traditional grazing rights (subject to popular discretion) on the town's commons. There were other, more singular considerations, such as the Town Meeting's decision "to abate the Dog Tax for the last year."<sup>562</sup>

On the whole, the commons regime remained intact. Even if it was increasingly dominated by mercantile interests, its very existence constituted a field of contest between economic interests. Mercantile capitalist actors did not so much supplant the commons regime as attempt, albeit imperfectly and contingently, to shape it in their favor. For its part, the Town was able to exercise considerable control over the disposition of these resources.

### Ships and Seafaring

Shipping grew by leaps and bounds in early republican Duxbury, soon becoming the town's chief livelihood. Like Pembroke, it took advantage of its unique position at the confluence of a forested hinterland and protected estuarine waterways, to profit quickly from the new opportunities in shipping thrown up by the Franco-British conflict. "Most, if not nearly all of the inhabitants of the town, for the last half century, have been connected directly or indirectly, or at least dependent in some degree on the

<sup>562</sup>Duxbury Town Meeting, June 17th, 1799; May 27th, 1799.



sea for support," wrote Justin Winsor in the mid-19th century (notably failing to extend the description before the period from about 1800).<sup>563</sup>

As in Pembroke, the town's gross tonnage of shipping greatly increased. In 1781, the total tonnage of vessels in Duxbury was 119; by 1784, it had increased to 533. In 1793, Alden Bradford described a fleet of 19 or 20 vessels, mostly between 60 and 90 tons. He estimated that a full third of the town's workforce was engaged in navigation at this time, mainly in the fishery. These numbers continued to grow during the first decades of the 19th century.<sup>564</sup> The population increased fifty percent between the 1810 and 1820 census, says Pillsbury, and the census data more or less bear her out: 2,201 inhabitants in 1810, 2,885, in 1820.<sup>565</sup> This produced a marked difference in the town's social order. States Pillsbury: "With the new prosperity, the town changed. There was a greater division between the wealthy and the poor, and classes became stratified. Merchants and master mariners were a class above the captains of smaller vessels, while sailors and their families were relegated to the bottom of the social ladder. The First Parish Church became the fashionable place to worship, with most of the master mariners and merchants owning pews there."<sup>566</sup>

No local family better demonstrates the power of this new elite than the Westons. Father and son, Ezra, Sr., and Ezra, Jr., they dominated the commercial, and heavily influenced the political, life of the town during these decades. The Westons, who lived on the Powder Point peninsula near the mouth of the Bluefish River, were well-situated for shipbuilding, and it was through this activity and the sending of fishing schooners to the Grand Banks that the Westons gained most of their economic power. Their activities were impressively vertically integrated; they owned woodlots -- half the town was still covered in forests in 1793, according to Alden Bradford -- and vegetable farms, fish flakeries,

<sup>563</sup>Winsor, *History of Duxbury*, 350.

<sup>564</sup>Katherine H. Pillsbury, in "Sea and Shore," in *The Duxbury Book*, 50.

<sup>565</sup> Pillsbury, "Sea and Shore"; Duxbury sections of 1810 and 1820 United States Censuses.

<sup>566</sup>Pillsbury, "Sea and Shore," in *The Duxbury Book*, 51. For Alden Bradford's observation, see Alden Bradford, "Topographical Description," 1793, Mass. Historical Society Collections.

a ropewalk, a smithy, employed a carpenter, and maintained a number of other necessary pieces of shipbuilding infrastructure. In total, about 100 men labored for the Westons. At nearly the same time as the wooden box factory was being constructed in East Pembroke, Weston turned to textile manufacturing. "Faced by the shortage of sailcloth during the War of 1812, he started his own factory, the Duxbury Woolen and Cotton Manufacturing Company at Millbrook," Pillsbury writes. "With this factory, he expanded his interests from shipbuilding and shipping to wholesale and retail enterprises, and manufacturing."<sup>567</sup>

It was in this environment that Duxbury's young men in the first half of the 19th century found themselves increasingly, almost overwhelmingly, drawn towards the sea. Captain John Bradford remarked that "in Duxbury, in my day [the mid 19th-century], the most natural step for a boy to take was from the ropewalk, or the wharf to the deck -- or the mast-head -- of a vessel...."<sup>568</sup> In his own case, Bradford attributed much of his inclination towards a seafaring life to his childhood among the marshes of Duxbury.

The location of their schoolhouse and of other buildings near by on piles over marshy land, where at every high tide the salt water flowed, was perhaps owing to a peculiarity of Duxbury public roads, at least in the eastern part, where they were often run as near as possible to the water, and so near in many places as to be overflowed by a tide more than ordinarily high.

The salt water frequently flooded the road in front of the house where I was born, and came up into the front yard; therefore it is not strange that I took to the water like a young duck.<sup>569</sup>

It was not only Duxbury's young men that felt the pull of labor at sea. That there was considerable migration -- a kind of transhumance, to put it in Fernand Braudel's term -- from the

<sup>567</sup> Katherine H. Pillsbury, "The Westons," in *The Duxbury Book*, 60-65.

<sup>568</sup> Capt. John Bradford quoted in Laurence Bradford, *Historic Duxbury*, 81. On the world of New England sailing, see Daniel Vickers, Vince Walsh, *Young Men and the Sea: Yankee Seafarers in the Age of Sail*. (New Haven: Yale University Press, 2005).

<sup>569</sup> Capt. John Bradford quoted in Laurence Bradford, *Historic Duxbury*, 75-6.

interior towns of southeastern Massachusetts to the burgeoning seafaring centers on the coast is illustrated by a vignette of Dr. John Wadsworth, a singularly voluble fixture of late 18th century Duxbury. Recounts Winsor:

On one of the roads leading from the inland towns, was situated the house of Dr. John Wadsworth, who was noted as rather an eccentric individual, and concerning whom some anecdotes of an amusing nature are still current. By his door frequently passed the adventuresome sons of farmers of the interior, eager to ship themselves on board some of the comparatively many fishing vessels, which were then often leaving Duxbury at the proper season. At one time a party of these going by, asked the Doctor the distance to "the village," [today's Snug Harbor- ed.], and other questions concerning the prospects before them, who met them with the reply, "Ah, you are going there; are you? That place is *Sodom*. I tell you it is a going to be sunk; it *is!* Well now do you want me to make you a rhyme? Well then –

The Swampineers avoid all fears,  
A fishing they will go,  
If they 'scape h---, it will be well,  
But that they they will n't, I know."

And with this most solemn warning he dismissed them.<sup>570</sup>

With the growth of its shipbuilding complex, Duxbury became involved with larger, Atlantic currents. One of these was the slave trade.

Unlike Newport, Rhode Island, sixty miles to its southwest, Duxbury was not in and of itself a major slave port. Yet the omnipresence of slavery in the 18th and early 19th century Atlantic economy, and the involvement of Duxbury in it, are demonstrated by a remarkable missive left by a young Duxbury sailor in the 1780s, Gamaliel Bradford. Though written before the shipping boom of the 1790s and 1800s, it illustrates the world into which the boom thrust the heretofore comparatively sheltered town. In a series of real-life incidents preceding by more than a decade the more famous one

<sup>570</sup>Winsor, *History of Duxbury*, 12, in the note at the bottom of the page.

involving his townsman Amasa Delano -- made famous by Herman Melville in his short story, *Benito Cereno* -- Bradford came face to face with the traffic in human beings.

Captain Gamaliel Bradford's career provides a snapshot of Duxbury's post-revolutionary seafaring generation. Born in Duxbury in November, 1763, he was educated by George Partridge and involved, with his father, Col. Gamaliel Bradford, in the war efforts of the Patriot cause. He resolved to go to sea after the war, first voyaging to France in 1784, and picking up a mastery of French, as well as a working knowledge of Latin, Spanish, and Italian. He climbed Mt. Vesuvius in Campania, and witnessed Napoleon's entry into Venice -- "his letters to his friends at this period evince his literary attainments," remarks Winsor, and indeed, Bradford's prose is easy and eloquent, a pleasure for the reader. During the Quasi-War with France, he was offered the command of a frigate sailing from Boston by President John Adams, an offer which he did not accept. The next year, in 1799, commanding a ship of 400 tons, he and its crew fought off four French privateers; and in 1800, off Spain, he was wounded in the leg in an encounter with "two large French armed vessels"; the wound required amputation. His injury made continued seafaring difficult, and he spent the majority of the rest of his days on land, eventually being appointed warden of the state prison. Bradford died in March, 1824, at the age of 61.<sup>571</sup>

Written early in his career, Bradford's letter of 1787 details his departure from Duxbury for better opportunities in Boston and points beyond. "After spending a very agreeable winter with my friends, I left home with the intention of seeking my fortune in another voyage at Sea\_ I had a letter of introduction [from] Esqr. P\_\_\_\_. [ likely George Partridge ] to M.<sup>r</sup> Russell at Boston \_ with whom, and a Mr. Moore who were fitting out a couple of vessels for the Cape of Good Hope - he had a few days before had some conversation...."<sup>572</sup> When introduced by Mr. Russell to Mr. Moore, the latter informed

<sup>571</sup>Winsor, *History of Duxbury*, 149-50.

<sup>572</sup>Gamaliel Bradford Diary, in Drew Archives, Duxbury, MA. Accessed online at <http://drewarchives.org/finding-aids/unprocessed-collections/bradford-family-collection/the-journal-of-gamaliel-bradford/>

Bradford that there was a mate's berth still available on one of the two vessels, and that if he could make it to Newbury, in Essex County, where they were fitting out, it would be his. "Accordingly after spending a few agreeable days in Boston, I put myself and *duds* on board a sloop and came round to Newbury -- here I found the vessels (two Briggs) almost ready to sail...." Bradford found that he knew one of the other officers from a previous voyage, and soon settled in, welcomed on board one of the vessels as a second mate. Bradford declared the master of his vessel "a pretty man, and an exceeding fine fellow."<sup>573</sup>

"On Fryday the 6th of April we were ready to sail," wrote Bradford, "and the wind proving favourable, we loosed our Fore topsail, hoisted our colors, and about one oClock M. cast off from the wharf, and drafd [drifted] down the river - the other Brigg, called the Nathaniel, Captain Brown, Master, on board of which was M.<sup>r</sup> Moore, was in company -- about two oClock we got over the bar, and with a fine breeze, West South West, stood out to Sea\_"<sup>574</sup>

They proceeded eastward into the Atlantic, though not without encountering some weather. "The 7.<sup>th</sup> and 8.<sup>th</sup> we had pleasant weather but the ninth the wind began to freshen and before the morning of the tenth it was a pretty severe gale -- however as the wind came from the right quarter, we spun away before it and were happy to think we were making so rapid a progress in our voyage \_\_\_\_ This gale continued several days notwithstanding which, by the help of lights in the night, and some time, firing a gun - we still kept company with Captain Brown--" Nor were the storms over. "After the gale abated we had but one or two days pleasant before another storm arose but this still hastened us on our voyage as the wind was from the Western quarter the whole time[.]"<sup>575</sup>

By now they had reached the Horse Latitudes, 30 degrees North and 37 degrees East, and "began to have very fine weather but a headwind...." The subtropical high had bedeviled Atlantic

<sup>573</sup>Bradford, 2.

<sup>574</sup>Bradford, 2.

<sup>575</sup>Bradford, 3.

sailors for centuries, and Bradford was no different: "We had now a constant course of head winds untill the 10<sup>th</sup> of May - during which time however, the weather was very pleasant[.]"<sup>576</sup> In addition, the brigs needed to stop somewhere for water. "As we had not a sufficiency of water for so long a passag[e] as we might reasonably expect, it was our intentions to steer to the Eastward untill we Should be in the longitude of the Cape de Verd - Islands, and then touch at S.<sup>t</sup> Iago<sup>s</sup> to supply ourselves with this necessary article \_\_\_"<sup>577</sup>

Now they began to experience navigational difficulties: "As we had frequently experienced a considerable difference, between our latitude by account and that found by our Observation, we judged that we had crosed different currents which might have put us out of our reckoning, and of course prevent us from hitting the Islands, were we to steere the course which we supposed they bore from us - Therefore to go on a sure plan and to correct our reckoning in case it should be wrong we concluded to steer to the South and East untill we saw the coast of Africa, when we might then shape a course and bare down for S<sup>t</sup> Iago with out any diffidence of finding it--"<sup>578</sup>

They sighted Africa on the 15th of May. Finding themselves near the mouth of the Senegal River, they wondered if, rather than continuing three hundred miles westward to the Cape Verde Islands, they could not water in the French-controlled settlement nearby which Bradford refers to as Senegal, but which is known today, as well as then, to the French-speaking world, as St. Louis (du Senegal). "We now hauled our wind again and stood along the coast, which appeared to be nothing but sand - with a few shrubs of bushes scatter[ed] up and down the beach...." The heat off the semi-arid Sahel astonished the New England-raised Bradford. "The weather was now very warm we being as far Southward as 17 [degrees] North Lattitude and the wind which came off the Shore in flows, after

<sup>576</sup>Bradford, 3. On the subtropical high, see "Subtropical high" in *Encyclopedia Britannica*, online at <http://www.britannica.com/science/subtropical-high>; accessed: 7/7/2015, 5:58 AM.

<sup>577</sup>Bradford, 3.

<sup>578</sup>Bradford, 3-4.

passing over the burning Sands, had collected the heat to such a degree, that it was like the air from the floo of a hot oven...." The crew spied new (to them) animals: "We could see numbers of Camels on the shore, but none of the human Specie -- there was plenty of Sharks arround us and we caught one very large Turtle...."

They cruised that day, the 15th, and dropped anchor near "the Town of Senegal" on the afternoon of the 16th.<sup>579</sup> "[H]ere we lay till the morning of the 17<sup>th</sup>, when no signs of any person coming from the Shoar induced us to believe we were not in the proper road and there being no cove or opening that we could perceive into which we might go with a boat, so that if we attempted to land it must be on a beach, which lay open to the whole ocean and on which broke a surf that threatened destruction to whoever approached it, We there fore very naturally concluded there must be some other anchoring place...."<sup>580</sup> They "proceeded along the coast about three leagues and again came to off the mouth of the river, where was lying a large French Ship and Brigg -- trading for Slaves...."<sup>581</sup>

This is Bradford's first mention of slaves, the misery of whom will form a major theme of his letter. The two brigs were approached by two boats, one of which held the harbor's pilot. The Yankee vessels, however, judged that as they did not intend to stay long, they would not require the pilot's services. Moreover, it was a dangerous passage: "Should we have gone in, there was a dangerous bar to pass, which made the risk, to[o] great to hassard when we could as well avoid it by riding without ."<sup>582</sup>

Mr. Moore, the leader of the endeavor, sent two of the officers ahead to St. Louis; meanwhile, he himself prepared to go, and asked Bradford to join him. "M.<sup>r</sup> Moore called on board our vessell, on his way up to Town, and desired me to accompany him; accordingly I dressed, and we first rowed on board the French Ship, where was a boat in which we were to embark for Senegal...." They found

<sup>579</sup>Bradford, 4.

<sup>580</sup>Bradford, 4-5.

<sup>581</sup>Bradford, 5.

<sup>582</sup>Bradford, 5.

themselves thrust face to face with the brutality of Atlantic slavery. "We were now to behold a scene new to us both ... the Ship had on board three hundred of those miserable wretches, who form the chief branch of trade carried on, at this coast...." Bradford continued: "It has ever been painful to me to behold a fellow mortal in chains, even when they had been riveted by the hands of justice, for crimes committed; or thrown on by the fortune of war for a season \_\_\_ But here the sight was doubly Shocking \_ Those we now saw before us were poor innocent creatures, who had been snatched from their peaceful habitations, by the rapacious hands of their fellow men, brot to market and sold like beasts to the highest bidder; now loaded with chains, they are thrown into this floating prison, in which, terrified with the thoughts of they know not what, they are to be transported from their, country, parents, and friends, to a distant region, where hunger, grief, inhuman usage, with the most incessant toil, must hang upon their latter days, and close their scene of ills...."<sup>583</sup> Humanitarianism, whether of an Enlightenment or Christian variety, produced these moving words from Bradford. He was particularly affected by the spectacle of an enslaved mother and her children. "The women and children were disposed of upon the quarter decks, where you might see the smiling infant, playing upon the breast of its anxious mother, who, with looks, the most expressive of grief, dropt the tear of tenderness upon her babe. Pitiabie wretch thou Shall soon, perhaps, be deprived of this thy fond, care \_ My heart bleeds for thee now, how then could I behold thee arrived at the place of thy distination, thy child plucked struggling from thy bosom...."<sup>584</sup>

On arrival in St. Louis, Bradford and Moore "were conducted before the Commandant of the garrison and our business, and the reason of our coming to this place inquired into...."<sup>585</sup> Replying that "we were on a voyage to the Cape of Good Hope, and that falling in upon this Coast we had touched here with an intention to water...." While the Commandant appeared to suspect the pair of smuggling,

<sup>583</sup>Bradford, 6.

<sup>584</sup>Bradford, 6.

<sup>585</sup>Bradford, 7.



the Governor himself, travelling north from Goree Island, would arrive tomorrow; he would decide on the Americans' request. The commandant "gave us the liberty of the town for the night..." "We were then dismissed and a Servant Conducted us to the house of a M:<sup>r</sup> Paul, a gentleman who came from on board the French Ship with us, and who knowing we were perfect Strangers in this place, had given us a very polite invitation to take lodgings with him\_"<sup>586</sup>

Mr. Paul was wealthy, probably some manner of slave factor. "M:<sup>r</sup> Paul is a Gentleman who has resided in this country Seventeen years in the course of which time he has accumulated a handsome fortune, being but a meer adventurer when he left Europe and now he is surrounded by a numerous retinue of blacks his own property and lives in elegance...."<sup>587</sup> Mixed with his earlier disgust at the condition and sympathy for the situation of the slaves, Bradford's tone here becomes one of admiration for the tempting worldly munificence provided by the slave trade.

At an audience Moore received from the Governor the next day came an unforeseen windfall -- the Governor was willing to buy their flour, and indeed, all the cargo they had brought from New England. Mr. Moore, Bradford wrote, "surprised me with the account of his having sold both our Cargo's, that we were to discharge here and return immediately to Boston \_\_ The Garrison here it seems were in Straits for flour, and as we had a considerable quantity of this article on board each of our vessels; the Governor made a purchase of the whole of our cargo's which consisted of provisions of various kinds, mostly for the sake of the flour; M:<sup>r</sup> Moore refusing to dispose of that upon any other conditions...."<sup>588</sup>

The next few days saw Bradford guarding the cargo as it made its way towards St. Louis. "The next day, Monday the 21,<sup>st</sup> boats came down from Senegal to receive our goods -- when these boats were loaded it was necessary for an officer to go with them, as the articles were all to be landed upon

<sup>586</sup>Bradford, 7.

<sup>587</sup>Bradford, 7.

<sup>588</sup>Bradford, 7-8.

the beach just within the mouth of the river, in order to be again shipped on board another larger Craft, which had not yet come down; I was therefore dispatched to guard them until they should be put on board her\_\_" On shore, Bradford took the opportunity to examine the novel fauna all around him. "'I diverted myself in roving about and picking up curious Shells, and observing the movements of a great number of Pelicans, a very large white bird, which stretched themselves up to the height of a man, and were stalking 'about on different parts of the beach; there were also some camels which attracted some of my attention as they were a quadruped I had not frequently seen before...."<sup>589</sup>

Night began to fall. "In this situation it began to be -dark, and no vessel appearing to take on board what goods had been landed and put under my care, I found I should be obliged to remain with them on the beach until morning; and therefore began to make my arrangements for passing the night; soon however there came a person, the pilot of the harbour, who was employed, by the Governor, to receive, and take account of the cargo as it was delivered; he told me he was going to take loggings with me, upon the sand; he bro't with him half a dozen negroes, and they soon built us a tent with, their boats sails, under which I slept comfortably till morning, -- we did not however sleep before we had taken some refreshments -- I had some bread and cheese, and My partner bro't with him a jug of Palm wine, (I believe the only liquor produced in this country) upon which we made a noble repast."<sup>590</sup>

The next day Bradford spent in the process of getting the cargo aboard the ship sent from St. Louis. He was forced to spend the night again on the land: "and when night came we again pitched our tent on Shore...." The major nuisance were the land crabs: "There was no mosquito's or other insect to vex us, but we were sometimes disturbed by the land crabs, which would be marching in some haste over our carcasses, in different directions; upon the whole, we used to sleep pretty comfortably...."<sup>591</sup>

<sup>589</sup>Bradford, 8.

<sup>590</sup>Bradford, 9.

<sup>591</sup>Bradford, 9.

Bradford made his way back to his brig, at which time the two ships would split up; one, with Moore, would take the Governor back to Goree'; the other, onboard which was Bradford, would go to Cape Verde and take on a load of salt, and wait there for Moore. Then the two ships would return together to Boston. Meanwhile, both lay waiting outside the mouth of the Senegal, waiting for a first mate to return from St. Louis. In this interval, Bradford took the opportunity to describe the geography of Senegal. In this clearly, even elegantly written description, with its spirit of wide-ranging curiosity and broadly humanitarian sympathies, one finds a production of the intellectual environment that gave birth to it, what historian David Jaffee has labeled New England's "Village Enlightenment."<sup>592</sup>

Bradford's account is far from perfect in its accuracy, a fault he readily admits. He, for instance, conflates or confuses the Niger and Senegal Rivers. Yet his vernacular ethnography of the slave trade in the late 18th century Senegambia is sharply drawn .

[T]he Slaves are always bro't and sold at Senegal -- These poor creatures are generally, if not all together brought to market, by the moors or rather they are what are called flying Arabs, a fugitive race who have no settled place of abode, but who, move a bout from one part of the Country to another, driving their flocks and herds with them; when they meet with a fertile spot which will afford food for their stock they immediately pitch upon it where they remain no longer than this object of their first attention invites them; Of this vagrant set there are great numbers in the Moor's dominions. \_ and these are they who lurk in small parties, round a negro village, watch their opportunity and when they spy an unhappy person, at a little distance from hutt or friends, they mark him as their prey siese upon him, and immediately hurry him away, a wretched captive, to the house of bondage\_ In this their horrid practice they spare not age or sex....<sup>593</sup>

He himself had met some of these nomadic slavers, during his sojourn upriver in St. Louis.

"I had an opportunity of seeing some of those hardened villains while I was at M.<sup>r</sup> Pauls, for they Came, to him two several times with Captives, in the course of the two days I was at his house; One gange of them bro't a yong girl from appearance about fourteen or fifteen years of age\_ whom I learnt from that Gentleman, who spoke their language, they had kidnaped as she was a little distance from her fathers + after water \_\_ They introduced her as in their custom, naked as she came from the womb, to be examined as to health and soundness of body\_\_ "<sup>594</sup>

<sup>592</sup>Bradford, 10. On the Village Enlightenment in New England, see David Jaffee, "The Village Enlightenment in New England, 1760-1820." *The William and Mary Quarterly*, Vol. 47, No. 3 (Jul., 1990), pp. 327-346.

<sup>593</sup>Bradford, 11-12.

<sup>594</sup>Bradford, 12.

The sense from this ingenuous New Englander at the scene is not one of titillation -- though there may be some suppressed prurience in the observation -- but, especially taken with his next comments, one of genuine sadness and pity, mixed with righteous condemnation. "I also saw a nother gang of them when I was the last time at the Town, at a M<sup>r</sup> S<sup>t</sup> John's - they had with them eight of those unfortunate creatures consisting of yong men and small boys & girls\_"<sup>595</sup>

The rest of his description of Senegal is devoted to vernacular ethnography and observations related to what Bradford's age called "natural history." He discusses ostrich at some length, but these musings are quite literally afterthoughts. The main emotional weight of his letter comes from his encounter with the Atlantic Slave Trade at St. Louis du Senegal.

Yet for all of the changes wrought by the shipping boom and the growth of market forces in the life of the town, even the shipbuilding world would seem one of *gemeinschaft* rather than *gesellschaft* to those remembering it from the perspective of the later decades of the 19th century. Capt. John Bradford, a retired sea captain, native son, and local historian, wrote in the 1890s that the shipbuilding community had been an organic and intimate one.

As I look back now to those early days at home, I am impressed by the fact, usually evident in quiet country places, that these hard-working shipbuilders and mechanics, in their community of labor and of interests, were almost like one large family. The men who worked side by side in the yards lived in the same neighborhood, met again at "the store" after tea, and with their families walked together across the pastures to the church on Sundays. Their children sat side by side on the benches of the district school, and later bound the families yet more closely together by marriage.<sup>596</sup>

Organic community, then, persisted in the age of capitalist transformation in the New England countryside.

<sup>595</sup>Bradford, 12.

<sup>596</sup>John Bradford's 1895 article in *The Old Colony Memorial*, reproduced in Laurence Bradford, *Historic Duxbury in Plymouth County*, 81-2.

Electoral Politics

*Chart 1. Gubernatorial Elections in Duxbury, 1787-1815.*

| <b>Year</b> | <b>Winner in Duxbury</b> | <b>Vote Tally</b> | <b>Loser(s) in Duxbury</b>                       | <b>Winner of Mass.</b> | <b>Notes</b>                                                                                                          |
|-------------|--------------------------|-------------------|--------------------------------------------------|------------------------|-----------------------------------------------------------------------------------------------------------------------|
| 1787        | John Hancock             | 50 to 14 to 1     | James Bowdoin, Benjamin Lincoln                  | John Hancock           |                                                                                                                       |
| 1788        | John Hancock             | 36 to 3           | James Bowdoin (Elbridge Gerry received no votes) | John Hancock           | Elbridge Gerry was the runner-up statewide, not James Bowdoin.                                                        |
| 1789        | John Hancock             | 27 to 8 to 1      | James Bowdoin, Benjamin Lincoln                  | John Hancock           |                                                                                                                       |
| 1790        | John Hancock             | 32 - 9            | James Bowdoin                                    | John Hancock           |                                                                                                                       |
| 1791        | John Hancock             | 25 - 1            | Francis Dana                                     | John Hancock           |                                                                                                                       |
| 1792        | John Hancock             | 19-13             | Francis Dana                                     | John Hancock           | Relatively early closely contested election; Francis Dana only received 826 votes to John Hancock's 14,628 statewide. |
| 1793        | John Hancock             | 17-7              | Elbridge Gerry                                   | John Hancock           |                                                                                                                       |
| 1794        | William Cushing          | 47-6              | Samuel Adams                                     | Samuel Adams           | Scituate's native son                                                                                                 |

|      |                              |         |                                    |                     |                                                             |
|------|------------------------------|---------|------------------------------------|---------------------|-------------------------------------------------------------|
|      |                              |         |                                    |                     | Cushing does well in southeastern Mass. and the Berkshires. |
| 1795 | Samuel Adams                 | 25-0    | NA                                 | Samuel Adams        | Unanimous swing to Adams.                                   |
| 1796 | Increase Sumner (Federalist) | 23-11   | Samuel Adams (Republican)          | Samuel Adams (R)    | Federalist victory in Duxbury, loss in Mass.                |
| 1797 | Increase Sumner (F)          | 21-6-15 | James Sullivan (R), Moses Gill (R) | Increase Sumner (F) |                                                             |
| 1798 | Increase Sumner (F)          | 31-27   | James Sullivan (R)                 | Increase Sumner     | Most closely contested election up to this point.           |
| 1799 | Increase Sumner (F)          | 78-41-1 | William Heath (R), Moses Gill      | Increase Sumner (F) |                                                             |
| 1800 | Elbridge Gerry (R)           | 64-41   | Caleb Strong (F)                   | Caleb Strong (F)    | Moses Gill as third (Federalist) candidate                  |
| 1801 | Caleb Strong (F)             | 59-29   | Elbridge Gerry (R)                 | Caleb Strong (F)    |                                                             |
| 1802 | Elbridge Gerry (R)           | 101-67  | Caleb Strong (F)                   | Caleb Strong        |                                                             |
| 1803 | Caleb Strong (F)             | 73-56   | Elbridge Gerry (R)                 | Caleb Strong (F)    |                                                             |
| 1804 | James Sullivan (R)           | 79-70   | Caleb Strong (F)                   | Caleb Strong (F)    | Narrow Republican victory in Duxbury.                       |
| 1805 | James Sullivan (R)           | 112-75  | Caleb Strong (F)                   | Caleb Strong (F)    |                                                             |
| 1806 | James Sullivan               | 124-64  | Caleb Strong                       | Caleb Strong        | Republicans                                                 |

|      |                      |           |                                         |                      |                                                                                                |
|------|----------------------|-----------|-----------------------------------------|----------------------|------------------------------------------------------------------------------------------------|
|      | (R)                  |           | (F)                                     | (F)                  | do well in peripheral and semi-peripheral counties.                                            |
| 1807 | James Sullivan (R)   | 117-106   | Caleb Strong (F)                        | James Sullivan       | Close election in increasingly Republican-dominated Duxbury.                                   |
| 1808 | Christopher Gore (F) | 151-121-1 | James Sullivan (R),<br>Levi Lincoln (R) | James Sullivan (R)   | Swing to Federalists in otherwise Republican Duxbury after passage of devastating Embargo Act. |
| 1809 | Christopher Gore (F) | 171-95    | Levi Lincoln (R)                        | Christopher Gore (F) |                                                                                                |
| 1810 | Christopher Gore (F) | 141-112   | Elbridge Gerry (R)                      | Elbridge Gerry (R)   | Duxbury becomes more Federalist post-Embargo.                                                  |
| 1811 | Christopher Gore (F) | 134-91    | Elbridge Gerry (R)                      | Elbridge Gerry (R)   |                                                                                                |
| 1812 | Caleb Strong (F)     | 212-99    | Elbridge Gerry (R)                      | Caleb Strong (F)     |                                                                                                |
| 1813 | Caleb Strong (F)     | 250-48    | Joseph B. Varnum (R)                    | Caleb Strong (R)     |                                                                                                |
| 1814 | Caleb Strong (F)     | 237-54    | Samuel Dexter (R)                       | Caleb Strong (F)     | Year of the Hartford Convention.                                                               |
| 1815 | Caleb Strong (F)     | 162-49    | Samuel Dexter (R)                       | Caleb Strong (F)     | Duxbury well-established in its Federalism.                                                    |

## Embargo and War

With the growth of its shipbuilding, Duxbury became increasingly enmeshed in larger, Atlantic-scale concerns. As the 1800s wore on, the world-struggle between Great Britain and Napoleonic France ensnared even this small coastal community. The Embargo Act, enacted by the Republican Congress, but truly as a policy authored by Jefferson, by suspending American commerce with essentially the entire world, caused immiseration and panic in the town not seen since the days of the Revolution. A petition of the town to President Jefferson serves as stark evidence of its collective sentiments during the period leading up to the War of 1812. Both new and traditional elements were present; the recent transformation of Duxbury's economy by the maritime boom of the 1790s and 1800s, on the one hand, alongside traditional concerns with the preservation of economic and political independence, on the other.

The petition is a remarkable document, a crystallization of the thinking of even one of the smaller New England coastal communities during the Embargo. These were people Jefferson shouldn't be losing, essentially yeomen of the sea, not some Gloucester or Marblehead merchant who would never vote Republican anyway. It begins in a serious, sober, and formal fashion.

"To the President of the United States of America. \_

The Inhabitants of the Town of Duxbury in the Commonwealth of Massachusetts, in legal Town meeting Assembled, beg leave respectfully to represent" a series of complaints against the Embargo Act.<sup>597</sup>

<sup>597</sup>Petition, "To the President of the United States of America.", Town of Duxbury, Sept. 5th, 1808. Recorded in the Duxbury Town Book, by S. Samson, Town Clerk, Feb. 28th, 1809.



Reflecting the changes of the last several decades, the petition forthrightly declared "That your Petitioners have hitherto depended on Commerce, Navigation & the Fisheries, & the numerous arts subservient thereto for a subsistence; that the soil of this Township is sterile, & insufficient for the production of necessaries competent for the support of the people who inhabit it; --- & that if they be much longer prohibited from following their customary avocations on the Ocean, a large proportion of them must migrate or starve."<sup>598</sup>

Fishermen, trapped between debts and the inability to sell their fish imposed by the Embargo, constituted a particularly vulnerable class of citizens in this period of transition to a market economy. "The Fishermen of this Town," Duxbury pleaded, who "with the greatest exertions, & under the most prosperous aspect of our affairs, could but barely support their families, are now indebted for the stores & supplies, which they procured, previous to the voyages they made in the year 1807: \_ their fish yet remains unsold, & for eighteen months past, they have had no visible means to pay their debts, or procure sustenance for themselves & their households. \_ " The fish were at risk of spoiling. "There is in this place a large quantity of fish, which the owners diligently labour among, anxiously watch over, & by unwearied exertion endeavor to preserve; - but they are beginning to perish, & must be totally lost, unless liberty be given to sport them before the return of another season. \_<sup>599</sup>

The petitioners adverted to their traditional ways of being, and their inability to change in as instantaneous a manner as required by the modern capitalist: "The Inhabitants of this Section of the Union cannot so divest themselves of the habits & modes of living to which they have been accustomed, as, at an advanced period of life, to acquire a knowledge in the various branches of Manufacture...." They lacked, moreover, "skillfull men to instruct them, were they capable of being taught." Nor had they "Money to purchase raw materials & erect suitable buildings & apparatus, as

<sup>598</sup>Petition, "To the President of the United States of America."

<sup>599</sup> Ibid.

means of procuring many of the articles absolutely necessary in founding and carrying on such establishments." Above all, and central to these seafaring peoples' conception of political and economic liberty, manufacturing would reduce them to the status of slaves, the great fear of Atlantic republicanism. "And even tho' these evils should be overcome, they still lament, that their sons & their daughters must be reduced to the same slavish laborious & unhealthy employment, &, in all human prob[ab]ility, to the same want, misery, & distress, that bow down & oppress the wretched Manufacturers of the old Continent." The very character of the fishermen, sailors, and farmers of Duxbury as freeborn Americans was at stake (as it had been for their forbears four decades previous). In a local twist on Jeffersonian values, it was the ploughers of waves, too, who were enumerated under the category "the chosen people of God."<sup>600</sup>

No doubt, the petitioners allowed, Congress had enacted the Embargo out of commendable intentions. "Altho' the Legislators of the Union, when they prohibited their constituents from pursuing their customary, & laudable employment on the Ocean, might have been actuated by principals of Patriotism, & influenced by a desire of promoting the happiness, welfare, & dignity of their Country," they wrote, "yet the event has shown, that a permanent Embargo in the United States, while it is scarcely felt or noticed in Europe, operates to the injury & ruin of ourselves."<sup>601</sup>

In fact, the petitioners darkly warned, the Embargo threatened true civil disorder, perhaps even war, requiring an occupying army and a suspension of constitutional rights. "Your petitioners [have] reason to fear that should the Embargo laws continue, as great an armed force may be necessary to prevent our Citizens, from exporting the [products] of their labour now perishing [o]n their hands, as

<sup>600</sup> Petition, "To the President of the United States."

<sup>601</sup> Petition, "To the President of the United States." In *Notes on the State of Virginia*, Jefferson famously proclaimed that those who labour in the earth are the chosen people of God, if ever he had a chosen people, whose breasts he has made his peculiar deposit for substantial and genuine virtue." Paul Leicester Ford, Editor, Thomas Jefferson, *Notes on the State of Virginia By Thomas Jefferson* (Brooklyn, NY: Historical Printing Club, 1894), 202. Accessed via Google Books.

would be sufficient to protect our commerce against the depredations of a foreign enemy; that to completely enforce those laws, it will require powers incompatible with the constitutional rights & liberties of our Citizens...." In such a situation, contempt for the rule of law among the seafaring people of the town, of Massachusetts and New England generally, would become general. They averred "that our Seamen & our Merchants, hitherto so exemplary in their conduct, will acquire the habits of evading the laws, & defrauding the revenue of our Country...."<sup>602</sup>

Moreover, what the United States was consciously and fruitlessly abjuring, the rest of the maritime world, particularly Great Britain, was gaining. The petitioners argued "that the maritime nations of the world, & particularly the Kingdom of Great Britain, will build up a flourishing Commerce on the prostitution [prostration?] of ours, & that trade will be made to follow in new Channels, from which we may find it difficult, if not impossible, to [divert] it." But for the Embargo, the United States could reap vast benefits. "The recent events in Europe have opened many new avenues to the enterprising spirit of our Countrymen. \_ Were we permitted, we might now vend the products of our soil, & our industry & we might carry on a profitable traffic with that section of the Globe, from whence chiefly flows the substantial represen[t]ative of wealth."<sup>603</sup>

For these reasons, Duxbury had, along with its sister towns, sought redress from the appropriate authorities: "The prospect of such great advantages, were they permitted to make use of their property, & the dread of the increasing evils of a perpetual Embargo, have induced your Petitioners, in concert with the other Towns of the respectable State of Massachusetts, thus freely to express their sentiments."

They asked for a repeal, or at least relaxation, of the Embargo. "They therefore humbly pray, that the Embargo, in whole or in part, may be suspended, according to the powers vested in the President of the United States by the Congress of the Union." If constitutional reasons required the

<sup>602</sup>Petition, "To the President of the United States."

<sup>603</sup>Petition, "To the President of the United States."

assent of Congress, Jefferson should call it back into session: "if any doubts exist of the competency of those powers, they humbly request, that Congress may be convened, as early as possible for the [purpose] of taking the subject into their consideration."<sup>604</sup>

President Thomas Jefferson's reply represents him as both his admirers and his critics have perceived and understood the third president. He was firmly principled and elegantly logical, on the one hand, but aloof, impractical, and maddeningly self-righteous, on the other. Though courteous and prompt, the President's answer to Duxbury represents him at a moment of supreme stubbornness, late in his second term, finally experimenting with his long-held geopolitical fantasy of "peaceful coercion." Jefferson wrote: "Your representations were received on the 15th inst. & have been considered with the attention due to every expression of the sentiments & feelings of so respectable a body of fellow citizens."<sup>605</sup>

Indeed, the President assured the petitioners, somewhat unpersuasively, he was foremost among his countrymen in his distress. "No person has seen with more concern than myself," he wrote, "the inconveniences brought on our Country in general, by the circumstances of the times in which we hap[p]en to live; times to which the history, of Nations furnish no parallell." He sketched a brief history of the European roots of the problem: "For years we have been looking as spectators on our brethren of Europe, afflicted by all those evils which follow an abandonment of the moral rules which bind men & Nations together." For Jefferson, the war in Europe was further proof of his longstanding belief in the wisdom and necessity of a different kind of human relations reigning in the western hemisphere.<sup>606</sup>

<sup>604</sup>Petition, "To the President of the United States."

<sup>605</sup>Thomas Jefferson, "Answer to the above Petition by the President of the United States." In the Town Book of Duxbury, Recorded by S. Sampson, Town Clerk, Feb. 28th, 1809. On peaceful coercion, see Robert W. Tucker and David C. Hendrickson, *Empire of Liberty: The Statecraft of Thomas Jefferson*. (New York: Oxford University Press, 1990).

<sup>606</sup>Jefferson, "Answer to the above Petition..."

In fact, the conduct of the republic had been eminently correct, prudent and self-sacrificing. "Connected with them [i.e., the nations of Europe] in friendship & commerce, we have happily so far kept aloof from their calamitous conflicts, by a steady observance of Justice towards all, by much forbearance, & multiplied sacrifices." This had been met with only contempt by the powers of Europe: "At length, however, all regard to the rights of others having been thrown aside, the belligerent powers have beset the highway of commercial intercourse with edicts which, taken together, expose our commerce & mariners, under almost every destination, a prey to their fleets & armies." Engaging in any kind of commercial intercourse with any of them would prove catastrophic. "Each party, indeed, would admit our commerce with themselves, with a view of associating us in their war against the other; but we have wished war with neither."<sup>607</sup>

At this pass, the nation cut the Gordian knot by enacting the Embargo. "Under these circumstances were passed the laws of which you complain, by those delegated to exercise the powers of legislation for you, with every sympathy of a common interest in exercising them faithfully." Thus, the petitioners, he patronizingly suggested, "should advert to the difficulties out of which a choice was of necessity to be made." To accede to the demands of any European power threatened the very independence that the country had won in the Revolution. "To have submitted our rightful commerce to prohibitions & tributary exactions from others, would have been to surrender our independence." Beyond that, the only alternative was a hastily called war. "To resist them by arms was war, without consulting the State of things or the choice of the Nation."<sup>608</sup>

The Embargo enacted was the best alternative possible, Jefferson argued. "The alternative preferred by the Legislature of suspending a commerce placed under such unexampled difficulties," he wrote, "besides saving to our Citizens their property, & mariners to their Country, has the advantage of

<sup>607</sup>Jefferson, "Answer to the above Petition...."

<sup>608</sup>Jefferson, "Answer..."

giving time to the belligerent Nations to revise a conduct as contrary to their interests as it is to our rights."<sup>609</sup>

True to his strict constructionist form, Jefferson made reference to the relevant statute, the Embargo Act, quoting it directly:

"In the event of such peace or suspension of hostilities between the belligerent powers of Europe, or of such change in their measures affecting neutral commerce as may render that of the United States sufficiently safe in the Judgement of the President," he is authorised to suspend the Embargo. But no peace or suspension of hostilities, no change of measures affecting neutral commerce is known to have taken place. The Orders of England, & the Decrees of France & Spain existing at the date of these laws, are still unrepealed, as far as we know.... In Spain in deed a contest for the government appears to have arisin; but of its course or prospects we have no information on which prudence would undertake a hasty change in our policy, even were the authority of the Executive competent to such a decision."<sup>610</sup>

The influence of Bonaparte's "Spanish ulcer" was felt not only in Europe, but throughout the Atlantic basin, including in Duxbury.

The President begged off on convening Congress, citing problems of time and space. "You desire that, in this defect of power, Congress may be special[y] convened. It is unnecessary to examine the evidence or the character of the facts which are supposed to dictate such a call: because you will be sensible, on an attention of dates, that the legal period of their meeting is as early as, in this extensive country, they could be fully convened, by a special Call." As it was, his hands were tied constitutionally. "I should with great willingness have executed your wishes had peace, or a repeal of the obnoxious edicts, or other changes produced the case in which alone the laws have given me that authority: and so many motives of Justice & interest lead to such changes, that we ought continually to express them. But while these edicts remain, the Legislature alone can prescribe the course to be pursued."<sup>611</sup>

<sup>609</sup> Ibid.

<sup>610</sup> Jefferson, "Answer..." Quotation marks around the language from the statute in the original.

<sup>611</sup> Jefferson, "Answer...."

In any event, the petitioners proved correct. Winsor relates the story of a boat that broke the Embargo, writing that

fears were entertained by the authorities of the custom-house at Plymouth, that an attempt would be made to run the embargo, on the part of some vessels in Duxbury; and accordingly an armed sloop was stationed in the bay to prevent any violation of the Government orders. Nevertheless, taking advantage of a thick and foggy night, a schooner, laden with fish, and belonging to Mr. Samuel A. Frazar, succeeded in an attempt to escape, and on the next morning was not to be seen. She was commanded by Capt. Asa Hewitt, and it is supposed went to the West Indies,, where she was disposed of.<sup>612</sup>

When war actually broke out in 1812, Duxbury, like other coastal and Federalist communities, found the majority of its citizens opposed to the conflict with Britain. The town sent delegates to a convention of Plymouth County towns in the summer of 1812, which protested what it considered to be the unjust and inexpedient calamity of the war. Nor was this the only convention in the county that summer; one held in Plympton, an interior, agricultural community, was held by Plymouth County Republicans and came out in favor of the war.<sup>613</sup> That opposing the war produced a number of charges.

Perhaps foremost was the accusation of sectionalism and disunion on the part of the war party. "But we well remember, fellow-citizens, the opposing interests of the Northern and Southern sections of the Union, at the time this Constitution was adopted. It was the voice of compromise, which called the 'North to give up, and the South not to keep back ;' and stipulations were solemnly made, that in the administration of this government, the local interests of the citizens should be consulted, as far as the general interest of the whole would permit."<sup>614</sup> Indeed, many of the complaints echoed those made by the citizens of Duxbury in 1808. The convention lamented "that our Navy has been suffered to rot in our docks, while our Commerce has passed into the hands of our enemies[.]" "Were the Embargo and Non-intercourse laws, by which the commerce of New-England has been annihilated, calculated to

<sup>612</sup>Winsor, *History of Duxbury*, 161.

<sup>613</sup>See, for instance, "Proceedings of a convention supporting the war against Great Britain.

Signed and dated: Henry Warren, Plympton, September 25, 1812." (Plymouth, Mass.: No known publisher, 1812).

<sup>614</sup>*An Address to the Citizens of the County of Plymouth*, 4.

cement this more perfect union ?" Moreover, the war represented aggression on the parts of those sections of the country which would suffer most. "Is the declaration of War against Great-Britain, by which the Commercial States will be called to fight the battles and pay the expense, expressly against their will, calculated preserve this more perfect union?"<sup>615</sup>

Another theme was enumerated in a series of blistering attacks on the Madison Administration, and more broadly, the Republican party, for bringing the country, in effect, over to the side of Napoleon Bonaparte in his global struggle with Britain. "*Resolved*, that we deprecate an Alliance with that perfidious and unprincipled Tyrant, who by force and fraud has devastated and enslaved the fairest portion of Europe, and who in his lawless ambition for power, seeks the dominion of the world..." They continued with a Biblical allusion: "for we believe such an alliance will kindle the fire, and bind ourselves and children, victims to this modern Moloch, whom immolated millions leaves unsatiated."<sup>616</sup> The convention entertained dark suspicions that the ultimate goal was a kind of geopolitical tutelage under the French -- a continuation of longstanding fears of the French in the New England and larger Anglo-American tradition.<sup>617</sup> "Is the system of Taxation, the Standing Army, the prospect of an Alliance with France, intended to bind this union under the protection of the French Emperor?" asked the convention.<sup>618</sup>

During the war itself, three British frigates -- the *Spencer*, *Leander*, and *La Hogue* -- cruised between Cape Cod and Cape Ann, and the shipping of Massachusetts lay more or less prostrate. This is not to say strong measures were not taken for local defense. They were, including the reoccupation of the fort on Gurnet Point, the construction of a fort in the inner bay, on a small hill above the Bluefish

<sup>615</sup> *An Address to the Citizens of the County of Plymouth*, 4.

<sup>616</sup> Plymouth Convention, *An Address to the Citizens of the County of Plymouth*. (n.p., 1812), 8.

<sup>617</sup> For a fascinating investigation of the Franco-British relationship, see Robert and Isabelle Tombs, *That Sweet Enemy: Britain and France: The History of a Love-Hate Relationship*. (New York: Vintage Books, 2008).

<sup>618</sup> *An Address to the Citizens of the County of Plymouth*, 4.



River, and the posting of sentinels and the arming and preparation of militia detachments. Nevertheless, the strength of the British (and perhaps the cupidity of the Duxbury merchant-sailors), convinced the town to enter into strong consideration of cutting a deal with the Royal Navy, the idea being to establish the town's effective neutrality.

Duxbury met to consider neutrality. Despite the argument of Seth Sprague that negotiating with the British constituted "cowardly and treasonable" behavior, the town was ready to make application to the British, when Captain John Alden convinced the town not to treat with the Royal Navy.

Nevertheless, some concerned citizens, without permission from the town, made some kind of representation to Captain George R. Collier, of HMS *Leander*, who replied on August 10th, 1814, "To the Selectmen and the Committee of Safety of the Town of Duxbury ... to acknowledge your letter of the 9th instant." Whoever wrote the letter to Collier, and despite the lack of any official imprimatur from the Town Meeting, Capt. Collier felt his letter best addressed to the civil leaders -- both permanent and *ad hoc* -- of the town itself. He allowed that he "can easily understand the motives which have induced your addressing me; and, much as I deplore this war, and deeply as I feel for ... innocent individuals, a sense of public duty will always compel me to follow up the utmost extent of my instructions." But it was his "belief that your town has neither the means nor intention of carrying offensive war...."<sup>619</sup>

Nevertheless, Collier informed the inhabitants of Duxbury "that nothing but neutrality *the most perfect* will induce me either to respect your fishing craft, or the town itself." Collier's message was both conciliatory and politely threatening. "It is not in the character of Englishmen to act harshly toward the unoffending, -- though in a state of war, -- unless provoked to a system of retaliation." Implying that his opinion was shared by his commanders, he advised the townspeople not to fear: "Be therefore tranquil! carry on war only to defend your homes, and do not permit your fishermen to assist

<sup>619</sup>Winsor, 163.

directly or indirectly," he warned. He offered to intercede with Capt. Ragget, the commander of the *La Hogue*, in order to effect the return of a captured schooner, the *Despatch*, to Duxbury. And his admonition of several captured American fishermen who had, by trickery, taken a prize vessel when ordered to crew it, running it aground on the Eastham flats, across Cape Cod Bay, was very mild. But he also warned ominously that unless a barge, sunk near Brown's Bank by fire from the American fort on The Gurnet, and refloated and towed in to Plymouth, were returned to the British, "it must be supposed that the fishermen of Plymouth are authorized by their Government to intrigue in war." And fishermen would still be searched: " As there are some American armed boats *disguised as fishermen*, [it] is necessary that *every* fishing boat should be examined; and unless they bring to when fired at , they will be punished accordingly."<sup>620</sup>

Beyond this, the town suffered little directly from the war. Nevertheless, it had critical results. It and the Embargo rendered Duxbury a Federalist stronghold, on the political side of things. Economically, domestic manufacturing, as demonstrated by Ezra Weston's sailcloth factory, was stimulated. It would prove to be merely an interruption in the growth of Duxbury's maritime commerce -- a process that rapidly ushered in Charles Sellers's "market revolution."

The early republic, then, was a transitional period in the history of Duxbury. Though the town still zealously guarded its common waters and lands, the shipping boom -- the first wave of the market revolution -- dramatically altered the life of the town. Moreover, these increased connections with external markets meant that the exigencies of war and geopolitics affected the town ever more deeply. The changes were far from total, and indeed, much remains of the old commons regime to this day; but the changes did mark the beginning of a transformation towards capitalism that would only grow

<sup>620</sup>Collier's letter reproduced in Winsor, *History of Duxbury*, 163-4.

stronger as the 19th century progressed. Not yet fully capitalist but neither entirely traditional, Duxbury, in 1815, found itself poised between two worlds.

## Chapter 9: Pembroke, Massachusetts, in the New Republic, 1788 - 1815

### I: Pembroke Memories

Writing from the vantage point of the early 20th century, author and Harvard classicist Henry Wheatland Litchfield attempted to recreate 19th century life in Pembroke. Significantly, Litchfield refers to the town as one of the "outlying towns of Massachusetts," and his account, though written nearly a century after the arrival of the market revolution in southeast Massachusetts, contains remarkable continuities with the traditional world of Pembroke in the Revolution and Old Regime. It was in the sphere of the herring fishery that this continuity, fostered by and through the town's commons regime, was most readily apparent. The excitement of the herring run, wrote Litchfield, was such as to fill a contemporaneous city-dweller with longing for rural pleasures. "Would you arouse the enthusiasm of a shopweary Brocktonian, whisper in his ear some bright April morning that in Pembroke the Herring are up." The town's own inhabitants, he reported, were still in the habit of making a springtime meal of the humble fish: "It is believed that natives inherit a taste for the fishery

equally keen, though less open in its workings: certainly at most Pembroke tables a fresh herring two days corned, and served piping hot with salt, pepper, vinegar, and leisure to eat it, is esteemed the only right supper for a damp, chilly spring evening."<sup>621</sup>

For anyone raised near a New England herring brook, it is hard not to feel deeply and intimately the power and memory with which the springtime herring run is wrapped up, in Litchfield's as in other accounts.

As for the small boy -- friends, have ye not seen and heard him glorying in this his element? Unhappy the youngster, born and bred in Pembroke, who knows not the joys of a herring season! From the sounding of the first false alarm "Herrin' up!" in February, until grass grows high on the well-trodden banks, it is the Children's Hour, and they improve it. To be up and about in the morning before the brookwatcher -- peace to him! arrives on the scene; to help and hinder in loading the herring-carts till school time; to ride off with one of those travelling shower-baths, then rush back at the earliest possible moment, and stay until driven home by fear of parental displeasure at late hours and dripping garments -- all this, and more, goes to make their day among the Herring.<sup>622</sup>

The excitement of the run nearly turned it into a kind of "festival of misrule." Pranks were commonly associated with it, reported Litchfield, citing the experience of his own grandfather, Whitman, in the mid-19th century: "... the suspicious brookwatcher became a general butt. It was in youth a favorite pastime of my grandfather Whitman and Captain Otis Little to shoulder a bag of shavings toward nightfall; steal along the stream until 'spotted' by the enemy; and then lead him a merry chase off through the dusk, leaping from tussock to hummock, before the innocent nature of their burden was discovered." Prior to that, in the era when the Massachusetts people around the headwaters of the Herring Brook bore special privileges relating to the fish, they were the victims of abuse by the white inhabitants of Pembroke. "The unhappy Indians, on their way to the weir, became targets for many a ripe apple thrown from gable windows of the Salmond house by young Peter and his brother."<sup>623</sup>

<sup>621</sup>Henry Wheatland Litchfield, *Ancient Landmarks of Pembroke*, 5, 75.

<sup>622</sup>Litchfield, *Ancient Landmarks of Pembroke*, 75.

<sup>623</sup>Litchfield, *Ancient Landmarks of Pembroke*, 87.

The fish both affected, and were affected by, the course of the market and industrial revolutions in southeastern Massachusetts. On the one hand, the town's solicitude for the alewives meant that early industrialist Oliver Ames located his shovel works in Easton rather than Pembroke. Thus, Pembroke was to a degree insulated from industrial modernity; Litchfield noted that some "may even think her [Pembroke's] vitality suffered from her preference of herring to shovels. But surely something is due the now despised alewife, that preserved for us an autumn landscape of purple hills and russet meadow unequalled in all the country round." On the other hand, effluent and industrial pollution from streams tributary to the river, but not under the control of Pembroke, threatened the very existence of the fishery -- a phenomenon unrestricted by time and place: "In spite of all precautions, the shad was last seen in the waste way some fifteen years ago, and even its kinsman the herring ... appears to be slowly retreating before the poison-tainted waters of Forge Brook."<sup>624</sup>

If the memories of late 19th century Pembroke recorded by Litchfield are at least in part those of a society transitioning towards a market-orientation, there is much that is distinctly pre-modern about them, reminiscent, perhaps, of the lost agrarian worlds brought to life by Edgar Lee Masters. This was a society in which magical beliefs were still prominent, in which the music of the European fiddle could blend easily with legends of the life of the Massachusetts about the Ponds of Pembroke.

Describing one 19th century inhabitant, Litchfield writes:

He loved well the sights and sounds which surrounded his boyhood -- the ceaseless ripple among the reeds of the lake-shore; the reeds themselves, bending and slatting before a south-westerly gale; the crimson sun, setting cloudy behind wooded cape and islands, with maybe a flock or two of black-bonnetted *wampatuck* floating in the quiet water between; the honking of the geese, borne from far down lake on the crisp, chilly air of November nights, stirring the sportsman's pulses and admonishing him of Thanksgiving -- all these he knew and loved, and drank in the wild beautiful old Indian legends, their counterpart -- notably the ancient tale of Monument Island, of which the hero is yet another Wampatuck -- and the rude old songs, now long forgotten, whose melodies his violin knows but will not reawaken where they sleep with the touch of Mr. Oldham's fingers upon the wasted strings. Stories, too, there were of witch and worlock,

<sup>624</sup>Litchfield, 87.

of Nancy Tamar and Black Pero, the wizard fiddler, his neighbor: these, too have mostly perished.<sup>625</sup>

Nor were these merely mythical figures. The death, on August 10th, 1842, of "John Pero (Wood), 'collered'," is recorded in the Vital Records of Pembroke.<sup>626</sup> Likewise, Nancy Tamar, *nee* Osborne, is recorded as having been born in Pembroke on August 8th, 1808, and died at Abington on August 26th, 1868.<sup>627</sup> These then, were real people, not conjurations; the legends of them are not myths, but rather the living folk memory of a world only recently passed.

## II: Regulating the Commons

As in Wareham, Pembroke, Massachusetts, during the first decades of the new American republic, devoted considerable energies as a polity to the regulation, maintenance, and preservation of its common resources, from its anadromous fisheries to its pasture-land, its fences and roads, bridges and dams, and all the other bits of life that could fairly be thought of as "public things." And though there were changes in the form of these collectivities, the underlying content of them remained deeply rooted in the culture, politics, and economy of the town.

The regulation of the alewife fishery, while maintaining a familiar goal, evolved new complexities and innovations. At the March, 1788 Town Meeting, a committee was appointed, with the

<sup>625</sup>Litchfield, *Ancient Landmarks of Pembroke*, p 113-14.

<sup>626</sup>Vital Records of Pembroke, accessed via: <http://usgenwebhansonma.wordpress.com/records/vital-records/african-and-native-american-vital-records/>

<sup>627</sup>Accessed via: [http://www.corduan.com/PhpGedview/individual.php?pid=I1506&ged=george\\_osborne2.ged](http://www.corduan.com/PhpGedview/individual.php?pid=I1506&ged=george_osborne2.ged)

alewives as its jurisdiction. It "Reported, that the Catching of the Fish, be done by him or them, that will do it Cheapest, that a Committee be Chose to Aportion the Fish taken, Among the Inhabitants, According to y.<sup>e</sup> Numbers in Each Family...."<sup>628</sup> The Town went on to choose "M:<sup>r</sup> Amos Standish, [to] Catch y.<sup>e</sup> Fish, and [he] is to have one Seventh part thereof, for Catching them." An independent committee was established to oversee the distribution of the fish in accordance with the Town's decision earlier that meeting. A separate (and, as Litchfield points out, a rather large) committee of ten men was formed as "A Committee or Over Seers of the Brooks, to Say when y.<sup>e</sup> Gates must be Taken up &c and to Se the Law well Executed"; the committee distributing the herring were to "make Reasonable Allowance" of fish "to the Overseers, of y<sup>e</sup> Brooks for their Service." In addition, the Town "Voted that the Fish Shall not be taken, Below the Bridge Called Davis's bridge, Nor above the bridge next below the Fulling Mill, but between the two, and that the time, for Catching, and the time to Let the Fish Run Unmolested, be the Same as last year, .Viz After the Sun Sets on Saturday, until She Shall Rise Monday Morning, they may not be Catcht[.]"<sup>629</sup>

Four years later, the Town undertook the expedient of appointing, as it were, a fish-farmer: "Fish called Alewives Farmed out to Bailey Hall he to have Seventeen Fish out of the Hundred and he to give Bonds. To Govern him Self agreable to the Regulations hereafter to be Recorded...."<sup>630</sup> The Town first of all formally gave its imprimatur to Bailey as its agent: "that s<sup>d</sup> Fish in S<sup>d</sup> Brook, be taken wholly by one Person or under his Direction at the Expence of the Town and for the use of S<sup>d</sup> Town the s<sup>d</sup> Person to becoam and to be Denominated the Towns Agent for the purpose of taking the Fish called Alewivs in the Brook Called Barkers Brook in S.<sup>d</sup> Town\_\_\_" Second, the fishing time would be limited

<sup>628</sup>Pembroke Town Meeting, March 17, 1788. I am indebted to Henry Litchfield's chapter on the Herring Run in *Ancient Landmarks of Pembroke* for providing a series of organizational guideposts in making sense of the voluminous and detailed fishing laws and regulations during these decades.

<sup>629</sup>Pembroke Town Meeting, March 17, 1788. It is notable that the Sun is described with the feminine pronoun in the regulation of times for fishing.

<sup>630</sup>Pembroke Town Meeting, March 12, 1792. The Herring Brook is referred to as Barker's Brook at this meeting -- a lesson, perhaps, on the persistent fungibility of names.



to four days a week, "& no more, and that Time Shall be from Sun rise Each Tuesday morning to Sun Set on Each Friday Evening in the Same Week and at ... noother Time \_\_" Moreover, "the onely place Where s<sup>d</sup> Fish may be Catch'd in S<sup>d</sup> Brook Within S<sup>d</sup> Town Shall be Wherein: between Mackfurlins Sluceway So Called and Davises Bridge So Called on the Same Brook & at no other Place on S.<sup>d</sup> Brook --" A committee was formed to keep the stream clear, as well as to "Prosecute for all offences against the Law of this Commonwealth. Respecting the Regulating S<sup>d</sup> Fish in S<sup>d</sup> Brook and other places" in Pembroke, half the fine going to the Town, half to the Committee, in accordance with long practice.<sup>631</sup> The price of the piscine wanderers was set at one shilling per hundred fish, and the fish were to be sold only to "an Inhabitant of the Town of Pembroke...."<sup>632</sup>

Should there be left-over fish, the meeting voted "That when any large quantity of Fish Remain on hand undisposd of by s.<sup>d</sup> Agent the Same Shall at the Discretion of S.<sup>d</sup> Agent [be] properly Salted and Cure'd at the Espence of the Town to be here after Disposed of by the Seleck Men of S<sup>d</sup> Town, when they shall [be] Request[ed] So to do by S<sup>d</sup> town \_\_\_\_\_" The agent was to pay the Town treasurer the sum of 25 pounds for the privilege of taking the fish, and was directed to "return all the Money by him taken arising from the Sale of that proportion of the Fish belonging to s<sup>d</sup> Town and here by accruing to s.<sup>d</sup> Town \_\_\_"<sup>633</sup>

Those who bought the fish were to make formal notice thereof; upon request "by any person purchasing said Fish [the Agent] Shall be obliged to make out and doing a Certificate purporting the number of Fish So Sold to the person Applying and the money paid for the Same...." Special rules applied to the poor of the town:

<sup>631</sup>Pembroke Town Meeting, March 12, 1792.

<sup>632</sup>Ibid. In the text itself, it reads (with my interpretations): "5<sup>th</sup> that price of s/.d Agent Shall Receive and the price which Shall be given Shall be for each Hundred in Number of s/d Fish Shall be one Shilling and nomore or less and [presumably no, no persons] person, Except an Inhabitant of the Town of Pembroke Shall be permitted to purchase any of' the fish from the Agent or his employees." Though the word "no" is missing, the plainest construction is that: no one but Pembroke residents shall have the right of purchase.

<sup>633</sup>ibid.

That whenever Person belonging to Said Town Shall Suppose them Selves so pore that he or She ought to have s<sup>d</sup> Fish Gratis. then it shall be the Duty of Such persons to present the aforesaid Certyficut and at the Next Fall meeting present the Same to the Town Clark whose Duty it Shall be to Read the Same. publicly to the Town and if Town Shall Esteem Such person presenting S.<sup>d</sup> Sertificat, or the person to whome this Same certyficut Shall have been Disposed of by S.<sup>d</sup> pore person intitled to the s.<sup>d</sup> Fish Gratis, then s. pore person, or the Person holding S<sup>d</sup> Certificute the same being inDorsed over by s.<sup>d</sup> pore person to him for a [illegible] Consideration. Shall bee intitled & Shall Actually Receive out of the Town Treasure of Said Town the sum or sums of money So paid by S.<sup>d</sup> Certificat afor s<sup>d</sup> Fish so measured.....”

Finally, the Town ruled that “12<sup>th</sup> No Person Shall presume to Cach or Take any of the Said Fish in their passage way from the Ponds to the Sea as they Return after having cast their Spawn under the penalty of forfeiting one Shilling for Each of S<sup>d</sup> Fish ,,,, ”<sup>634</sup>

The next year, after farming out the fish to Thomas Fish, the Town Meeting made an unusual numerical change, declaring that "a Hundred" of fish now equaled "Six score," with Mr. Fish to receive "15 per Cent" of those 120 fish. A committee was also formed to keep the passage ways open "So long as the Fish Run," as well as to maintain the Indian Head River fishery in conjunction with neighboring Hanover.<sup>635</sup> The regulations went largely unchanged in 1794, though Nathan Stevens, chosen the Town's fish agent for the year, was only "to have nine fish on the Hundred, Six Score to y<sup>e</sup>. Hundred e[?]"<sup>636</sup>

1795 was notable for a slight, but significant change in the regulation of the fishery. The Town "Voted that the Fish called Alewives, be Sold, at one Shilling pr. Hundred, Six Score to y.<sup>e</sup> Hundred, to the Inhabitants of this, and any other Town, -- otherwise to be Regulated y.<sup>e</sup> Same as last year\_ " While the price and accounting of the fish remained the same, the Town Meeting significantly allowed fish to be sold to inhabitants of towns other than Pembroke. While it is possible that this could have resulted

<sup>634</sup>Pembroke Town Meeting, April 2nd, 1792. The use of commas for what would later become periods is notable in this, a period of distinct and marked grammatical and orthographic regularization -- this, after all, being the era of Noah Webster and his distinctively American vision of English.

<sup>635</sup>Pembroke Town Meeting, April 1st, 1793, by adjournment from March 18th.

<sup>636</sup>Pembroke Town Meeting, March 10th, 1794.

simply from an unusually large herring run that year, it is in any case noteworthy as the first crack in the old, town-based corporate order that restricted fish to members of Pembroke's body politic. Though herring would continue to be regulated on a town-wide basis into the 21st century, for the first time, the social and economic order that preserved them exclusively to the townspeople of Pembroke was altered.<sup>637</sup>

At the same time, a more overtly democratic temper was observable in the regulation of the fish. The Town, at the same meeting, in addition to appointing an eight man committee to see that sluice-ways on the stream were kept up during the run, also "Voted . That the Select Men, and Town Clerk, be a Comm:<sup>tee</sup> to draught, the Regulations, Respecting the Alewives in this Town, a New, agreeable to y.<sup>e</sup> Sense of the Inhabitants, and to Se them Posted." For the first time, the "Sense of the Inhabitants" regarding the herring fishery was explicitly taken into account.<sup>638</sup> The matter must have been relatively contentious, for three weeks later the price of the fish -- nine pence on the hundred, and six-score to a hundred -- was brought for a vote of reconsideration, on the results of which the Town Book is silent.<sup>639</sup>

Further small, but still notable, changes occurred later in the decade. In 1797 the annual Town Meeting "Voted that micah Foster Catch the fish Called alewives, and Render an account to the Selectmen under oath of the number of alewive Caught and to whome Delivred or Sold to be paid ten percent in money for his Service & that the alewives be Sold one Shilling the hundred and counted five.Score the Hundred[.]" For one thing, Micah Foster, who was tasked with catching the fish, was to be paid "ten percent" of their value "in money". In addition, the price of a hundred had risen to a shilling, with a hundred reckoned as 100, rather than 120. Other than that, the fishing bylaws remained

<sup>637</sup>Pembroke Town Meeting, March 16th, 1795.

<sup>638</sup>Pembroke Town Meeting, March 16th, 1795.

<sup>639</sup>Pembroke Town Meeting, April 6th, 1795.

largely unchanged, with a committee of townsmen being appointed to see that the regulations were kept.<sup>640</sup>

In 1798, many of the same rules held as in other years of the 1790s. However, there were changes, along with a welter of reconsideration votes, that render, albeit somewhat opaquely, a picture of a fishery undergoing a gradual process of evolution. For one thing, the person to whom the Town chose to farm the fish out -- now called the "purchas[er]" of the fish -- was directed to "Give Bonds to the Town Treasur.<sup>r</sup> for the payment of the Sum agreed on," a sign that the more formal usages of the wartime economy -- notes of credit, and in this case, written bonds -- were at last making small inroads into the old standing order of the piscine commons. As in years past, a committee was chosen to oversee the brook, including local notable the Rev. Kilborn Whitman. New rules were added, and older forms revived. The purchaser of the fish, in a novel development, was to say when the dams and sluice ways on the brook would be pulled up to allow the fish passage into the ponds; nor was anyone to catch any of the fish before they were drawn up. The selectmen, who had in years past exercised near total control of the fishery, were now limited to saying when dams would be put down. Still, no one, not even the fish-farmer, was allowed to take any fish on their descent back to the sea.<sup>641</sup>

The regulation of the fishery also intersected with another issue with which Pembroke, like other communities of southeastern Massachusetts, struggled in the first decades of the republic: increasing poverty and population pressures. No one would be allowed to buy more than 500 herring -- presumably for resale in the coastal trade -- until "the Town is Generally Supplied \_" As in past years, the Selectmen were to "Give orders to y.<sup>e</sup> Poor, for fish as Formerly." In addition, the propertied basis of the social order in republican Pembroke was made evident: "Voted That any person, who is a

<sup>640</sup>Pembroke Town Meeting, March 13th, 1797; May 3rd, 1797 -- the latter meeting, by adjournment, contains the following curious text: "Voted to Choose John Baker Committee for Regulating the alewive fishrey Extreordnany"

<sup>641</sup>Pembroke Town Meeting, March 12th, 1798.

qualified Voter in Town meeting Shall be Excluded, from having any Order from the Select men for any of the S.<sup>d</sup> Fish \_ "642 In other words, one could be a voter, or receive alewives *gratis*, but not both.

The meeting was adjourned to April 2nd, where it seems a number of the votes described above were reconsidered. The Town rather ambiguously "Voted to Adopt the Same Regulations that were in force the Last year, Respecting the Alewives[.]" Does this suggest, then, that the new, more stringent regulation of the access of the town's poor to the fish was not ultimately put into effect? It is not entirely clear. The Town Meeting often quickly reconsidered votes changing the ordering and regulation of the poor; this could have been one of those occasions. Nevertheless, certain changes were definitively made. Simeon McFarlin, who had bought the herring in March for sixty-five pounds, was apparently replaced by "Elijah Whitman, [who] undertook to Catch the alewives, To account with the Select men for all the Fishs that he Shall catch. Under Oath, \_ S.<sup>d</sup> Whitman to be paid for his Service, Seven <sup>r</sup> Cent on all the moneys ariseing from the Said Fish." In addition, this early April meeting seems to have been concerned, at some level, with the maintenance of the common weal, and the prevention of private pilfering: "Voted that the Person who Shall agree, to Catch the alewives Shall not Salt any at the Brook, for him Self, nor any Other person, unless they lay on hand, and no Person that wants to purchase them, [be] present."<sup>643</sup>

At the same time, there were suggestions of the market. The meeting decided "That who Ever purchases the S.<sup>d</sup> Fish Give Bonds to the Town Treasur.<sup>r</sup> for the payment of the Sum agreed on...." Instruments of credit -- notes of hand, in particular -- had been crucial to Pembroke's confused, if ultimately effective, finances during the Revolution; now, they were being used in the management of

<sup>642</sup>Pembroke Town Meeting, March 12th, 1798.

<sup>643</sup>Pembroke Town Meeting, April 2nd, 1798.

the herring fishery. Moreover, the Town "Voted That no person purchase more than 500 until the Town is Generally Supplied \_", suggesting that the herring likely had considerable resale value, particularly to the increasing numbers of shipping interests in southern New England, and serving in part as a harbinger of a turn toward a more thoroughly commercially-oriented society in the 19th century. Yet the logic of safety-first, yeoman economic life remained primary -- the rights of subsistence came first, and only upon their guaranty could those of commerce be exercised.

The forces of the market crept upon Pembroke slowly, with the now-falling, now-rising rhythm of a flowing tide. In the final analysis, though, the authority over the herring always resided in this miniature body politic. Thus in 1799, the annual Meeting "voted That if the Selectmen think there are a Sufficient quantity of fish gone into the pond, they are empowered to cause their agent to fish the whole of the time." In 1800, fishing below Davis's Bridge was banned entirely: "Voted That no person catch alewives below Davis's bridge so called either before or after the dams are taken up for their passage into the ponds..."<sup>644</sup>

For the better part of the following decade, the laws of the herring fishery remained unchanged. The issue lay quiet. In 1807, however, the town voted to increase the price of the fish: "Voted To raise the price of alewives to 25 cents per neat hundred. Otherwise the same regulations, as last year." At the same meeting, in what may have been a related matter, Pembroke "Voted That William Torrey be an agent for the town, to answer to an Indictment respecting Cushing's dam so called."<sup>645</sup> Later that spring, the Town further "Voted That the Selectmen report to the town the product of the alewife fishery, at the first town meeting after the accounts are settled annually."<sup>646</sup>

In 1808, the Town's actions regarding the fishery reinforced Pembroke's sense of itself as a distinct corporate body, affirming communal control of resources as well as demonstrating the lack of

<sup>644</sup>Pembroke Town Meeting, March 10th, 1800.

<sup>645</sup>Pembroke Town Meeting, March 16th, 1807.

<sup>646</sup>Pembroke Town Meeting, May 11th, 1807.

any "cash nexus" at work in the economic life of the community. Regarding "Taking the fish", it "Voted To adopt the same method that was in force last year, with this amendment, Viz That this Town be served in preference to other towns people and, that orders, and money, Shall be considered as being on par." Not only were the needs of inhabitants of Pembroke to come first, but also money -- cash -- was to be held equal with mere orders for fish. While trade in herring certainly existed, it was not in any sense a market society in which this trade took place.<sup>647</sup>

In subsequent years, the fishery rules remained largely unchanged, though 1810 did witness some minor alteration. This, however, was undertaken with the intent of making the product of the fishery more readily available to the public of the town. The meeting decided that the "Alewife fishery [be] under the same Regulations as last year; and the Selectmen to give public notice of the time when they, or their agent, are ready receive and enter the names of those wishing to purchase said Fish: which notice is to be given, by posting up a Notification at each Meeting house in said Town." Notable, too, is the close marriage of church, state, and commons -- the herring notices were to be placed in the meetinghouses, buildings with both ecclesiastical and civil significance in this period before the collapse of Massachusetts' "Standing Order."<sup>648</sup>

By 1815, both a list and a lottery for the fish had been instated (Litchfield says the fish list first came into being in 1812). "Voted that Single persons in a family State, have an Order for but one hundred of fish." It "Voted that whoever receives fish on an order, Shall endorse Said order on receiving them." Even as the complexity of the regulatory apparatus increased, the essential ends remained the same -- the preservation of the fishery.<sup>649</sup>

<sup>647</sup>Pembroke Town Meeting, March 14th, 1808.

<sup>648</sup>Pembroke Town Meeting, March 10th, 1810.

<sup>649</sup>Pembroke Town Meeting, April 3rd, 1815.

As in past decades, the regulation of rivers shared between towns was a regular topic of Town Meetings. But in these first years of the new republic, the number of issues involving rivers held commonly by more than one town seems to multiply -- suggesting, perhaps, an economy and an ecosystem that had become more regionally oriented than in the past. It is also possible that demographic pressures, seen elsewhere, likewise affected these common waterways. For instance, at the Town Meeting held on May 13th, 1811, the meeting declared: "And , whereas, the Town of Scituate, and some other adjacent Towns, have petitioned the General Court for an additional term of time of Seining in the North River: - Voted, to instruct the Representative to approve the prayer of Said petition."<sup>650</sup> The Indian Head River, too, was the subject of local government during this period, as in years past; in 1794, Pembroke appointed a three-man committee to treat with Hanover regarding the regulation of that fishery. A similar committee had been formed the year before. This was broadly continuous from the years of the Revolution and the Old Regime.<sup>651</sup>

However, bridges over these rivers occupied an increasingly prominent place in the records of the Town's self-government in the years after the Revolution. In the budgetary Town Meeting in the Fall of 1794, Pembroke "Voted: -- That Mess.<sup>rs</sup> Dan:<sup>l</sup> Bonney, Seth Briggs and Capt.<sup>n</sup> Robert Barker, be a Committee, to Confer with the Com:<sup>tee</sup> of the Other Towns, that are Obliged by Law, to Assist in Building, and Repairing the Bridge Over North River, (if S:<sup>d</sup> Towns choose Comt:<sup>ees</sup> for s:<sup>d</sup> purpose) To take a View of s:<sup>d</sup> Bridge, and Report to this Meeting, Whether, in their Opinion, it will be Best to Repair S:<sup>d</sup> Bridge, or Build a New One \_"<sup>652</sup> Later that month, the Town "Voted ... [3 men] a Committee, to Procure the Stuff necessary for the Repairing of North River Bridge. &c. -----"<sup>653</sup>

<sup>650</sup>Pembroke Town Meeting, May 13th, 1811, from adjournment.

<sup>651</sup>Pembroke Town Meeting, March 10th, 1794; Pembroke Town Meeting, March 18th, 1793.

<sup>652</sup>Pembroke Town Meeting, Nov. 3rd, 1794.

<sup>653</sup>Pembroke Town Meeting, Nov. 17th, 1794.



In 1801, the Town expressed its clear opposition to a proposed toll-bridge over the North River: "voted To oppose the building a toll bridge over North river and that Capt Bailey Hall be an agent to make the opposition." In opposing the toll-bridge, the people of Pembroke acted within the parameters of 18th and 19th century popular opposition to turnpikes and other forms of tolled transportation, from the "shunpikes" of northern Massachusetts to English anti-turnpike rioters, barricade-building Pennsylvania yeomen, and, later, railroad-battling Michigan farmers.<sup>654</sup> Likewise, the Meeting "voted To oppose the building a bridge at Oakesman's ferry Kilborn Whitman Esqr chose an agent to oppose said bridge[.]" The opposition to what would, in a few short years, be called Internal Improvements, places Pembroke purely in the Country tradition; it also suggests affinities with later anti-capitalist political currents in American life that came to the forefront in the Jacksonian Era. That Pembroke was a staunchly Republican town does not seem to be accidental in this regard.<sup>655</sup>

That autumn, in a sign of greater cooperation between the North River towns, the budgetary meeting "Voted that Col. George Turner be an agent in behalf of the town to meet agents from the Several towns concerned in maintaining North river bridge, and consult what repairs are necessary to be made at this time on Said bridge. \_\_\_"<sup>656</sup> Yet opposition to bridges, and the efforts of improving gentlemen, remained. In 1804, Pembroke "Voted That the Selectmen be authorized, to remonstrate, for, and in behalf of the town, against the petition of Benjamin Lincoln and others to the general court for

<sup>654</sup>On "Shunpikes, see historical marker, Route 2, Charlemont, Mass., with an inscription by the Mohawk and Taconic Trail Association, 1957: "To the Thrifty Travelers of the Mohawk Trail who in 1797 here forded the Deerfield River rather than pay toll at the Turnpike Bridge and who in 1810 won the battle for free travel on all Massachusetts Roads." Accessed at

[http://www.waymarking.com/waymarks/WMF87A\\_Shunpike\\_Marker\\_Mohawk\\_Trail\\_Charlemont\\_MA](http://www.waymarking.com/waymarks/WMF87A_Shunpike_Marker_Mohawk_Trail_Charlemont_MA). On anti-turnpike actions in England, see Robert W. Malcolmson, " 'A Set of Ungovernable People,' : The Kingswood Colliers in the Eighteenth Century," in *An Ungovernable People: The English and Their Law in the Seventeenth and Eighteenth Centuries*. Brewer, John, and Styles, John, eds. (New Brunswick, N.J.: Rutgers University Press, 1980). On Pennsylvania anti-road actions during Fries's Rebellion (1798-99), see Paul Douglas Newman, *Fries's Rebellion: the enduring struggle for the American Revolution*. (Philadelphia: University of Pennsylvania Press, 2004). For a discussion of the "Michigan Railroad War," see Marin J. Hershock, *The Paradox of Progress: Economic Change, Individual Enterprise, and Political Culture in Michigan, 1837-1878*. (Athens, Ohio: Ohio University Press, 2003).

<sup>655</sup>Pembroke Town Meeting, April 6th, 1801.

<sup>656</sup>Pembroke Town Meeting, October 26th, 1801.

leave to build bridge &c."<sup>657</sup> That the gentleman in question was Benjamin Lincoln, "conqueror" of Shays' Rebels and pillar of the conservative establishment in early republican Massachusetts, is surely significant.

A vote of the town a decade later demonstrates the close linkage, in its mind, of bridges and anadromous fisheries. "Voted that Alden Briggs, Oliver Whitten, and Edward Smith be a Committee to join Committees from the Towns of Hanover, Scituate &c. in matters inspecting the Shad fishery, and the repairs of North River Bridge." Three more men were eventually added to this committee, with its instructions "to confer with the several Towns concerned in Maintaining North-River Bridge, Shad and herring fishery &c."<sup>658</sup>

Roads also proved controversial. Generally, issues pertaining to the roadways were less controversial than bridges; typically, permission for secondary roads were relatively uncontroversial. At a basic level, the town typically voted £200 for roads each spring, often more. The vote of the annual Town Meeting in 1789 "that the Select men lay Out a Road from Seth Perrys, to the New Forge, So called, through Sundry peoples Land,, the owners giving the Land for the Said road, agreeable to a petition, of a Number of the Inhabitants of this Town \_\_\_" is fairly typical.<sup>659</sup> Likewise, in 1800, Pembroke "Voted To accept the road from Jacob Tracey's to Charles Little's and consider it as a town road"; it also accepted a road (and the committee to make it) from Abner Stetson's "to Kingston line."<sup>660</sup>

Nevertheless, on occasion, roads became quite contested. Indeed some appear to have been widely reviled. Thus, in 1795, the Town "Negatived by A larg Majority" a proposal for the Selectmen to pay two private proprietors for the land over which a highway was to run.<sup>661</sup> In 1804, far from unquestioningly accepting that extensions of infrastructure -- of market transformation -- were in their

<sup>657</sup>Pembroke Town Meeting, May 7th, 1804.

<sup>658</sup>Pembroke Town Meeting, Nov. 7th, 1814; Dec. 26th, 1814.

<sup>659</sup>Pembroke Town Meeting, March 16th, 1789.

<sup>660</sup>Pembroke Town Meeting, May 12th, 1800.

<sup>661</sup>Pembroke Town Meeting, April 6th, 1795.

best interests, the townsmen of Pembroke "Voted That John Turner Esqr, be an Agent for the town, to Oppose the laying out a new road, from Abington to the road by Charles Cushing's."<sup>662</sup> Indeed, later that spring, Pembroke was forced to answer for its neglect of roadways: "Voted That Kilborn Whitman Esqr be an agent in behalf of the town to answer to the indictments from the Supreme court respecting Highways." Just to be safe, the Town "Voted That the Selectmen see the roads repaired that are complained of \_\_ and that they oblige Thomas Hobart one of the Surveyors, to do the Same."<sup>663</sup> If, as Charles Sellers has written, attorneys were, in the young republic, the "shock troops" of capitalism<sup>664</sup>, roads were one of the avenues of invasion. As the case of Pembroke shows, however, even in communities as close to putative centers of capitalism as Pembroke is to Boston, the market revolution met instances of rejection and resistance. This is a remark both upon the semi-peripheral character of the political economy of southeastern Massachusetts; but perhaps even more so on the uneven, contingent, and highly contested character of capitalist transformation even in the comparatively mature economies of the Atlantic seaboard, let alone the backcountry west.

Yet disputes, bylaws, and votes concerning roads only increased as the 19th century wore on. In 1807 the Town "Voted That the selectmen lay out a public road from Abner Stetsons, by Joshua B. Foord's to Duxbury line, provided the expence to the town do no exceed ten dollars, and that Duxbury lay out a road to meet it."<sup>665</sup> Earlier that year, in a sign, perhaps, of an increasingly republican political culture, with an overt sense of Public good, the Town "Voted That the Selectmen be authorized to employ persons in any of the Highway districts, to others, [i.e., to districts other than their own] as the

<sup>662</sup>Pembroke Town Meeting, March 19th, 1804.

<sup>663</sup>Pembroke Town Meeting, May 7th, 1804.

<sup>664</sup> See Charles Sellers, *The Market Revolution: Jacksonian America, 1815-46*. (New York: Oxford University Press, 1991).

<sup>665</sup>Pembroke Town Meeting, Nov.2nd, 1807.

public good may require."<sup>666</sup> In general, the pace of road-building and maintenance expanded during the early republic in Pembroke, but it did so in a far from uniform fashion.<sup>667</sup>

The increased attention to the highways and byways of the town was evidenced by a novel introduction to Pembroke: for the first time, provision was made for the organized, communal clearing of snow from the roads during the winter months. In the spring of 1807, the Town "Voted That Surveyors of highways, be empowered to remove, or tread down snow in the winter, When the ways are blocked up with it."<sup>668</sup> Thus was the now-venerable practice of town snow-plowing born in Pembroke, a practice memorable to this historian during the research and writing of this dissertation. The practice continued in subsequent years. It was decided in 1808 "To impower Surveyors of highways to make a tax (if need be) to remove snow &c"; in 1809 these surveyors of highways were, in the course of their new, formalized snow duties, to "be served with warrants from the Selectmen to work out their tax bills."<sup>669</sup> Snow removal became an integral part of the road responsibilities of the Town in the following years. By 1815, the Town was giving elaborate instructions regarding the snow: "Voted that Surveyors of highways adopt the same method to remove Snow, which is practised in the Town of Abington. Viz. That Surveyors employ men at Sixty Cents per day, and oxen at the same price, and that a bill of their labor be exhibited to the Town at their March meeting, and added to the Sum raised for the repair of highways the this insuing Year; & the Sum of each man's labor be taken out of his next year's tax."<sup>670</sup>

As in the years before the Revolution, bog-ore from Pembroke's ponds and wetlands remained a subject of common ownership and regulation by the town as a whole. In a change in the infrastructure

<sup>666</sup>Pembroke Town Meeting, May 11th, 1807.

<sup>667</sup>For a Town Meeting evincing both tendencies, see Pembroke Town Meeting, General Court Election Meeting, (n.d.), Spring, 1805.

<sup>668</sup>Pembroke Town Meeting, April 6th, 1807, by adjournment from the annual meeting of March 16th, 1807.

<sup>669</sup>Pembroke Town Meeting, April 4th, 1808, by adjournment from the Annual Meeting of March 14th, 1808; Pembroke Town Meeting, March 13th, 1809.

<sup>670</sup>Pembroke Town Meeting, March 13th, 1815.

of Pembroke's micropolitan regulatory state that echoed developments in the herring fishery, one man was given general jurisdiction over its supplies of iron-ore. In the spring of 1801, Pembroke "voted To choose [an] agent to examine Jones river pond for Ore and dispose of the Same, and account therefor, to the town." "Robert Howland [was] chosen Said agent."<sup>671</sup> Notably, this was the first time the Town Meeting had handled matters relating to bog iron since the era of the Revolution, and before that, the French and Indian War. Given the fact that the ore "regrew" over the course of about thirty years, harvesting dates in the 1750s, 1770s, and around 1800 make ecological sense.<sup>672</sup>

The regulation of this common fluvial resource continued apace two years later, when the Fall budgetary meeting promulgated further decisions regarding the bog-ore. It first "Voted That the Iron Ore already dug in Jones river pond, and not paid for, shall be sold at sixty five cents per ton." Then it directed "That the Agent for Jones river pond, shall dispose of no ore in future under one dollar per ton." It chose "Micah Foster [to] be an Agent to take care of all the other ponds in the town where Ore is, or may be, found and dispos of the same, for the use of the town, the price of Ore, discretionary with said Agent."<sup>673</sup> By a meeting in the Fall of 1808, accounting for the ore had become markedly more complex than it had been in previous decades; the aforementioned Robert Howland, for instance, appeared to be paying ten dollars for "Ore at 60.<sup>cts</sup> per ton"; there were other amounts chargeable to the same man, with Howland paying, at a dollar per ton of ore, \$164.07 to the Town.<sup>674</sup>

As in Wareham, so in Pembroke was the closing of the range one of the surest signs that, while long continuities in the maintenance of the commons, particularly the fluvial commons, remained, profound changes were marking the social organization of the land. The early years of the new republic

<sup>671</sup>Pembroke Town Meeting, March 9th, 1801.

<sup>672</sup>See, for instance, Pembroke Town Meeting, July 28th, 1752, and Pembroke Town Meeting, July 11th, 1774.

<sup>673</sup>Pembroke Town Meeting, Nov. 7th, 1803.

<sup>674</sup>Pembroke Town Meeting, Nov. 7th, 1808.

continued the previous hog-regime, allowing them at large yoked and ringed, according to both popular usage and legal injunction. But at the annual Meeting in 1797, this changed. Pembroke "Voted that the Swine do not Run at large being yoaked & wringed according to law,"<sup>675</sup> marking the beginning of a long process of closing the range.

But it was not a unitary or overnight process. Rather, it was characterized by particularity and frequent revision. For if the day of the free-roaming swine came to an end in 1797, other livestock continued to wander abroad over common pasturage. The 1804 annual meeting "Voted That Horses Shall not go at large" -- implying, of course, that they had done so earlier.<sup>676</sup> Two years later, it was the turn of the sheep: "Sheep not to run at large" was the terse command of the Town.<sup>677</sup> Yet even as late as 1812, cattle were still grazing the common meadows, as evidenced by its vote "That Cattle go unrestrained;" though "hogs, and horses Shall not run at large."<sup>678</sup> By 1814, even cattle were coming under a stricter regime: "Voted that any man by obtaining a permit from the Selectmen (a Committee chosen for that purpose) may let one Cow run at large; but all others are restrained."<sup>679</sup> Yet if the range was dying, it was dying a slow death. Even in 1815 -- conventionally regarded as the beginning of the antebellum rather than the early republic -- the range was not fully closed, for Pembroke still let "Neat Cattle go unrestrained," even if "hogs and horses [were] shut up."<sup>680</sup> Even on the land, where they were weaker, the spaces, practices, and traditions of the commons still breathed on the eve of the industrial revolution. Nevertheless, the closing of the range was a significant event, though perhaps not quite so much in the mixed agricultural regime of Plymouth as in backcountry areas of the upland South.

<sup>675</sup>Pembroke Town Meeting, March 13th, 1797.

<sup>676</sup>Pembroke Town Meeting, March 19th, 1804.

<sup>677</sup>Pembroke Town Meeting, March 10th, 1806.

<sup>678</sup>Pembroke Town Meeting April 6th, 1812, by adjournment from the annual meeting of March 4th, 1812.

<sup>679</sup>Pembroke Town Meeting, March 7th, 1814.

<sup>680</sup>Pembroke Town Meeting, March 13th, 1815.

During the decades of the early republic, for the first time, fences and their regulation became highly contested issues in Pembroke. With the closing of the range, an increase in population and attendant demographic and ecological pressures, disputes over fences and boundaries multiplied. The fence viewers of the town, heretofore relatively minor officers chosen at the March annual Town Meeting, suddenly became highly significant figures in the life of the community. This newfound concern for enclosure is just one aspect of the transformation of Pembroke's collective life, from a largely traditional, agrarian society to one increasingly ruled by forces of market capitalism.

It was in the first decade of the 19th century that fence disputes first appear suddenly and soon loom large in the records of Pembroke. They mark the transition from a world of common pastures and fields to a world of enclosure, yet enclosures supervised, mediated, and often directed by the fence viewers as officers of the body politic. In neither world did rugged individualists exercise untrammelled will over their personal property.

In 1807, fence viewers John Oldham and Lot Ford entered four voluminous documents related to fencing disputes in the Town Book. They demonstrate the extent of communal control over the disposition of property in Pembroke during these years.

"Whereas a dispute has arisen between Asa Keen Jun<sup>r</sup> of Pembroke and Lot Stetson of said Pembroke, about their respective rights in a partition fence in the line between their lands, or farms of said Pembroke, from the highway leading from the said Keen's to the said Stetson's Southerly to the lands of James Barstow. We the subscribers, fence viewers of the town of Pembroke, duly chosen and sworn having on the application of the said Keen, and after having given due notice to the said Lot Stetson, viewed the premises, and duly considered the matter in dispute, and have assigned and do hereby assessing to each of the s<sup>d</sup> parties, his share of said fence as follows. (viz) the said Lot Stetson shall build and keep in repair a good and sufficient fence from the Southerly side of the highway aforesaid, in said line thirty eight rods, and the s<sup>d</sup> Asa Keen Jn<sup>r</sup> shall build and keep in repair a like fence from the end of the [Stetson's 38 rods] fifty three rods and nine links...."

In addition, Stetson would have to build another 11 rods and ten links after Keen had finished his 53, to the border of James Barstow's property.<sup>681</sup> Even the type of fencing could be ordered by the fence viewers

At other times, fence viewers were called upon to make sense of the varying levels of overlapping commons, as in a June, 1806 judgment: "Whereas the Northeast corner of the 29th lot of cedar swamp in the 2<sup>d</sup> division of the commons of the towns of Duxbury and Pembroke, cannot be found, the Easterly part of said lot being owned by Aaron Soul Magoun. of Pembroke in the County of Plymouth Yeoman, and said corner is, and ought to be, the Southeast corner of a meadow lot (so called) owned in common and individed between Levi Sturtevant and Jonathan Waterman Josselyn both of said Pembroke Yeoman."<sup>682</sup>

There is also evidence of fence construction that may not have been directly ordered by the Town. In 1813, the Town Clerk certified a document from the spring of 1806, stating that "This may certify that I [Joseph B. Josselyn] have agreed to build for Saml] Barker, and finish by the middle of May next, about eight Rods of Stone wall, on a line...."<sup>683</sup> Whether or not the town was involved, there is a second notable aspect, for here is visible, in the records of the town, the physical creation of a landscape, of the stonewalls that still ramble across the woods and yards and byways of Pembroke, and which have been so remarked by visitors to New England generally as to become a byword for the region.

It was not just fences that marked an increasingly "bounded land." The boundaries between towns also became more intensely fixed during this period. While in previous decades, the selectmen of adjacent towns had perambulated the boundaries of their towns, the frequency of such perambulations increased in the first decade of the 19th century. Perhaps this trend was related to the increasingly

<sup>681</sup>Lot Ford and John Oldham, Fence Viewers of Pembroke, Pembroke Town Book, Nov. 5th, 1807.

<sup>682</sup>Fence Viewers of Pembroke, Pembroke Town Book, June 21st, 1806.

<sup>683</sup>Pembroke Town Clerk, Pembroke Town Book, April 6th, 1813, attesting a document dated March 10th, 1806.



intense use of the land; indeed, E.P. Thompson has described similar rituals in early modern England, traditional times of "rogation-tide" -- when the members of a parish circumambulated its boundaries, and, during the period of enclosure, frequently knocked down new fences, hedges, and other boundaries, often led by their clergyman.<sup>684</sup> Such overt measures of resistance to a change in a social-economic order are not detected in the records of Plymouth County; yet the dramatic increase in perambulations in the first decades of the American republic is surely significant. 1805, for instance, was a period of intense boundary-policing; the selectmen of Pembroke (or their agent, Nathaniel Loring) perambulated the boundaries with Halifax, Bridgewater, Abington, Kingston, and Duxbury.<sup>685</sup> A similar pattern can be observed five years later, in 1810, with Marshfield a late addition, its bounds being walked in 1813.<sup>686</sup>

On the whole, the commons remained closely guarded during this period. Their regulation became more complicated, and an increasingly developed economic life meant an increasingly enclosed and bounded land. Yet the essential ends of previous decades of regulation of the commons remained largely unaltered.

### III: Poverty

In the years after the ratification of the federal constitution, poverty noticeably increased in both quantity and intensity in the towns of Plymouth County. That the increase marked the change of

<sup>684</sup>See, e.g., E.P. Thompson, "The Rule of Law," in *The Essential E.P. Thompson*, ed. Dorothy Thompson, 435.

<sup>685</sup>Records of these perambulations occur in the Pembroke Town Book on: Jan. 12, 1805 (Hanover); May 20th, 1805 (Duxbury); Aug. 19th 1805 (Halifax); Oct. 4th, 1805 (Bridgewater); Nov. 1st, 1805 (Abington); Nov. 2nd, 1805, (Kingston).

<sup>686</sup>Records of these perambulations can be found in the Pembroke Town Book: April 4th, 1810 (Duxbury); June 4th, 1810 (Hanover); June 5th, 1810 (Halifax); Sept. 20th, 1810 (Bridgewater); Oct. 22nd, 1810 (Abington); Dec. 10th, 1810 (Kingston); April 21st, 1813 (Marshfield). The majority of perambulations appear to have occurred in the Fall or the Spring -- the periods when both clement weather, ease of travel, and a relatively bare landscape would most lend themselves to the marking of borders.

something, of a transition from one system or regime to another, is evidenced by the change in the way the town dealt with the poor. As the number of poor increased -- even with an active migration draining off population "to the Eastward" -- that is, to the coast of Maine -- Pembroke's old method of bidding off the poor came under increasing pressure. By the end of this period, during the war years of 1812-15, the move towards a system of formal poor houses had been decisively made, leaving the frequently *ad hoc* and touch-and-go system of bidding off the poor a feature of an older regime.

The increase in poverty is evident to the historian in a number of ways. One of these, discussed below, is the absolute increase in the number of individuals being bid off during the Fall budgetary town meetings. A small glimpse can be revealed through just a few of the entries from one autumn, 1794 meeting. Pembroke voted £4-01-03<sup>1/2</sup> to Joshua Turner "for keeping Joseph Warricks Child"; Nathaniel Loring was granted £15-12-00 "for keeping Frederick Davis 52 weeks." Slightly less money, £15-07-08, was voted "to Levi Reed for keeping M./rs Ramsdel and Child 52 Weeks," notable in that this lesser sum was supposed to pay for the upkeep of *both* mother and child.<sup>687</sup>

Two years later, in 1796, the Town raised fifty pounds for the general upkeep of the poor. Yet it would be wrong to assume that this meant the start of a cash economy. Indeed, alongside the denomination of poor funds in currency lies evidence of the persistence of country pay, of older modes of material exchange. At the fall budgetary meeting, the Town "Voted to Zurviah Briggs 6 Cords of wood 20 Bushells of Indien Corn & 5 Bushells of Rye"; it provided "to Seth Jacob 5 Cords of wood"; "to Ruth Garnet 7 Bushells Corn, 2 Rye and 5 Cord wood"; and "to William Tribler 100 wait of Beef & 13 Bushells Corn[.]"<sup>688</sup> The poor had special claims on the town's herring -- "Voted That the Selectmen

<sup>687</sup>Pembroke Town Meeting, Nov. 3rd, 1794.

<sup>688</sup>Pembroke Town Meeting, Nov. 7th, 1796.

Give orders to y.<sup>c</sup> Poor, for fish as Formerly."<sup>689</sup> -- as well as access to at least a modicum of medical care, with \$2.25 being granted "To Doct<sup>r</sup> Charles Turner for visitng the poor."<sup>690</sup>

Change, as in other spheres of Pembroke's common life, came in the first decade of the 19th century. In 1803, the Town "Voted To choose a committee of three to enquire into the probable expence of building a poor house, and to confer with any other towns on the Subject."<sup>691</sup> While still paying out individual sums to townsmen for the upkeep of impoverished persons, the town did not let go of the idea of a poor house. In 1805, a committee of local notables was chosen: "voted To choose a committee to enquire how a house can, or may be hired for the towns poor, are to report the result of their enquiry at the next town meeting."<sup>692</sup> A few weeks later, the task was given to the selectmen. "Voted That the Selectmen be a committee to hire a house for the reception of the poor of the town."<sup>693</sup>

By that autumn, pressure on the extant poor regime must have been increasing, for the town found itself attempting a number of expedients. Again, while still voting sums for individual poor persons -- \$70.11 to Benjamin Barker for the care fo Anne Bisbee; \$9.96 to "Jabez Witherel keeping Honor Bishop" -- new methods of dealing with poverty en masse were proposed. "Voted To vendue the poor, the whole of them together to the lowest bidder, to be suitably provided for, in sickness and health. Doctors bills excepted[.]"<sup>694</sup> Yet this must have proven controversial, for a week later the Town again took up the subject of poverty, "Vot[ing] To reconsider the vote of last meeting respecting vendueing the poor together." Instead, the Town Meeting "Voted To build a house for the reception of the poor." A five man committee was chosen "to carry the last vote into effect.... Said committee to

<sup>689</sup>Pembroke Town Meeting, March 12th, 1798.

<sup>690</sup>Pembroke Town Meeting, Oct. 20th, 1800.

<sup>691</sup>Pembroke Town Meeting, March 14th, 1803.

<sup>692</sup>Pembroke Town Meeting, March 11th, 1805.

<sup>693</sup>Pembroke Town Meeting, April 1st, 1805, by adjournment.

<sup>694</sup>Pembroke TOWN Meeting, Nov. 11th, 1805.

draw a plan, of said house and report to the town." The committee was to find subscribers for the project. However, somewhat ambiguously, the town ended this meeting by simply deciding "To put out the poor, as the last year."<sup>695</sup> Yet the matter was not settled. That December, Pembroke "Voted To reconsider the vote, passed last meeting respecting building a house for the poor." And, in a sign that the category of the deserving poor was circumscribed by boundaries of race and locality, the Town "Voted Not to pay any account, demanded by the towns of Boston, or Plymouth for the support of Black Sal. (so called)[.]"<sup>696</sup> Sal, likely of mixed African and eastern Algonquian descent, demonstrates that, beyond even the casual humiliation suffered by impoverished whites in southeastern Massachusetts, there existed categories of people who suffered, if not social death, then at least a sojourn through a kind of social purgatory.

At an April Town Meeting of 1807, the subject was once more raised. "Voted To choose a committee of five, to purchase, a house for a work, or poor house." Five men were again chosen, and directed to report at the May meeting of the Town.<sup>697</sup> With the system continuing in its relative chaos through 1807, by 1808, the voters of the Town Meeting were looking to a quasi-regional institution: "Voted To observe a Committee of three ... to confer with a committee from Scituate, and Hanover, respecting the erection of an house for the poor; and report their doings at the next April meeting."<sup>698</sup>

It was in the next decade, though, that a crucial change occurred in the care of the poor, marking the emergence of a new social-economic regime with regard to the poor in Pembroke. In the spring of 1811, it was "Voted To purchase an house for the reception, and Accommodation of the Town poor." Yet another committee was selected to deal with the erection of a poor house. Its report was accepted by the town that summer. That the changes amounted to a significant, perhaps decisive

<sup>695</sup>Pembroke Town Meeting, Nov. 18th, 1805.

<sup>696</sup>Pembroke Town Meeting, Dec. 2nd, 1805.

<sup>697</sup>Pembroke Town Meeting, April 6th, 1807.

<sup>698</sup>Pembroke Town Meeting, March 14th, 1808.

change in the regulation of the poor in Pembroke, is evidenced by the further stipulations regarding the behavior of the indigent: "Voted That the Overseers of the poor, contract with some person to be an Overseer of said poor house: and also, to draw up Rules, and Regulations for the due government of said house, ~ and report the same at the next Fall Meeting." Moreover, "the said Selectmen, or Overseers of the poor," were to "provide for Said house, all necessary furniture for house-keeping." It has become a common-place in certain scholarly circles that the changes accompanying the rise of capitalist modernity were manifested in part through a tightening of institutional regulation -- the era of the asylum<sup>699</sup>, the poorhouse, the school, the convent, the barracks, the industrial factory town. Here was one part of this sea change, manifested in one small New England town.<sup>700</sup>

The plans were executed in the fall. "Voted That the poor of this town be conveyed to the Poor-house at the trouble of the Overseers." The details of the new regime were clarified: "Voted That the Overseers of the poor contract with that physician by the year, to attend the paupers in the poor-house, who will undertake it on the [towns?] [illegible]." Finally, the Town "Voted That if any person between this, and the 5<sup>th</sup> of Nov<sup>r</sup> next, give bonds to free any pauper from the town for one year, they shall be indulged with that privilege." Thus, even as the transition to a capitalist society was in its most dramatic phase, the language of an older epoch -- "privilege" in its old New England, indeed, medieval sense -- was maintained -- traces of a distant, but relevant, past.<sup>701</sup> The corporate power of the town as a body politic remained strong, and many poor people were still "kept" as before. Thus, in the autumn of 1812, the Town Meeting "Voted that the Selectmen prosecute for the support of the Widow Lydie Fish, those persons, whose right it is to support her." At that same meeting, however, the new poor regime was also regulated: "Voted that the Overseers of the Poor, appoint Capt. Nath. Soper to inspect the poor

<sup>699</sup> See, for instance, David J. Rothman, *The Discovery of the Asylum: Social Order and Disorder in the New Republic*. (Boston: Little Brown, 1971).

<sup>700</sup>Pembroke Town Meeting, May 13th, 1811; July 29th, 1811.

<sup>701</sup>Pembroke Town Meeting, Oct. 21st, 1811.

house once every week, and see that the Regulations thereof are comforbly [?] attended to."<sup>702</sup> A similar pattern prevailed in 1813, as the "widow Abigail Bearce" was allowed "one peck of Corn" week, till the first of June next." At the same time, a selectman -- just one -- was ordered to inspect the poor house once a month.<sup>703</sup> By November of that year, elements of this new regime -- more anonymous, more centralized, and more consonant with the demands of a market than a traditional society -- became increasingly firm in their place: "Voted to support the poor, in the way and manner in which they were supported the last year; and, that all who are assisted by the town, be supported at the poor house." In addition, while there were still individual transactions in wood or other kind, the supply of the poor-house was thrown open to auction: "Voted to vendue the wood for the poor-house."<sup>704</sup>

In the following years, the town found its heart hardened even against aged and intimately cared-for widows -- though not without some pangs of parliamentary remorse. On December 26th, 1814 -- no Yuletide for these descendants of the Pilgrims -- the town rescinded a previous decision. "Voted to reconsider the vote [respecting] the Widow Fish's being carried to the Poor-house." Then, Pembroke "Voted to give Caleb Fish One dollar a week to support his mother till March meeting."<sup>705</sup> But this was to be short-lived. "Voted that if the Widow Fish needs any further support, that She be carried to the poor-house." Similar treatment was afforded the Widow Bearce. "Voted that the widow Bearce be carried to the poor-house, if She Stands in need of help." Several weeks later, it was "Voted that the Selectmen deliver to the Widow Lindsay her Bed and Bedding now at the Poor-house." And, in a modification of earlier practice, "the money arising from the sale of the Fish" was to "be appropriated to the use and benefit of the Poor-house." Eventually, Capt. Soper received a salary of \$150 of the

<sup>702</sup>Pembroke Town Meeting, Nov. 2nd, 1812.

<sup>703</sup>Pembroke Town Meeting, March 8th, 1813.

<sup>704</sup>Pembroke Town Meeting, Nov. 8th, 1813.

<sup>705</sup>Pembroke Town Meeting, Dec. 26th, 1814.

money arising from the sale of the Fish, the next spring; and the remainder be appropriated "to the use and benefit of the poor-house."<sup>706</sup>

By the end of the War of 1812, then, the poor were being enclosed in a fashion discernable in other, though by no means all, of the town's common life and resources. These changes, while far from total, were real; and, in the case of Pembroke's poorest citizens, who in this period increased greatly, they were marked with an increased hardness of heart. Perhaps it will strike the reader as a bit of Marxist romanticism, but it is nevertheless necessary to suggest that it was perhaps just such a hardness of heart that enabled the capitalist development of the 19th century -- in Pembroke, and around the world.

#### IV: Electoral Politics

These decades also witnessed the regularization and formalization of government at the local level. In April, 1790, for instance, the town made the distinction, novel in the Town Records, of a differentiation of verbal and written reports: "The Verble Report of the Alewives Committee was not accepted after which a Written Report was accepted[.]"<sup>707</sup> Over fifteen years later, the Town went much further. In the autumn of 1806, the fall budgetary meeting "Voted That the Selectmen procure a book, to be called the selectmen's book, in which the selectmen, for the time being shall record all orders they may draw on the Treasurer, so that at all times the debts of the town may be ascertained."<sup>708</sup>

<sup>706</sup>Pembroke Town Meeting, March 13th, 1815; May 3rd, 1815; Nov. 1st, 1815.

<sup>707</sup>Pembroke Town Meeting, April 5th, 1790.

<sup>708</sup>Pembroke Town Meeting, Nov. 6th, 1806.

Beyond the regularization of local government, Pembroke now found itself participating in a wider electoral world. Not only representatives to the General Court, but also state Senators and Councillors, United States Congressmen, and even Presidential Electors were now the subject of elections -- a clear shift from the colonial era. However, it was in the election of the new Commonwealth's chief executives, via gubernatorial elections, that both the shift from the old regime and the emergence of the First Party System during the 1790s, can be traced. Eventually, Pembroke would prove itself one of the towns most loyal to the Democratic-Republican Party of Jefferson and Madison in all of Plymouth County, and southeast Massachusetts more broadly.

Though the 1780s certainly witnessed gubernatorial contests in Pembroke, they were generally, as in Wareham, rather one-sided affairs. Voting *en bloc* generally remained the standard operating procedure. John Hancock and Thomas Cushing were able to rack up massive tallies: 59 votes for Hancock in 1781, and none opposed; 61 in 1783 -- likewise unanimous, with another unanimous victory in 1788. In 1784, voters broke 28-1 for Hancock, with the one opposing vote going to Cushing. Cushing, for his part, achieved a majority of 33 to 4 in 1785. Still, this is not to suggest that the weight of events was unfelt in these local elections. Indeed, the contests surrounding Shays' Rebellion are instructive; in 1786, as dissatisfaction grew throughout western, central, and parts of eastern Massachusetts, as well as in New Hampshire and Rhode Island, Plymouth County's Thomas Cushing carried Pembroke with 14 votes, while seven went to James Bowdoin (the eventual victor), and two to Gen. Benjamin Lincoln, of Hingham, in the northern part of the county. By the next spring, the outbreak and suppression of Shays' Rebellion had caused widespread discontent with Bowdoin. He was defeated by John Hancock, 56-16 in Pembroke, and throughout the Commonwealth.<sup>709</sup>

<sup>709</sup>See Chart, Gubernatorial Returns in Pembroke, Massachusetts, 1781-1815. Information compiled by me from *A New Nation Votes: American Elections Returns, 1787-1825*, at [www.elections.lib.tufts.edu](http://www.elections.lib.tufts.edu), and the Pembroke Town Records, Town Clerk's Office, Pembroke, Mass.



The pattern of heroes of the revolutionary struggle cruising to large, or even unanimous, majorities continued in the first part of the 1790s. Samuel Adams received 66 votes in Pembroke in 1794, with 15 against; 67 in 1795, with seven votes split between four other candidates; and 69 votes in 1796, against ten votes split between two candidates, nine to one. 1797, though, seems to be a watershed year. That year, for the first time, an identifiably partisan contest took place. While Federalist Increase Sumner triumphed statewide, James Sullivan, emerging as a Republican stalwart over the next decade, won in Pembroke, with 47 votes to Sumner's 11 and Moses Gill's five.

If Pembroke embraced Republicanism early, by the first decade of the 19th century, it had become sufficiently well established throughout Massachusetts as a whole that a rudimentary party structure began to grow up. According to Noble E. Cunningham, these years witnessed the creation of a state-wide party caucus, which then filtered into the state's various localities by means of town and county committees. The county committees tended to act as a liaison between the statewide party and the party in the several towns.<sup>710</sup>

That Pembroke would become such a staunchly Republican town was not foreordained. Indeed, in 1798, the Federalists carried the town, as well as the state, with Sumner prevailing over Sullivan, 38 to 33 votes (one vote each went to Moses Gill and to local notable Kilborn Whitman). The next four elections, though, were a string of Republican successes in Pembroke, if not in Massachusetts as a whole. For while the party lost all four gubernatorial contests statewide, they won strong victories in Pembroke. Thus in 1799, when Increase Sumner won reelection, Democratic-Republic William Heath won Pembroke, 71 to 56 votes (with one going, again, to Moses Gill). The next year, 1800, despite Federalist Caleb Strong's statewide victory, Pembroke voted, by orders of magnitude, for his opponent, Elbridge Gerry, an Essex County Republican (the tally was 80 to 8). Gerry carried the town again in

<sup>710</sup>Noble E. Cunningham, *The Jeffersonian Republicans in Power: Party Operations, 1801-1809* (Williamsburg, Va.: The University of North Carolina Press for the Institute of Early American History and Culture at Williamsburg, 1963), 133-142.

1801 and 1802, despite losing the state both years. In the former, his victory in Pembroke was decisive (80 to 33); in the latter, nerve-wrackingly close (94 to 92).<sup>711</sup>

Republican dominance was not total, however. In 1803, Federalist Caleb Strong carried Pembroke by 74 to 51 votes. Yet this was the only Federalist victory in Pembroke -- though not Massachusetts -- for the next decade. In the next nine gubernatorial elections, the Democratic-Republican candidate carried Pembroke. Five of these were victories by James Sullivan; he won the town by 107 to 48 in 1804, by 164 to 74 in 1805, by 147 to 92 (with five votes for two minor candidates) in 1806, by 149 to 101 (with four other votes cast) in 1807, and by 156 to 99 (with four votes for two minor candidates) in 1808. Sullivan won the governorship in 1807 and 1808. The Republican trend continued during the years of the first Madison Administration. In 1809, Levi Lincoln, and in 1810-12, Elbridge Gerry, won Pembroke -- though the Republicans only won statewide in 1810 and 1811.<sup>712</sup>

It was the War of 1812 and its attendant crises that shook Republican domination of Pembroke to its foundations. For the first time, Federalists won consecutive gubernatorial elections in the town. Caleb Strong won both Pembroke and the Commonwealth as a whole in 1813, 1814, and 1815. Strong's margins were comparatively narrow; in 1814, for instance, he won by just eight votes (155 to 147), and the next year, by only seven (135 to 128). Yet even a Republican town like Pembroke could not withstand the electoral destruction wrought in New England as a consequence of "Mr. Madison's War."

<sup>711</sup>Ibid.

<sup>712</sup>ibid.

Chart 2. *Pembroke Votes for Governor, 1781-1815.*<sup>713</sup>

| <b>Year</b> | <b>Winner in Pembroke</b> | <b>Vote Tally</b>   | <b>Loser(s) in Pembroke</b>          | <b>Winner of Mass.</b> | <b>Notes</b>                   |
|-------------|---------------------------|---------------------|--------------------------------------|------------------------|--------------------------------|
| 1781        | J. Hancock                | 59-0<br>(unanimous) | None                                 | J. Hancock             |                                |
| 1782        |                           |                     |                                      | J. Hancock             |                                |
| 1783        | J. Hancock                | 61-0<br>(unanimous) | None.                                | J. Hancock             |                                |
| 1784        | J. Hancock                | 28-1                | T. Cushing                           | J. Hancock             | Cushing wins LG in Pembroke    |
| 1785        | T. Cushing                | 33-4                | T. Dallon                            | T. Cushing             | Dallon wins LG in Pembroke     |
| 1786        | T. Cushing                | 14-7-2              | J. Bowdoin, B. Lincoln               | J. Bowdoin             |                                |
| 1787        | J. Hancock                | 56-16               | J. Bowdoin                           | J. Hancock             | Aftermath of Shays's Rebellion |
| 1788        | J. Hancock                | 54-0<br>(unanimous) | none                                 | J. Hancock             |                                |
| 1789        | J. Bowdoin                | 30-24-3-1           | J. Hancock, B. Lincoln, S. Adams     | J. Hancock             |                                |
| 1790        | J. Hancock                | 27-6                | J. Bowdoin                           | J. Hancock             |                                |
| 1791        | J. Hancock                | 35 to 2 to 1        | D. Cobb, A. Orne                     | J. Hancock             |                                |
| 1792        | J. Hancock                | 32 to 2 to 1        | A. Orne, T. Russell                  | J. Hancock             |                                |
| 1793        | J. Hancock                | 49-16               | W. Cushing                           | J. Hancock             |                                |
| 1794        | S. Adams                  | 66-15               | W. Cushing                           | S. Adams               |                                |
| 1795        | S. Adams                  | 67-3-2-1-1          | J. Bowdoin, S. Phillips, A. Orne, W. | S. Adams               |                                |

<sup>713</sup> Results can be found at [www.elections.lib.tufts.edu](http://www.elections.lib.tufts.edu).

|      |             |               |                                  |           |                                                                                         |
|------|-------------|---------------|----------------------------------|-----------|-----------------------------------------------------------------------------------------|
|      |             |               | Cushing                          |           |                                                                                         |
| 1796 | S. Adams    | 60 to 9 to 1  | I. Sumner, E. Gerry              | S. Adams  |                                                                                         |
| 1797 | J. Sullivan | 47 to 11 to 5 | I. Sumner, M. Gill               | I. Sumner | 1st vote for D-R favorite, James Sullivan                                               |
| 1798 | I. Sumner   | 38-33-1-1     | J. Sullivan, K. Whitman, M. Gill | I. Sumner | Rare Federalist victory.                                                                |
| 1799 | W. Heath    | 71-56-1       | I. Sumner, M. Gill               | I. Sumner | Decisive victory for Heath (D-R) <sup>714</sup>                                         |
| 1800 | E. Gerry    | 80-8          | C. Strong                        | C. Strong | Republican win by orders of magnitude in Pembroke.                                      |
| 1801 | E. Gerry    | 80-33         | C. Strong                        | C. Strong | Decisive Republican victory in Pembroke.                                                |
| 1802 | E. Gerry    | 94-92         | C. Strong                        | C. Strong | Narrowest Republican victory yet in Pembroke; Strong carries state by a large majority. |
| 1803 | C. Strong   | 74-51         | E. Gerry                         | C. Strong | Federal victory in Pembroke; Strong more than doubles Gerry's vote across the state.    |
| 1804 | J. Sullivan | 107-48        | C. Strong                        | C. Strong | Republicans again                                                                       |

<sup>714</sup>Heath was an "ardent Jeffersonian," according to Harry M. Ward. "Heath, William"; <http://www.anb.org.proxy.lib.umich.edu/articles/01/01-00391.html>; *American National Biography Online* Feb. 2000. Access Date: Wed Aug 06 2014 23:27:48 GMT-0400 (Eastern Daylight Time) . It is notable that Heath, in his 1798 run for Congress against Harrison Gray Otis, carried (according to Ward) the country districts by a 2-1 margin. His popularity in Pembroke was in keeping with its long-standing Country sympathies.

|      |             |             |                                       |             |                                                                                                     |
|------|-------------|-------------|---------------------------------------|-------------|-----------------------------------------------------------------------------------------------------|
|      |             |             |                                       |             | dominant in<br>Pembroke.                                                                            |
| 1805 | J. Sullivan | 164-74      | C. Strong                             | C. Strong   | R's more than<br>double<br>Federalist<br>votes in<br>Pembroke.                                      |
| 1806 | J. Sullivan | 147-92-4-1  | C. Strong, W.<br>Heath, E.<br>Robbins | C. Strong   | Republican<br>victory in<br>Pembroke;<br>close election<br>statewide (c.<br>500 vote F<br>victory). |
| 1807 | J. Sullivan | 149-101-4   | C. Strong, E.<br>Robbins              | J. Sullivan | Statewide<br>Republican<br>victory.                                                                 |
| 1808 | J. Sullivan | 156-99-3-1  | C. Gore, L.<br>Lincoln, D.<br>Cobb    | J. Sullivan | Statewide<br>Republican<br>victory.                                                                 |
| 1809 | L. Lincoln  | 148-121-1   | C. Gore, E.<br>Gerry                  | C. Gore     |                                                                                                     |
| 1810 | E. Gerry    | 153-113-2-1 | C. Gore, D.<br>Cobb, W.<br>Gray       | E. Gerry    |                                                                                                     |
| 1811 | E. Gerry    | 108-88      | C. Gore                               | E. Gerry    |                                                                                                     |
| 1812 | E. Gerry    | 145-129-1   | C. Strong, W.<br>King                 | C. Strong   | Federalist<br>triumph over<br>war fears.                                                            |
| 1813 | C. Strong   | 164-126-1-1 | J. Varnum, S.<br>Dexter               | C. Strong   | Federalist<br>margin grows<br>even higher.                                                          |
| 1814 | C. Strong   | 155-147     | S. Dexter                             | C. Strong   | Federalist<br>victory even in<br>DR<br>strongholds<br>like<br>Pembroke.                             |
| 1815 | C. Strong   | 135-128     | S. Dexter                             | C. Strong   | Another<br>Federalist                                                                               |

|  |  |  |  |  |                         |
|--|--|--|--|--|-------------------------|
|  |  |  |  |  | victory in<br>Pembroke. |
|--|--|--|--|--|-------------------------|

V: The Worldview of the Plymouth County Republicans

What were the contents of the ideology which motivated Plymouth County Republicans? How can their political worldview be understood? The answers to these questions can be provided, at least in part, by a remarkable document, an 1805 Independence Day address to Plymouth County Republicans gathered in celebration at Pembroke – a further sign of the town's unusually staunch Jeffersonian sympathies in eastern New England. The oration, delivered by John Danforth Dunbar, Esq., of Plymouth, and later printed in Boston, iterated themes common to Democratic-Republican rhetoric during the First Party System while also astutely tailoring them to local circumstances. It serves as a glimpse, however partial and incomplete, into the lifeworld of Plymouth County politics during the first decades of the republic.

Dunbar is overt from the start in his admiration for Thomas Jefferson. He begins his address with an invocation of the Declaration of Independence: “Nine and twenty times has the earth performed its annual revolution, since the Charter of our Independence, penned by Jefferson and subscribed by Hancock, announced freedom and sovereignty to this western world.”<sup>715</sup> By invoking Hancock, a popular political figure in Massachusetts (that Hancock had died no doubt increased the reverence and nostalgia which attended him), alongside Jefferson, Dunbar cleverly cast his message in such a way that his audience would be more receptive to it. The state of the Union in the first year of Jefferson's second term was strong: "Happy at home and respected abroad, peace and plenty are our companions;

<sup>715</sup>John Danforth Dunbar, "An Oration, Pronounced on the 4th July, 1805, at Pembroke; At the Request of a Convention of Republicans, From Various Parts of the County of Plymouth." (Boston: True and Perks, 1805), 3. Downloaded via the Shaw-Shoemaker Archive.

an unanimity, too great to be disturbed by opposition, directs our councils and pervades our country. While conscriptions and impressments drain the vital energies of the old world, our militia is a sufficient bulwark: instead of oppressive burthens, our external taxes are equal to the necessary expenses of government." Indeed, under Jefferson, the Constitution was again in safe hands -- "The pillars of our national constitution are erect on their pedestals; one, originally weak, has been amended and strengthened, and the edifice now defies the whole force of its enemies -- Jefferson guards its portals, supported by the love and energy of the good, the virtuous, and the wise."<sup>716</sup>

After several encomia to the military figures who had secured liberty not only in the Revolution, but, significantly, in the French and Indian War as well, Dunbar passed on to what he considered the essential principles that lay behind the Revolution. Religious freedom, self-government, public accountability, "the right of the People to reform, alter, or change their government when their happiness requires it," trial by jury, what would be called privacy rights in the 21st century, press freedom, "the right to keep and bear arms," and freedom of assembly formed his litany of American liberties. In a line with crucial resonances for the rest of the speech, Dunbar asserts that "[t]hese principles are totally inconsistent with monarchical, and aristocratical power," and "are objects of hatred to those who are ambitious of those powers." For the rest of the oration, Dunbar argues that "those ... ambitious of those powers" are the Federalists, and most especially their dominant elites.<sup>717</sup>

The Federalist leadership, Dunbar charged, constituted a conspiratorial clique aiming at the subversion of republican government. The fear of conspiracy or conspiracies directed against the liberties of the country is replete throughout the document, as it was in the philippics of the Revolution, or, in the 19th century, the polemics of Jacksonians and Whigs. "We must not be surprised to find in this happy country a junto of men adverse to these principles," Dunbar declared to his audience. He

<sup>716</sup>Dunbar, 4-5.

<sup>717</sup>Dunbar, 6-7.

continued with a reference to Cesare Beccaria; the works of the *philosophes*, it seems were widely known in southeastern Massachusetts in the first decade of the 19th century; it was a local manifestation of New England's "village Enlightenment" -- a network of rural intellectuals -- attorneys, physicians, clergymen, and others. "There is, says the celebrated Marquis Beccaria, 'in every human society an effort constantly tending to confer on one part the height of power and happiness; and to reduce the other to the extreme of weakness and misery.'" Wealth inequality threatened oligarchy: "The adventitious influence of wealth, when increased to excess, has as invariably produced that pride and hauteur, that disdain of equality, and that itch of arbitrary power which constitutes the first principle of aristocracy; as an excess richness of soil produces rank, noisome and destructive weeds."<sup>718</sup>

Dunbar continued his rustic analogy: "As it is the business of a wise cultivator to eradicate those destructive weeds, and destroy the very nests of those insects and reptiles which feed upon them; and to compel this excessive luxuriance to contribute to the support and comfort of life: so it is the object of every free government to counteract the effect of excessive wealth, and compel its too rich possessor to contribute to the public weal; to discountenance those pimps and parasites who for ever attend the levees of wealth and grandeur, and to prevent that corruption which none but the wealthy can practise."<sup>719</sup> Following a discussion of the failures of previous republican societies -- of Sparta and of Rome -- Dunbar warmed to the Jeffersonian theme. "Thank Heaven the great body of the people of our Republic are farmers: not only farmers but enlightened and independent farmers: in full possession of the free elective franchise established by our constitutions, with sufficient knowledge to understand those instruments, and appreciate their value."<sup>720</sup> Echoing Jefferson's declaration that farmers constitute "the chosen people of God," Dunbar quoted Col. David Humphreys, a soldier, diplomat, and poet, and one of the Connecticut Wits (a literary grouping centered around Hartford during the early republic),

<sup>718</sup>Dunbar, 7.

<sup>719</sup>Dunbar, 7.

<sup>720</sup>Dunbar, 9.



and whom Dunbar labeled "one of our best writers".<sup>721</sup> Humphreys wrote, according to Dunbar, "that there is something elevating to the soul in the consciousness of being lord of the soil. It converts the farmer into a species of rural philosopher, by inspiring an honest pride in his rank as a freeman, flattering the natural propensity for personal independence, and nourishing an unlimited hospitality and philanthropy in his social character."<sup>722</sup> Nor need the yeomanry of the country worry about a lack of availability of what a later generation would call "the existence of an area of free land"; the vast West would supply all the nation's wants: "Our almost unlimited extent of territory promises an inexhaustible supply of farms to our encreasing population. The ease with which land is acquired, and the profits of their cultivation has raised the price of labor to such a degree, as almost to invert the obligations of master and servants. A hired servant, in a short time, is able to purchase a farm and live independently. This will prevent those born without a patrimony from becoming the tools of some rich employer."<sup>723</sup> Here as elsewhere, Dunbar expressed a deeply held concern with the independence -- economic, political, social -- of the yeoman farmer. In this sense, he expressed classic elements of the Democratic-Republican creed. With its strong resonances with the town's earlier and longstanding Country tradition during the provincial period, such a creed likely proved popular in Pembroke.

As in the thought of Jefferson, the valorization of rural life and values went hand-in-hand with suspicions of cities -- commercial entrepots, dens of vice and iniquity, and thus perfectly suited to reduce a freeborn yeoman to a position of dependence -- to that of an employee. "These observations" on farmers, proclaimed Dunbar, "do not apply to large seaports; where the extreme inequality of wealth renders one portion of men subservient to the other...." However, Dunbar was certain that the vast and

<sup>721</sup>Edward M. Cifelli. "Humphreys, David"; <http://www.anb.org.proxy.lib.umich.edu/articles/02/02-00186.html>; American National Biography Online Feb. 2000. Access Date: Tue Aug 26 2014 22:58:50 GMT-0400 (EDT) Copyright © 2000 American Council of Learned Societies. Published by Oxford University Press. All rights reserved.; Dunbar, 9. Humphreys, ironically enough, was a noted Federalist.

<sup>722</sup>Dunbar, 9-10, quoting Humphreys.

<sup>723</sup>Dunbar, 10.

predominantly agrarian character of the new republic would render their influence moot: "but their weight is too small to be felt in the national scale."<sup>724</sup>

Public schools and religious toleration also guarded the citizens of the new republic from the designs of aristocratic or monarchical elements. "The yeomanry of this country are generally well instructed. Our town schools equally open to the rich and poor, diffuse knowledge so generally to a certain degree, as keeps the people from being their own enemies through ignorance; and so long as knowledge is generally diffused, tyranny will show his head only to lose it."<sup>725</sup> Here, Dunbar appears to conflate traditional New England educational practices and institutions, such as the common schools of the several towns, with national practices (or perhaps by "this Country" he means merely Massachusetts, or New England; in any event, the locution is ambiguous, perhaps deliberately so).

Religious toleration and pluralism also formed a bulwark of the republic. "The universal freedom of religious sentiments, established by the several state constitutions, and by the constitution of the United States, will always remain an insurmountable barrier to the introduction of arbitrary governments." His next words, in the context of the persistence of the Standing Order of state-supported Congregational churches, were perhaps intended with pointed local irony: "The priests of an established religion, where the dictates of conscience are silenced by the terrors of human laws and punishments, have never failed, in any country, to assume the attributes of Deity." He brought up the example of the Anglicans of England: "The power of forgiving sin is claimed by the English clergy. When superstition has so far intralld the mind: when that piety due to God only, is conferred on a fellow worm: when a superstitious reverence of the priest is substituted for the homage of Deity; then in the language of scripture they worship the creature more than the Creator, who is, over all, God blessed forever." In such a condition, "the human mind is just fit for a subject of monarchical tyranny;

<sup>724</sup>Dunbar, 10.

<sup>725</sup>Dunbar, 10.

then the timorous soul, trembling under the joint terrors of *church and state*, loses the fear of God, through fear of man."<sup>726</sup>

Notable in Dunbar's consideration of religion is the remarkable mixture of reformed Protestantism and Enlightenment Deism, a mixture unique to a certain strain of New England thought in the decades between 1760 and 1820. Nowhere does he mention Christ, and he makes no particularistic Christian assertions of faith; rather, he refers only to "Deity", "God", and "the Creator." Yet, at the same time, Dunbar is enough of a Calvinist New Englander that he reverts as a matter of course to scriptural allusion. And his description of "a fellow worm" is a note that Jonathan Edwards himself might have sounded.

Moving from considerations of religion and politics in general, Dunbar soon applied his partisan lens. "One attempt has been made," he declaimed, "and that recently, to make religion the stalking horse of junto politics."<sup>727</sup> He pointed in particular to "Robinson's Proofs of a Conspiracy, in Europe, to destroy religion and government...." This document, a spurious one in Dunbar's view, has been "most industriously circulated and commented upon, in this country, by Dr. Morse and others, and spread an alarm little inferior to that of ancient witchcraft."<sup>728</sup> With his disparaging implication that Federalist leaders belonged rather more to the age of Cotton Mather and his fellow Puritan divines than to this new republican era, Dunbar once more lets his Deist colors shine through. The charges "that republicans were atheists; that they propagated their doctrines and principles through the agency of masonic lodges; that the magic secrecy of the craft covered their diabolical plans from the public eye; that unless something was done, religion, property, law, liberty and life, " would be fatally endangered, were false. Indeed, continuing with the idea of a witch-hunt, he noted that "In less enlightened times,

<sup>726</sup>Dunbar, 11.

<sup>727</sup>Dunbar, 12.

<sup>728</sup>Dunbar, 12

persecution and tortures would have been the consequence." Yet, "The steady habits of this country withstood the delusion" -- though not without one grand jury being impaneled.<sup>729</sup>

In fact, Dunbar charged, the Federalist elite were thorough hypocrites. "At this period, those of the junto, who were never even suspected of having much religion, appeared extremely zealous, became the apostles of christianity, and were constantly declaiming against the infidelity of the times....." Indeed, it was the clerical class who often showed the least confidence in their own institutions: "and some of the reverend clergy forgot, or seemed to have forgotten, that *the church was founded on a rock*." Yet these schemes foundered, in Dunbar's view, upon the religious freedoms extant in the United States. "This play upon religious feeling and sentiment, like the other measures of the junto failed, and passed off with the occurrences of the day. They well know that hierarchy is an essential pillar in the monarch's palace, and it is to be hoped have learned, that, for this very reason, the palace cannot be built in this country. Some who sacrificed to the Trojan image may have dreamed of the mitre, but it was only a dream."<sup>730</sup> Again, the language of both republican virtue and Calvinist scripturalism is discernible in Dunbar's rhetoric.

The militia system formed another bulwark of republicanism in America, said Dunbar. "Another bar to tyranny is our military system, which must be totally changed before our republican constitution can be overthrown. The patriots of '75 considered the right to keep and bear arms as one of our dearest privileges." Once again, Dunbar castigated the Federalists before his fellow Republicans, referring to the calling up of troops during the Quasi-War with France (a policy chiefly instigated by Hamilton and other arch-Federalists)<sup>731</sup>. "The enemies of free government have not been inattentive to the effects of this [military] system; they tried an experiment to see how the spirit of this country would bear the appearance of standing forces. Under the specious pretence of invasion, they authorised the

<sup>729</sup>Dunbar, 12-13.

<sup>730</sup>Dunbar, 13.

<sup>731</sup> John Fehrling, *Adams vs. Jefferson: The Tumultuous Election of 1800* (New York: Oxford University Press, 2004).

raising 10,000 men, and volunteers without limits; well knowing that if the people could endure the sight, and acquiesce in the measure, it would soon supersede the necessity of militia arrangements."<sup>732</sup>

This program of military expenditures had resulted in dangerous threats to republican liberties at home, charged Dunbar. An increase in the public debt, as well as a new tax on land were imposed on the country; all the while, Britain and France were otherwise occupied -- though, Dunbar jibed, "Carolina was, indeed, invaded by an old woman or two, but that did not seem a sufficient emergency for supporting an army...." Dunbar tartly lauded the soldiery "for stepping forward on so dangerous an occasion for the defence of their country." The solution was to safeguard the militia: "Let every friend to his country encourage the militia, assist and support them; and they will always remain the dread of tyrants at home, and invaders from abroad."<sup>733</sup>

As Dunbar's address built towards its peroration, he found time even more specifically to attack his Federalist foes. With the usual politician's talent for parepsis, he denied any intent of so doing: "If it had been possible to have dispensed with party names, on this occasion, it would have been very desirable; but the manners of our political enemies renders them unavoidable." The label Federalist was so vague as to be meaningless, he argued. "The word federalist is so indefinite, as not to be a proper name for any party." Here he skillfully framed the issue in local terms: "Eight tenths of those who act and vote on the federal side in this Commonwealth, I believe, are genuine republicans." However, "they are not yet convinced of the views of those they follow; and they are loth to withdraw their confidence from those they have once trusted;" but their patriotism was real: "they have no views but of supporting the freedom insured to them by the constitution."<sup>734</sup>

In stark contrast stood the Federalist leadership, the junto. "That class of men, that I have called the junto, are the leaders of all who are called federalists: they point out their measures and direct their

<sup>732</sup>Dunbar, 13-14.

<sup>733</sup>Dunbar, 14-15.

<sup>734</sup>Dunbar, 15.

motions." The junto's goal, said Dunbar, was monarchy and aristocracy. "Their object has been to invest the chief magistrate with kingly power; and to give the senate aristocratic permanency." Echoing Whig fears of ministerial conspiracy during the Revolutionary struggle, Dunbar pointed to William Cobbett, formerly a leading (and British-born) Federalist journalist.<sup>735</sup> Cobett alleged "that the merchants and speculators constituted, what he calls, the British party." This offered Dunbar the opportunity for a parenthetical dig at the cities: "(Whether the votes of our sea ports corroborate this statement every one will judge.)" Indeed, Alexander Hamilton and other leading Federalists had hatched specific plans to suborn the liberties of the new nation, plans which Hamilton maintained until his death at the hands of Aaron Burr. "Cobbett relates the proceedings of the junto at the time of the black cockade [a Federalist symbol]. He says that they instigated public addresses and persecution: that they invented the stories of tubs with false bottoms, ladies' toilets, and taylor's shops, to alarm the country: that the objects of the Hamilton party were an alliance ... with Great Britain, and war with France...." Most damningly, they desired that "the president ... be continued for life, and the senate empowered to appoint a family in which that dignity should be hereditary...."<sup>736</sup>

Dunbar, after Cobbett, even alleged the existence of a conference held at Trenton, New Jersey, to consider the means to effect monarchy, aristocracy, and indeed, disunion. Only so great a figure as Washington held the conspirators back:

To that assembly (says Cobbett) unfortunately for us was called a certain cautious chief, whose approbation was by some, thought absolutely necessary, he was, as usual, for slow circumspective measures and could not be brought to see the necessity of an immediate rupture with France, a coalition with Britain, or the propriety of their introducing an hereditary chief magistrate against the sense of the republicans.

Among those who attended this celebrated council not one joined with him in opinion; but the old gentleman, and some others, thought absolutely necessary to yield to it, because no scheme, of such magnitude could be accomplished, without his approbation.

<sup>735</sup>On Cobbett's rather extraordinary career, with its peregrinations across the revolutionary Atlantic from England to France to America and back, see "William Cobbett." Encyclopaedia Britannica. Encyclopaedia Britannica Online Academic Edition. Encyclopædia Britannica Inc., 2014. Web. 28 Aug. 2014.

<<http://www.britannica.com.proxy.lib.umich.edu/EBchecked/topic/123318/William-Cobbett>>.

<sup>736</sup>Dunbar, 16-17.

If these are facts, who is there that can doubt that a conspiracy once existed to destroy the most republican features in our constitution? That Cobbett was in habits of intimacy with the Hamiltonians, and their confidential printer: that his paper was eagerly sought for and read by them, in all parts of the union, is not to be denied. Well was it, for this country, that Washington the cautious chief, could not be brought into their measures. If those projects had been attempted, foreign and civil wars, with all their horrors, would have been the consequence.<sup>737</sup>

For Dunbar, then, it was only the heroic character of George Washington which, once again, held the republic back from the precipice. With their opposition to the wisdom of Washington, it had become clear "that the federal leaders are not friendly to our constitutional government," opposing the principles not only of the federal Constitution, but also that of Massachusetts.<sup>738</sup>

Dunbar now brought forth some of his more polished and effective campaign-style rhetoric. Whereas the Republicans under Jefferson, faithful to the letter and spirit of the Constitution, supported "a liberal suffrage," the Federalist leadership "wish[ed] to confine suffrage to a few, the better to control the many." Rather than a militia system, the Federalists preferred a standing army, and rather than exercise "economy that the people may be happy," the Federalist junto "wish for excises lest the people should be too happy." While "[t]he constitution declares the people sole guardians of their own rights," the Federalist elite viewed "the people [as] their own worst enemies." Their only recourse after the loss of control of the executive and legislative branches of the national government was disunion: "the last hope of monarchy rested on the Eastern States; dissolution of the union was necessary to effect this project. No tale, however false and malicious, has been left untold, that could excite a heart burning jealousy between the New England and Southern States."<sup>739</sup>

Dunbar further wondered that such self-proclaimedly devout Christians should traffic in calumnies upon the name "of that great patriot and statesman, the worthy, the virtuous and amiable

<sup>737</sup>Dunbar, 17-18.

<sup>738</sup>Dunbar, 18.

<sup>739</sup>Dunbar, 19-20.

Jefferson....."<sup>740</sup> Indeed, it was Jefferson's personal popularity that formed one of the greatest obstacles to the realization of the High Federalists' goals, said Dunbar. "On a luminary so resplendent, every speck is easily seen. To the distempered eye of faction every object appears discoloured: no wonder then that they should think they saw blemishes even in the character of Jefferson,; especially, when viewed through the foul glass of a Callender." Nevertheless, "Jefferson, by the wisdom and moderation of his measures, has united the affections of his countrymen to a wonderful degree. The cup of conciliation, filled with the nectar of charity, has constantly been offered to his enemies: the wild savages of the wilderness have yielded to its balmy influence."<sup>741</sup>

Given the -- to his mind -- manifest magnificence of Jefferson, Dunbar offered the Federalists an early version of what would later come to be called the "love it or leave it" argument. If the Federalist Party found themselves so displeased by America, "they are not without a remedy. By only visiting Spain or England, they may pay excises to their full satisfaction, and tythes into the bargain; and taste the sweets, feel the energy, and see all the beauties of monarchy, aristocracy and hierarchy." Nor were Dunbar's dark counter-examples to republican liberty limited to Old Regime societies like that of Britain and Spain. In a move that probably reflected both real disgust among Jeffersonians for Buonapartist autocracy, as well as a somewhat political attempt to reinforce his "right" flank in Federalist Massachusetts, Dunbar suggested that "[i]f they [Federalists] wish to find the freedom of the press strictly regulated; the imperial court of Napoleon will be perfectly to their taste...." He added a pointed joke: "and besides they may learn to speak respectfully of the ruling power." With the Federalists abroad in Europe, those who stayed behind in America would surely suffer "all the plagues of freedom ... of governing ourselves, of light taxes, of speaking and writing freely, of thinking and believing freely ... of pursuing our own happiness...."<sup>742</sup>

<sup>740</sup>Dunbar, 19.

<sup>741</sup>Dunbar, 20-21. James Callender, a prominent Philadelphia polemicist, worked first for, and then against, Jefferson.

<sup>742</sup>Dunbar, 21-22.



After this philippic, Dunbar, in a fashion that would become familiar to students of American political rhetoric, appealed to national unity and fraternal sentiments. Federalists may have been forgiven for finding such words hollow. Yet there is much ingenuousness in it, particularly in its religiously charged, almost millenarian tone. With allusions to David and Jonathan, to Samson and the Philistines, Dunbar averred that the United States' "liberty shall be perpetual. She shall remain a sanctuary; to which the oppressed of all nations may flee and be in safety, till that period shall arrive when oppression shall cease: when the lion and the wolf shall lose their fierceness; the asp and the cocatrice their poison, and universal benevolence govern mankind."<sup>743</sup>

Dunbar's address, then, offers an expression, however limited, of the mind of Plymouth County Republicans in the heart of the era of the First Party System. Themselves a minority within a largely Federalist Massachusetts, these Jeffersonians -- heirs to the Country tradition which was hegemonic in Pembroke's 18th century political life -- viewed themselves as defenders of republican liberty, not just in America, but in the world. The Federalists, most of whom were merely misguided rather than wicked, were ruled by a conspiratorial cabal of quasi-Tories, bent on making the new United States an imitation of Hanoverian Britain, replete with aristocracy and a hereditary executive. Republicans, on the other hand, attended with that virtue of the soil that rendered the independent yeoman uniquely fit for self-government, would look to the common good through the preservation of the republic's liberty. Jefferson was the greatest American since Washington.

If such a world-view was so vociferously expounded by Dunbar, it perhaps reflects the insurrectionary spirit of a far-from-powerless minority.

## VI: Shipbuilding and War

<sup>743</sup>Dunbar, 22-23.

In the first decades of the American republic, the small and middling communities of seaboard New England hosted a veritable boom in shipbuilding. After the disastrous years of war and depression surrounding the Revolution, the advent of the French Revolution and its wars suddenly rendered the global carrying trade singularly accessible to neutral American bottoms. This boom played a significant role in paving the way for the emergence of a market society in the early decades of the 19th century. It was particularly pronounced in southeastern Massachusetts. This region -- including Pembroke -- with its copious supplies of bog iron, and its comparatively extensive forests filled with various species of cord-wood for charcoal, of white oak for timbers and white pines for masts, was uniquely endowed with the characteristics required by a successful shipbuilding complex. The extensive shipyards of Plymouth County became agents of transformation, moving the region toward an increasingly commercial society; in so doing, it also tied the fortunes of this corner of New England into powerful currents of war, peace, and geopolitical rivalry.

Though Briggs states, in his *History of Shipbuilding on the North River*, that ships built on the North River -- that is, in yards not only in Pembroke, but also in neighboring Marshfield and Hanover, and, at the river's mouth, in Scituate -- were much desired in Great Britain, he later states that there was very little construction of ships in Pembroke prior to the Revolution. Nevertheless, considering the valley as a whole, Briggs is clear that the first decades of the new republic were ones of very rapid development of shipbuilding on the south shore of Massachusetts Bay. Throughout its history of shipbuilding, Briggs discovered the evidence of more than 1,025 bottoms constructed on the river. In the year 1801 alone, 30 "vessels [were] built on the River". The five years from 1799 to 1804 witnessed the construction of "one hundred and fifteen vessels, an average of twenty-three each year." In the decade from 1794 to 1804 the figure was 178. The North River ships were far-ranging, bringing "the United States Flag ... around the world, and ... to the following countries for the first time:.... Great

Britain, Canada, the Northwest coast, to the Black Sea and China." Indeed, the *Columbia*, which was the first recorded ship to sail to the mouth of the river that today bears its name, was built on the river in 1773.<sup>744</sup>

According to Briggs, eleven shipyards occupied the shores of the North River in the years between 1799 and 1808, a number of them on the Pembroke (or southern) shore of the stream. One of these was Turner's Yard, under the direction of the Turners of Pembroke, who, as has been shown, had been prominent in the life of the town. The yard, under the aegis of this one family, was active in the early decades of the republic. Thomas Turner "built in Pembroke alone, in 1801, the Sch. 'MARY,' 100 tons, of Marblehead. When spoken of as building alone, it is understood that the builder had no one in company with him, so far as has been ascertained, though of course he had a large force of men under him." That same year this yard constructed the *Spanker*, a 103-ton schooner, for Boston shipowners, Jubal Harrington and Joseph Chapin. 1803 saw the completion of the *Eliza*, a schooner of 39 tons, sailing from Boston, and the property of Pembroke men Alden Briggs, Thomas and George Turner, Mercy Mandall, and David Church. This, according to Briggs, was the last ship known to be built at Turner's Yard.<sup>745</sup>

There were other yards, one of the largest of which was called The Brick-Kilns. The first record of a shipbuilding yard operating here, says Briggs, dates from the 1730s, and the first vessels were likely used locally, for fishing, local transport needs, and the coasting trade. In the last third of the 18th century, the yard began to build larger ships, including the *Beaver*, of Boston Tea Party fame. But it was in the decades after the Revolution that shipbuilding at the Brick Kilns, and on the North River and southeastern Massachusetts more generally, really took off. In the years 1782-88, for instance, Ichabod Thomas, shipbuilder, constructed the sloop *Salem Packet*, the schooner *Dolphus*, the sloop *Diana*, the

<sup>744</sup> Briggs, *Shipbuilding on the North River*, v-vi, 77. On the *Columbia*, see Briggs, 298.

<sup>745</sup> Briggs, *History of Shipbuilding*, 80 and 82.

brigantine *Cadet*, the schooner *Hope*, the sloop *Mary*, the schooner *John*, the schooner *Mars*, the schooner *Nautilus*, the schooner *Peggy*, the schooner *Aaron*, and the sloop *Nancy*.<sup>746</sup> Thomas died in 1788, but in the years between 1788 and 1805, his son, Ichabod Thomas, Jr., together with his uncle Calvin Turner and Alden Briggs, worked at the yard, and between the three of them oversaw the construction of 19 vessels of varying types -- brigs, brigantines, schooners, sloops, and full-rigged ships. They ranged from 42 to 310 tons, with an average burden (for the 18 vessels whose tonnages were given) of 115.7 tons. The ships, owned by merchants everywhere in New England, traded throughout the world, from Western Europe to East Asia. Indeed, the very conditions which caused American shipping to dominate the globe's carrying trade in these years -- the final chapter of the titanic struggle between Britain and France for control of the world -- also on occasion proved a danger to it, as when the schooner *Fame* was burned by French imperial forces in 1811. There was even a schooner named the *Neutrality*, of 123 tons and sailing from Duxbury, built on the North River. The shipping interests of New England were far from blind to where their interests lay.<sup>747</sup>

The ecological changes that would have ensued from such a spasm of shipbuilding were great. The wood resources of southeastern Massachusetts had already been in high demand by urban New England. Wood, for instance, was cut and sold in the North River valley towns through the first three quarters of the 18th century, according to Briggs, likely to New England's growing conurbations in the Boston Harbor Basin and in the region of Salem, Cape Ann.<sup>748</sup> That Briggs gives 1775 as a cut-off date suggests several possibilities, of which more than one are possible; the wood may have been running out in this section of Plymouth County by 1775; it may also have been going increasingly towards shipbuilding as both revolution and global conflict helped fuel the shipping boom. In any event, there were still large forests standing in the southern part of the county, the extensive Plymouth Woods, and

<sup>746</sup>Briggs, 173.

<sup>747</sup>On The Brick Kilns, see p Briggs, Chapters X and XI; these figures quoted in Briggs, 174-175; on the *Neutrality*, 183.

<sup>748</sup>Briggs, on wood: 68.

this must have been utilized by the ship-builders throughout the county. Tall, straight white pines for masts, and sturdy white oaks for much of the body of the vessels (as on the USS *Constitution*, with her famous iron-like sides, which were said to have been constructed of white oak cut in Plymouth County), would have been in particular demand. In fact, in order to supply charcoal to smelt the local bog iron, much of the Plymouth Woods, and the extensive forests of southeastern Massachusetts more generally, would have been home to numerous charcoal pits, where lonely smoky men kept watch day and night over slowly carbonizing mounds of earth-covered cordwood.<sup>749</sup>

Some of the Briggs men of the Brick Kilns found work in other New England seaports building ships. The advertisement by one, Enos Briggs of Salem, for lumber with which to construct the frigate *Essex* during the Quasi-War with France, gives a sense of both the geopolitical and the ecological exigencies that shaped the development of shipbuilding in early republican New England:

The Salem Frigate. Take Notice. Ye Sons of Freedom! all true lovers of the Liberty of your Country step forth, and give your assistance in building the Frigate, to oppose French insolence and piracy. Let every man in the possession of a White Oak Tree, be ambitious to be foremost in hurrying down the timber to Salem, and to fill the complement wanting, where the noble structure is to be fabricated, to maintain your rights upon the Seas, and make the name of America respected among the nations of the world. Your largest and longest trees are wanted, and the arms of them for Knees and Rising Timber. Four trees are wanted for the Keel, which all together will measure 146 feet in length, and hew 16 inches square. Please to call on the Subscriber, who wants to make contracts for large or small quantities, as may suit best, and will pay the Ready Cash.

Enos Briggs

Salem, Nov. 23, 17[9]8.<sup>750</sup>

Taken as a whole, the shipbuilding boom in Pembroke and Plymouth County was a forerunner of the massive market-industrial revolution that would soon overwhelm New England in the years

<sup>749</sup> On the USS *Constitution*, see Workers of the Writers' Program of the Works Progress Administration in the State of Massachusetts, *Massachusetts: A Guide To Its Places and People*. (Cambridge, Mass.: Riverside Press, 1937), 628-9. On charcoal pits in the forests of Plymouth, see, inter alia, F. Mand. (2014, March 10th). Getting Ready for Pine Fest: Mysterious circles in the forest hint at a forgotten past, Part 1. Retrieved from [www.duxbury.wickedlocal.com](http://www.duxbury.wickedlocal.com). The article quotes wood author Eric Sloane on the eerie, romantic figure of these woodland colliers: "'Charcoal burners always were a strange breed,' Eric Sloane wrote in his famous work, 'Reverence for Wood.' 'Living a lonely life in the forest, almost like wild beasts. And when the hardwood became scarce the charcoal maker's life and habits fell into deplorable decline. Not only shunned, they were often feared.'

<sup>750</sup> Briggs, 185.

around 1815. An economy had grown up on the banks of the North River that was devoted largely to commercial, rather than subsistence, purposes. While previous generations in Pembroke -- and, it should be said, the majority of the town's farmers still -- engaged primarily in the subsistence-centered activities of obtaining food, fire, and shelter, engaging in commerce (often barter) only in an ancillary fashion, in this case the ships, the end product of the yards, were almost exclusively commercial in nature. An important turning point had come in the life of Plymouth County. It is, perhaps, no accident that the first appearance of an order for debtor's prison in the life of Pembroke occurs in 1808, at the behest of Ichabod Thomas. David Kingman, who is identified as a "Trader" from Bridgewater, is the unfortunate debtor who was jailed. A new social-economic order was dawning in Pembroke.<sup>751</sup>

Yet despite this powerful ship-building interest, Pembroke seems to have been less directly affected by the impressment crisis and the War of 1812 than Duxbury or Wareham. Unlike in Wareham, the physical violence of the war never reached Pembroke, sheltered on the reaches of the North River rather than exposed to the vagaries of Buzzard's Bay. In stark contrast to its southeastern neighbor and mother-town, Duxbury, Pembroke did not oppose Jefferson's Embargo. In September of 1808, a town meeting was called "to know the mind of the inhabitants of said town, whether they would petition the President of the United States, to suspend the further operations of the Embargo Laws." The Town "Voted not to petition for the above purpose."<sup>752</sup> Though it was a shipbuilding town, it was before that a Republican town, and the strength of its party loyalty was demonstrated by its unwillingness to castigate the party's chief, even for a policy that wrecked a critical part Pembroke's economy.

<sup>751</sup> Pembroke Town Meeting, Nov. 21st, 1808. Cf. Martin J. Hershock, *A New England Prison Diary: Slander, Religion, and Markets in Early America* (Ann Arbor, MI: University of Michigan Press, 2012).

<sup>752</sup> Pembroke Town Meeting, September 12th, 1808.

As in past conflicts, the town made its preparations. In the autumn of 1811, the town paid James Kern a dollar "for making Cartridges[.]"<sup>753</sup> By the next year, with the declaration of war by Congress in June, 1812, Pembroke was taking more extensive war measures. "Voted that the Selectmen look up the Fire-Armes belonging to the Town; and Also appropriate the money which has been paid into the treasury by Exempts, to the purpose of procuring Armes for those who are defisient."<sup>754</sup> The next week it voted for electors for President of the United States, with Republican stalwart William Heath receiving the most votes; however, a nearly equal number went to Joshua Thomas, a Plymouth County judge of probate who would become a member of the Hartford Convention in 1814. Perhaps Pembroke's remarkable political unanimity was fracturing under the pressures of the crisis.<sup>755</sup>

The war next enters Pembroke's records nearly two years later, in the summer of 1814. As during the revolutionary struggle, the town sought to grapple with problems of a regional, indeed, national scope at the local level. The voters of the town gathered "At a legal Meeting of the Town of Pembroke... for the purpose of raising money for the payment of the Soldiers, now guarding the Coasts." It "Voted to raise a Sum of money, which with the Money allowed by the State, or the United States, shall amount to the sum of eighteen Dollars ' Month, for all Soldiers now drafted, or that shall be drafted for the defense of the Coast, and called into Actual service, from the first day of July, to the first day of Se' next: And from that time to Fall meeting, but fourteen Dollars ' Month, for them, and all others that shall be drafted, and called into actual service."<sup>756</sup> That November, the town again looked after the payment of the soldiers. "Voted to choose a Military Com<sup>tee</sup> of three, to settle with the Soldiers who have been employ'd in guarding Our Sea-Coasts."<sup>757</sup>

<sup>753</sup> Pembroke Town Meeting, Oct. 21st, 1811.

<sup>754</sup> Pembroke Town Meeting, Nov. 2nd, 1812.

<sup>755</sup> Pembroke Town Meeting, Nov. 12th, 1812. On Thomas, see the entry on "The Hartford Convention" in Benson John Lossing, *Harpers' popular cyclopaedia of United States history from the aboriginal period*. (New York: Harper's Brothers, 1890), 622-625.

<sup>756</sup> Pembroke Town Meeting, July 5th, 1814.

<sup>757</sup> Pembroke Town Meeting, Nov. 7th, 1814.

The War of 1812 thereafter appears no more in the records of Pembroke. While a local company of light infantry was raised, it appears to have devoted itself more to patriotically-tinged public courting rituals of prominent local beauties than to serious martial endeavors.<sup>758</sup>

Yet coincident with the war, and perhaps driven by it, the tentative and contested establishment of true factories in Pembroke most overtly marked the take-off of the market revolution. While that revolution was not to be completed for decades, if at all (see the Epilogue), the construction and operation of industrial mills in the years around the War of 1812 certainly meant that the vast and enormous process of capitalist transformation had approached Pembroke's streams, meadows, and woods. According to Francis Collamore, around "the year 1812 a cotton-factory was built by a company" in Pembroke, and operated for a subsequent two decades. Meanwhile, in 1813, Isaac Hatch of East Pembroke -- then a bare hamlet "of four or five houses" south of Mile Hill -- started the manufacture of satinet cloth. Hatch added saw-milling and grist-milling to his operation. By the mid-1830s, Hatch, "having plenty of lumber on hand," switched from satinet to assembling wooden shoe-boxes "in a small way" -- an indication, along with the successful sawyering operation, that there were still relatively extensive tracts of forest in Plymouth County and southeastern Massachusetts at even this late date, over two centuries after initial European colonization. The operation was subsequently expanded to manufacture a variety of wooden packaging, and, after Hatch's death in 1850, his sons took over, adding a steam-mill in 1859 that began to pour out millions of board-feet of lumber. For the next decade, the East Pembroke factory of the Hatch family was engaged in the manufacture of "mackerel kitt" -- that is, boxes for conveying that fish -- producing between 1,500 and 2,000 of these wooden boxes each week, a rate of manufacture requiring three hundred cords of pine wood each year. The changes wrought by these developments in East Pembroke were great. Writes Collamore: "Owing

<sup>758</sup> Briggs, 78-80.



to this business East Pembroke grew from a little hamlet of four or five houses into a pretty thriving little village, having a store, post-office, blacksmith and wheelwright-shop, and public hall."<sup>759</sup> Market capitalism and industrialism had, in the space of a single lifetime, dramatically changed this neighborhood of Pembroke.

Yet, as the fate of other market-industrial endeavors in Pembroke shows, the market revolution's arrival did not mean its complete triumph. Indeed, forces of traditional usage rights and the long continuity and strength of communal devotion to the commons worked to blunt significantly the impact of capitalist forces. As in ages past, the alewives of the town played a central role. As noted at the beginning of this chapter --

If it had not been for the herrings, whose right of way to and from the ponds ("their place of spawning") has always been so jealously guarded, and the votes for the care, protection, and distribution of which cover so many pages of our town records, this article upon manufactures might have been largely extended.

The late Oliver Ames, Esq., the founder of the shovel works at Easton, had at one time negotiated for the "Glover Mill" property, -- a part of the Lambert Despart Purchase, - for the purpose of erecting shovel works on the stream but when he found he must open his sluice-ways for the herrings five or six weeks in the busiest time of each year he gave up the bargain.

Pembroke then lost her opportunity, and the town of Easton to-day rejoices in busy factories and palatial residences (the homes of munificence) and in splendid public buildings, all of which might have been hers.<sup>760</sup>

Even the market could not triumph decisively over the power of the ancient Commons. In Pembroke, the words to an old rhyme remembered by Henry Litchfield in his youth still held true:

*"Herrin' up, herrin' down,  
Herrin' all about the town!  
Herrin' be Pembroke's joy and pride;  
If it hadn't been for herrin', old Pembroke would  
have died."*<sup>761</sup>

<sup>759</sup> Francis Collamore, "History of Pembroke," in Hurd, ed., *History of Plymouth County*, 240.

<sup>760</sup> Collamore, "History of Pembroke," in Hurd, ed., *History of Plymouth County*, 241.

<sup>761</sup> Litchfield, *Ancient Landmarks*, 87.

## Chapter 10: Wareham, Massachusetts in the New Republic, 1788-1815

### I: Wareham Remembered

In May 1861, a little over a month into the Civil War, the Rev. Ebenezer Burgess, D.D., delivered a Discourse from the pulpit of the meetinghouse in Wareham, entitled “Wareham – Sixty Years Since.” Using Biblical examples by way of illustration and justification – such as Jacob's command to his sons to bury him in his ancestral tomb, where he had buried Leah, in Canaan – Rev. Burgess began his oration by arguing for the idea that “a reverence for ancestors is a sentiment instinctive in our nature. Even when a knowledge of the invisible God dies out in the soul, some grateful remembrance of the fathers still survives.”<sup>762</sup> Thus Burgess's remembrance of Wareham at the turn of the 19<sup>th</sup> century is, by its own admission, a filiopietistic account. Yet this does not mean that certain realities of past conditions cannot be gleaned from the source. In fact, even taking Burgess' reverential tone and biases into consideration, the discourse paints a clear picture of a society that is essentially non-market in character.

<sup>762</sup>Rev. Ebenezer Burgess, “Wareham – Sixty Years Since.” (Boston: Press of T.R. Marvin and Son, 1861), 4.

Burgess' description of Wareham's ecological and economic life is significant: “This was chiefly an agricultural town. The soil was thin, except the stony ridges and some of the necks of land projecting into Buzzard's Bay. The salt marshes supplied the fodder for the cattle in the winter, and both the herds and flocks of sheep were turned into the forest common, stretching away to Plymouth, to find a scanty subsistence for the summer, where an ox might be drowned in some bog, and a lamb devoured by the fox.”<sup>763</sup> Wareham's economic life, then, resembled that of the 17<sup>th</sup> and 18<sup>th</sup> century, with agriculture as the primary activity, and a heavy reliance on both the particular ecology – salt-marshes and pinelands – and particular commons regime operative in early New England. Indeed, the presence of what was, and remains, a significant wilderness area in the form of the Plymouth Woods, meant that dangers more commonly associated with frontier conditions (drowning oxen and predatory foxes) existed here, just sixty miles, but many worlds, away from Boston.

Burgess continued with a description of the fluvial resources of the town. “The water-power on our rivers was made to turn a few mills for the grinding of grain and the sawing of lumber.” Iron was only just coming onto the scene: “The iron-works, beginning then to be introduced, were not in full blast.” Yet “this locality had ... natural advantages for the prosecution of the iron-works, in the water-power of three rivers, in the wide extent of pine forest for charcoal, and in the facility for transportation to the commercial cities.” As yet, however, these advantages went largely unrealized.<sup>764</sup>

As for Wareham's maritime life, it certainly existed, but it appears far closer in character to the 18<sup>th</sup> century fishing culture described by Daniel Vickers in *Young Men and the Sea* than to anything that could be considered entirely “market” in character. According to Burgess (who is extremely critical of life at sea for its tendency to threaten youths with drowning or disease), “the cod-fishery was prosecuted to some extent; but the whale-fishery, once attempted, demanded more capital and a better

<sup>763</sup>Ibid, 7.

<sup>764</sup>Ibid., 7-8, 10.

harbor.” As far as shipbuilding went, “some vessels of moderate size were built from year to year,” but these were “chiefly employed in the coasting trade.” Wareham participated in commercial life, of course; it sold its fish abroad, and built ships that traded up and down the coast; but this was not the hegemonic form of economic life. In this sense, it was still, in many senses, a traditional society.<sup>765</sup>

Yet if it was in many ways a traditional society, it was a comparatively prosperous one. “By the diligent culture of the ground, with the aid of the fishery, the salt marsh and the pine forest, the people always obtained a comfortable and independent subsistence. Their houses were decent and cleanly, their apparel plain and substantial, their food ample and healthful.”<sup>766</sup> Here Burgess describes a kind of yeoman idyll. Guaranteed “a comfortable and independent subsistence,” or what was also known as a competency, “they were independent, having few wants which were not supplied by the productions of their own labor.” Home production, in Burgess' telling, was the local norm. “While silks and cloth of foreign manufacture were not in common use, the people were well clad in apparel wrought by their own hands, from their own flax and fleece.” “The domestic arts” of “spinning, weaving and knitting” were widespread. Being before the era of King Cotton – “Cotton had not established its empire in the South,” Burgess says – the idea of “a public factory in the manufacture of cloths was unknown in the land.” Finally, in the clearest sign that this was not a market economy or society, the unfortunate among the townspeople, while reliant on the aid of their fellow inhabitants in times of want, never were ensnared by the financial system: “there was no failure in business, and no estate was alienated for debt.”<sup>767</sup> The citizens of Wareham in 1801 lived plainly but well, in the memory of the clergyman.

<sup>765</sup>Ibid., 8, 11. On hegemony, see Antonio Gramsci, *The Prison Notebooks*, Joseph A. Buttigieg, ed. (New York: Columbia University Press, 2011) ; on traditional societies, see “traditional society” in John Scott, ed., *A Dictionary of Sociology* (4 ed.) (Oxford: Oxford University Press, 2014). Accessed online at <http://www.oxfordreference.com.proxy.lib.umich.edu/view/10.1093/acref/9780199683581.001.0001/acref-9780199683581-e-2379>, 5/20/16 7:51 p.m. EST.

<sup>766</sup> Burgess, 8.

<sup>767</sup>Burgess, 11.

Beyond its economic arrangements and its relation to its physical environment and its ecosystems, the town was also deeply traditional in its religious life and its social mores. First of all, “there was only one religious society in this town sixty years ago. I knew of no dissenting family, Baptist, Methodist, or Episcopal.” Burgess wondered why those denominations made no efforts at conversion in Wareham. His explanation lay in the ethnic and regional homogeneity of the town, and its remoteness. “My interpretation is this: We were all of English blood and of the Pilgrim school, not given to change, having little intercourse with strangers, and under no bias of prejudice or party.”<sup>768</sup>

Beyond religious matters, Burgess contended that there had been a change in social mores and manners since the days of 1801. No doubt part of this is attributable to a natural tendency of old age to remonstrate against the habits of younger generations; yet it also is the observation of an incisive observer of the differences wrought by the market revolution in popular mores. It is a picture of an old world. In this intimate society, passers-by habitually greeted one another: “Salutations were exchanged when neighbors met.” The leveling power of the American Revolution and Jacksonian democracy had not yet rendered the youth independent – “children with cap in hand made a respectful bow to the traveler on the road, or on entering or leaving the door of the school.” Remnants and active traces of the old society of orders remained. Likewise, rules of hospitality, especially among kin networks, were widely observed: “The cousin of the second or third grade thought it no breach of civility to call, and expected to find the latch-string out and the table spread in due time.” Nor, according to Burgess, was such hospitality limited to family. “”The poor Indian, the traveler weary or hungry, never left the door of my mother with a sad face.”<sup>769</sup>

Taken on the whole, and even accounting for nostalgic remembrance, Burgess describes a society that was distinctly prior to the market revolution and the transition to capitalism in rural

<sup>768</sup>Burgess, 12. The use of “dissenting” to mean non-Congregationalist is, in light of its British meaning and the origins of Plymouth County (much discussed by Burgess), ironic.

<sup>769</sup>Burgess, 13.

America. Though it was to witness great changes in the first decades of the 19th century, Wareham was also profoundly marked by deep continuities with its past.

## II: The Commons Regime in the New Republic

Wareham's commons regime during the early years of the republic was marked by change as well as continuity. Though aspects and details of the regime changed, the system was on the whole characterized by its relative permanence. Whether in the woods or on the waters, common resources were maintained for public use as in previous years.

The Town, as in years past, continued to regulate the common lands and woods. Thus, at the annual Town Meeting held on April 7th, 1788, Wareham “Voted for Sheep +Swine to run at Large according to Law.” At the same meeting, a committee was formed to look to the protection of the alewife run in the Weweantic River.<sup>770</sup> The pattern continued in 1790, when the town “Voted for Sheep + Swine to run at large as y<sup>e</sup> Law directs.” As in past years, it was not only livestock that were commonly regulated, but wild fish runs as well. Israel Fearing, Elisha Burgess, John Fearing, and Zebulon Morse were chosen “to see to the fish called Alewives to see that they are not obstructed in their Course up + down the rivers.”<sup>771</sup> The basic division of Wareham into eastern and western sections is observable in 1791, when four men were selected to regulate the herring runs on the Agawam and Weweantic Rivers, respectively; in addition, three men were chosen to exercise their power over all the fish, to “be a Committee to over see \_ regulate \_ order how many shall be taken + at what Prices.”

<sup>770</sup>Wareham Town Meeting, April 7<sup>th</sup>, 1788.

<sup>771</sup>Wareham Town Meeting, March 3<sup>rd</sup>, 1790.

Throughout all these years, “Deer Men,” looking after the town's population of wild deer, were also chosen.<sup>772</sup>

As in years past, the Town looked to the preservation of its productive shellfish beds. In the summer of 1813, the Meeting took action “for the purpose of chusing a Committee to protect the Shell fish + act on all matters.”<sup>773</sup>

That year the town also, as in times past, offered bounties on agricultural pests. It “Voted a bounty on fox heades Killed in Wareham on an old fox 50 cents, on a young one 25 Cents.” “Croes heades” (killed in Wareham, of course) were redeemable at a rate of 20 cents for an adult, and ten for a juvenile. “crow black bird heads” – possibly red-winged blackbirds or starlings – were priced at six cents “on an old one Killed in town of Wareham.”<sup>774</sup> It even stipulated the keeping of publicly maintained dogs, presumably to scare off these and other animals: “Voted that Four hound dogs be Kept by Isaac Barrows Ephraim Besse Silas Besse + Micah Swift [Jr.] Each of them one + y<sup>e</sup> Taxes of s<sup>d</sup> Hounds be Paid by y<sup>e</sup> Town.”<sup>775</sup>

Of course, given the interconnected reality of the various fluvial and ecological systems which undergirded Wareham's economy, the town, with respect to its Commons, was in no way an island. Rather, it necessarily found itself connected not only with neighboring communities, but also with the metropolitan government of the Commonwealth in Boston. Thus, in the autumn of 1793, the Town Meeting “Voted David Nye Israel Fearing + Sam<sup>ll</sup> Savery a Committee to meet + Consult with Rochester Committee about the fish called alewives in Weweantick river \_ Make return of their doings to y/e Town at their next Meeting....”<sup>776</sup> Similarly, in 1797, the Town “Chose Jasper Briggs David Nye + Sam<sup>ll</sup> Savery Jun<sup>r</sup> a Committee to Join Rochester + Carver in order to agree What method y<sup>e</sup> herring

<sup>772</sup>Wareham Town Meeting, March 14<sup>th</sup>, 1791.

<sup>773</sup>Wareham Town Meeting, July 26<sup>th</sup>, 1813, adjourned to August 3<sup>rd</sup>, when the members of the committee were chosen.

<sup>774</sup>Wareham Town Meeting, April (n.d.) 1813, adjourned from March 8<sup>th</sup>, 1813.

<sup>775</sup>Wareham Town Meeting, March 5<sup>th</sup>, 1798.

<sup>776</sup>Wareham Town Meeting, October 1<sup>st</sup>, 1793.

Shall be disposed Off y<sup>e</sup> next Season in Weweantick river.”<sup>777</sup> Wareham also sent its questions regarding commons to metropolitan authorities; thus, the Town had seen fit to go to the Legislature in Boston with questions of the preservation of its fluvial commons: “Voted to send a Petition to the General Court in order to obtain Leave for to Take the Fish Calld Alewives in Agawam River by Seining under Certain Regulations also voted to Petition at y<sup>e</sup> same time for a Lottery to build a Bridge over Waninco [Wankinco] river In Wareham at a Place Called y<sup>e</sup> Narrows.”<sup>778</sup> More than a decade later, bridging the Narrows still occupied the energies of the town: “Voted to Chuse for a Commiittee to view the land and see What conditions that the owners will agree to let y<sup>e</sup> Town have for roads from the Narrows through to Jonathan Gibbs if the Town shall see fit to build a bridge over the Narrows in Wareham + make report to the town of their doing Next March Meeting.”<sup>779</sup> When construed in light of the town's other transportation needs (a road to Jonathan Gibbs's house), the necessity of a bridge at the Narrows, to bind eastern and western sections together and to bring continuity to the roads along the northern littoral of Buzzard's Bay, becomes clear.

Of course, the regulation of common spaces and resources was not limited to the ecological; indeed, such non-biological matters as the bridging of rivers and the perambulation of town boundaries also fell within its ken. The bridge over the Narrows was not the only bridge the Town concerned itself with. Thus, Wareham, in the spring of 1794, “Voted to build a Bridge over Cohasset river [Red Brook] nigh Arthur Hathaway<sup>s</sup>, where the old Bridge used tobe.”<sup>780</sup> This bridge may not have been built, or at least not adequately, because it came before the Town again three years later. “Voted that wherever y<sup>e</sup> Town of Plymouth shall agree +see fit to build a Bridge over Red Brook that Wee are willing + Stand ready to build y<sup>e</sup> s<sup>d</sup> Part of y<sup>e</sup> bridge that shall belong to y<sup>e</sup> Town of Wareham tobuild.”<sup>781</sup> Nor was this

<sup>777</sup>Wareham Town Meeting, September 18<sup>th</sup>, 1797.

<sup>778</sup>Wareham Town Meeting, January 21<sup>st</sup>, 1793.

<sup>779</sup>Wareham Town Meeting, Feb. 13<sup>th</sup>, 1804.

<sup>780</sup>Wareham Town Meeting, May 13<sup>th</sup>, 1794.

<sup>781</sup>Wareham Town Meeting, April 3<sup>rd</sup>, 1797. This is the first instance I can find of the use of the name “Red Brook.”



the only bridge built by the town in this neighborhood during these decades. Six years later, it “Voted to Build a bridge over y<sup>e</sup> river by Jonathan Gibbs to be built by y<sup>e</sup> Inhabitants of the Two Districts.”<sup>782</sup>

The Town continued to set in motion the work of bridging rivers in the next decade. In the spring of 1814, it voted “To build a bridge a crost the river by Leonards Furnuice + do as much to the rode on the East side as they would have done to the old rode if thay can git the old rode hove up + leave it to a Committee to say.”<sup>783</sup> A month later, the meeting offhandedly noted that the old bridge, “Whitinges Bridge,” had “gone a way.” It went on to regulate the materials of which the new bridge was to be built: “Voted to Vandue the building of the Bridge, the builder to find all the timber and planks the Leonards to find the stones + Cinder or the coste.” It further stipulated that it be constructed with “Stone + Cinder Abutements 5 Sleepers with a trusel u nder them to be covered with 3 wide Stuf, with a railling on such of the bridge, to be 16 foot wide[.]” The bridge was bid off to Curtis Tobey, for \$98, provided he finished it by July 25<sup>th</sup> of that year.<sup>784</sup>

Notable in the town's injunctions are the presence of a furnace on the stream in question, owned by the long-settled (in the Old Colony, at least) Leonards, as well as the auctioning of the bridge to Tobey. That the Tobeys would, in coming years, find a place among the first families of the town in commercial terms, perhaps suggests this moment as among the first stages in a metamorphosis, from a non-capitalist to a market capitalist society; for though Tobey stands at the mercy of the town's pleasure in order to obtain the project, so, too, does the town come to rely on acquisitive proto-capitalists incubating among the standing elite of the Old Regime. If many of the men who benefit from successful bids on town infrastructure were mutating into something like what a later generation would call a capitalist, they were not *nouveaux riches*; they had been reared up in the bosom of the pre-

<sup>782</sup>Wareham Town Meeting, October 31<sup>st</sup>, 1803.

<sup>783</sup>Wareham Town Meeting, April 4<sup>th</sup>, 1814.

<sup>784</sup>Wareham Town Meeting, May 2<sup>nd</sup>, 1814.

revolutionary order. Capitalist practices are emerging, but in the highly constrained and communally regulated circumstances of the New England town.

It was, in general, an era of regularization of the more informal practices of previous decades. This applied to roads as it would also to the organization of the town's civil government. Though the upkeep of the roads continued as in years past, with those unable to pay the road tax laboring on the highways, now, for the first time, the wages paid began to be described in hourly terms. Thus, in the spring of 1808, the meeting voted \$200 for “Roods” – “The men to have ten Cents an hour to work & the teams as Last Yeare.”<sup>785</sup> The introduction of wage labor in relation to hours here represents the first eruption of a capitalist sense of work-time into the more traditional society of early republican Wareham.

Demarcating the bounds of lands remained important for Wareham. For instance, it “Chose Rowland Thacher to Take Care + Lock up the bounds of y<sup>c</sup> Town Lands + see that nobody Trespasses.”<sup>786</sup> On these lines, the Town also saw to the demarcation of its well-established glebe lands. The Town “Voted to procure Rales a nuf to Fence the Ministree Fresh meadows at the West End of the town by April next the Rev Noble Everitt to make the fence and Keep it in Repare as long as he Shall Improve it and also Voted to Raise money to answer all the other Town Charges for the Year.” It further “Voted to Vendue the procureing of the two hundred of Seder Rales to fence the Ministree Fresh meadows to the loest bider.”<sup>787</sup>

Here then, is a prime example of what Henri LeFebvre has called the social “production of space.”<sup>788</sup> It also suggests that, though the increased frequency of bridge-building resolutions in the

<sup>785</sup>Wareham Town Meeting, n.d., May, 1808, adjourned from March 7<sup>th</sup>, 1808.

<sup>786</sup>Wareham Town Meeting, March 3<sup>rd</sup>, 1794.

<sup>787</sup>Wareham Town Meeting, May 12<sup>th</sup>, 1806 – evidently adjourned from March 10<sup>th</sup>, 1806.

<sup>788</sup>Cf. Henri LeFebvre, *The Production of Space* (Cambridge, Mass.: Blackwell, 1991).

town meetings of the early republic certainly implied a greater use of east-west transportation along the littoral of the bay, and therefore a quickening of economic activity, these developments were born from a communal matrix. It was not private capitalists, but the civil polity – with all of its virtues and flaws – which ultimately called this infrastructure into existence.

There were other ways in which the Town Meeting regulated the common space of the town. The control of music had been considered critical for the maintenance of public order at least since Plato's time, and the Standing Order in Wareham during the first years of the republic was no exception. Given that divine services would have been the occasion on which most residents of Wareham heard music performed, the Town Meeting's power to regulate the form of this music constituted great cultural power. The first mention of music in the town records comes in 1796: "Voted to take up in the Meeting House y<sup>e</sup> Two [?] Seats on ye lower floor, two each side of ye broad alley + make two Pews one on each side for y<sup>e</sup> use of ye Singers to sit in. y<sup>e</sup> Property to Remain y<sup>e</sup> Town/s + converted for y<sup>e</sup> Singers as long as they Shall think Propper."<sup>789</sup> By the autumn of 1802, the Town "Voted leave for [a] Bass. Viol to be brought into ye Meeting house to be Played every other Sabbath to begin the next Sabbath + to Play ifsen[?] Every Sabbath in the Intermission between Meetings t[?] and Pitch the Tunes with on the Sabbath that it does Play."<sup>790</sup> Not only the use of the bass viol itself, but also the ways in which it was to be played, were the subject of strict regulation. Even this must not have satisfied some of the foes of instrumental accompaniment, for the next year, the Town "Voted to discontinue the use of the Bass Viol in Public Worship."<sup>791</sup> By 1804, however, some kind of compromise had been reached: "Voted to have singing in the Time of Publick Worship," and "that y<sup>e</sup> Singers shall appoint their head singer"; moreover, the Town Meeting "Voted to make use of the Bass

<sup>789</sup>Wareham Town Meeting, Sept. 21<sup>st</sup>, 1796.

<sup>790</sup>Wareham Town Meeting, Sept. 13<sup>th</sup>, 1802.

<sup>791</sup>Wareham Town Meeting, October 31<sup>st</sup>, 1803.

Viol in Publick worship the one half of the Time + to begin with y<sup>e</sup> Viol next Sabbath day.”<sup>792</sup>

There was also what might be called "the microbial commons" -- the need to guard against contagious disease. Thus, in the autumn of 1801, the Town “Voted to Set up Inoculating for the Small Pox under the rules + regulations of a Committee to be Chosen by the Town....” However, meeting the following Monday, the Town specified that it would "Not ... accept the House belonging to Moses Fearing which formerly belonged to Lemuel Sturtenant for to Inoculate in \_[.]” This was a weighty matter, given that smallpox inoculation, inherently risky in and of itself, had to be done thoroughly, lest it dramatically increase the chances of uninoculated individuals’ taking ill after exposure to the disease.<sup>793</sup>

The most significant change to the commons regime in Wareham in the early years of the new republic was the closing of the range. While the range is, in the popular imagination, most strongly associated with the vast spaces of the Great Plains and the Rocky Mountains, it operated in eastern states and provinces from an early date, as evidenced by the Town Meeting's frequent injunction that swine and sheep were to run at large “yok'd and ring'd as the law directs.” At the annual Town Meeting in 1803, for the first time, it was “Voted that Swine be not allowed to run on the Common at large.”<sup>794</sup> And while the Town Meeting's stipulation that “rams not ... run at large on the Commons from Shear time to y<sup>e</sup> Twentieth of December” at the price of forfeiture and a dollar fine was not, strictly speaking, unprecedented – rams had been regulated in a similar fashion in 1778, 1782, 1792, and a number of other years – its combination with the closing of the commons to swine marked a new era in the annals of the Wareham commons. Never again would the open ranging of the town's hogs among the salt meadows and pine barrens be taken as a norm; henceforth, the default position of the Town Meeting

<sup>792</sup>Wareham Town Meeting, February 13<sup>th</sup>, 1804.

<sup>793</sup>Wareham Town Meeting, Nov. 2<sup>nd</sup>, 1801.

<sup>794</sup>Wareham Town Meeting, March 7<sup>th</sup>, 1803.

would be for the restraint of the hogs. Indeed, in 1808, this was extended to sheep (as distinct from rams) as well, when the Town Meeting “Voted that Sheep shall not Run at large.”<sup>795</sup> In this sense, the closing of the range marked a watershed in the town's ecological and economic history, evidence of both increasing population pressures and an economy operating with greater intensity.

More typical, though, than the outright ban on running hogs in the woods was the transformation of the regulatory infrastructure built around anadromous fish runs. Where for most of the 18<sup>th</sup> century, a plain committee had been chosen, now the regulatory burden fell onto a new group, the Inspectors of Herring. Without any formal announcement, the *ad hoc* committee of prior years had metamorphosed into the office of Inspector of the Herring. There may have been little practical difference in the regulation of the fishery; but in symbolic terms, the change must have been significant, a sign of a more intensely developed and formalized life-world.

Just after the federal election of 1800, the Town Meeting “Chose [3 men] Inspectors of the fish called Aleweives in Weeweantit River also chose [3 men] Inspectors for the fish Called Alewives in Agawam River, and they Severally took their oaths of office required by Law.”<sup>796</sup> In another typical example, the Town Meeting in the autumn of 1806 “Chose Isaac Barrows, Bennazar Leonard, David Swift inspectors of the Fish Called Alewives at the West End of the Town + to see that S[d] fish have a good passage in the pond.”<sup>797</sup> Similarly, the next year the Town “ Chose Israel Fearing prince Burges in Spectters of the herring Branch Barrow For the West End & all that was present was Sworn”; likewise, in 1809, the Town “Voted Amishas Savery, John Fearing, Moses S. Fearing, Should be a Committee to inspect hearings at the West End of the town, Prince Burges, Joseph Hibbs, a Committee to inspect the hearings at the East End of the Town.”<sup>798</sup> Typically the inspectors of herring were chosen in the Fall,

<sup>795</sup>Wareham Town Meeting, March 7<sup>th</sup>, 1808.

<sup>796</sup>Wareham Town Meeting, November 17<sup>th</sup>, 1800.

<sup>797</sup>Wareham Town Meeting, November 16<sup>th</sup>, 1806.

<sup>798</sup>Wareham Town Meeting, Nov. 2<sup>nd</sup>, 1807; Wareham Town Meeting, October 16<sup>th</sup>, 1809.

perhaps in order to have them already in place when the first fish swam up the rivers after ice-out in the early spring. And, this being Wareham, inspectors were chosen separately for both the East and West ends of the Town.

The Town was also quite specific in its regulation of the 'who, what, where, when, why, and how' of the fishery. In April, 1805, for instance, the Town voted “The herring at the East end of the Town bid off by [ye? Mr?] ?[Pinkham?] at thirty two dollars +fifty cents\_”<sup>799</sup> The next year, “the herring at the East End of the town bid of to benazzar Leonard for Thirty Dollars.”<sup>800</sup> The Town went so far as to purchase outright certain pieces of land that were deemed particularly useful for the herring fishery: ““Voted to give Lot Bump twenty dollars for a certain piece of Land for a Priveledge to take fish called alewives out of Wewantick River.”<sup>801</sup> Here, even in the 19<sup>th</sup> century, was the traditional New England version of liberty – the liberty “to” something, as David Hackett Fischer has noted.

The office of inspector could also be extended to shellfish. Thus, at the annual meeting in 1807, the Town, in addition to choosing two deer reeves, “Chose” six men “Inspectors of Shel fish.”<sup>802</sup> A similar vote passed in the 1808 annual meeting.<sup>803</sup> Yet this extension of inspectorships to shellfish was not nearly as uniform as in the case of herring; by 1813, Wareham had returned to its prior habit of appointing committees to regulate the clams, quahogs, oysters, mussels, and other mollusks of the town's productive tidal flats. A town meeting that summer was held “for the purpose of chusing a Committee to protect the Shell fish + act on all matters.”<sup>804</sup>

Wareham's commons regime, facing the pressures of an increasing population and a greater intensity of economic activity, transformed in the early years of the republican era. The somewhat *ad*

<sup>799</sup>Wareham Town Meeting, April 1<sup>st</sup>, 1805.

<sup>800</sup>Wareham Town Meeting, March 10<sup>th</sup>, 1806.

<sup>801</sup>Wareham Town Meeting, March 5<sup>th</sup>, 1804. Cf. David Hackett Fischer, *Albion's Seed*.

<sup>802</sup>Wareham Town Meeting, March 2<sup>nd</sup>, 1807.

<sup>803</sup>Wareham Town Meeting, March 7<sup>th</sup>, 1808.

<sup>804</sup>Wareham Town Meeting, July 26<sup>th</sup>, 1813.

*hoc* character of the regulatory apparatus of the old regime and the revolution was transformed, especially in the case of herring and other anadromous fish, into something more fixed and permanent. And yet there was no revolutionary break. Instead, though the forms of the commons regime mutated, its long and essential continuity remained firmly in place.

### III: Vendueing the Poor -- Rising Population and Poverty

Of course, the New England town in the early republic should not be mistaken for a kind of green utopia, lovingly imagined by 21<sup>st</sup> century environmentalists. If it operated a commons regime that was quite strict, this regime had its darker side, particularly in its treatment of the poor, who were more likely to be aged, women, or foreigners. The vendue system remained in use, and indeed, expanded in these decades. Yet it was still a system of ensuring social welfare that spoke strongly of its pre-modern character – the community, in its corporate form, continued to exercise the very power of subsistence over its poorest members. In this sense, it was more redolent of what Peter Laslett has called “the world we have lost” – with all its vices and virtues – than it was of any kind of modern social democratic state (even in the attenuated form it has taken in the early 21<sup>st</sup> century).

For one thing, the number of people being vendued in town meetings increased during these years. Whereas earlier in the 18<sup>th</sup> century the unlucky individuals whose care was being auctioned off by the town tended to be one or two widows, by the early decades of the 19<sup>th</sup> century, the overall amount of activity relating to the poor in the meeting records had significantly increased. Typically

earlier auctions of the poor were quite perfunctory; now, in the republican era, they became more multiform. The early 1790s must have been a period of noticeably increasing poverty, for in 1792 the Town “Voted to build a Town House for y<sup>e</sup> Poor \_[.]”<sup>805</sup> In 1796, for instance, Andrew Mackie was paid \$8.00 “for Doctering y<sup>e</sup> Town Poor.” This was in addition to the moneys allocated for the upkeep of Susanna Perry that year – \$2.44 to Prince Burgess and \$2.00 to Moses Fearing. But in Perry's case, at least, Mackie's doctoring seems to have been in vain, for the town “Voted to [William Bowls] for a coffin for Susanna Perry 1 Dollar 66 Cents 5 mills.” Israel Fearing was paid fifty cents “for diging grave” – whether for Susanna Perry alone, or for other departed souls, is unclear.<sup>806</sup>

Other signs of the increasing pressures of population and poverty were evident. One of these was a growing emigration to the Maine frontier. At the annual meeting in 1796, the Town seemed positively to encourage one woman's migration: “Voted that if Mary Sander should go eastward before y<sup>e</sup> May Meeting next that the Selectmen draw Money out of y<sup>e</sup> Treasury + give Her to bear her Necessary Expenses.”<sup>807</sup> This refers to Maine, stretching northeastward from “mainland” Massachusetts along the shore of the Gulf of Maine ( “Down East” refers not only to Maine in popular parlance, but also the Canadian Maritime provinces; they are so called because both are downwind and east of the major ports of Massachusetts and Cape Cod Bays). Sander evidently did not make the trip, for seven years later the Town “Voted for the Selectmen to see what Repairs is necessary for y<sup>e</sup> W<sup>d</sup> Sanders house + likewise to see that it is done”; it also directed that the selectmen were “to Provide for W<sup>d</sup> Mary Bump,” another impoverished widow.<sup>808</sup>

Life was difficult for outsiders – foreign and domestic – in the still mostly traditional world of early republican Wareham. American Indian and African American people persisted in early republican

<sup>805</sup>Wareham Town Meeting, Nov. 2nd, 1792. In 1798, the Town “Voted not to build a Work House.” Wareham Town Meeting, March 5th, 1798.

<sup>806</sup>Wareham Town Meeting, Sept. 21<sup>st</sup>, 1796.

<sup>807</sup>Wareham Town Meeting, April 4<sup>th</sup>, 1796.

<sup>808</sup>Wareham Town Meeting, May 9<sup>th</sup>, 1803, by adjournment (presumably from March 7<sup>th</sup>).



southeastern Massachusetts, but often at the price of suffering a kind of internal exile, subtly evident in the records. Only rarely are they dignified with a name, even a single personal name. In 1790, the town “Voted to W<sup>d</sup> Sanders thirty shillings for Taking in + care of a Negro Wench when sick at her house.”<sup>809</sup> Similarly, an American Indian, probably Wampanoag, figures nearly five years later in the town's business: “Voted to Francis Cumner three Dollars for Take Care of Certain Squaw sick at his House[.]”<sup>810</sup> White English-speaking men appear higher up the social ladder; in the fall of 1806, a man with the distinctively Scots name of “Allaxzander Frazer [was] bid of” to Benjamin Bourne for one year, at \$1.50 per week.<sup>811</sup> About a decade earlier, the Town voted \$8.50 to Elisha Burgess for warning Daniel Ellis “out of y/e Town”; at the same meeting, it added 75 cents “for Carring Peter Tucketts [?] out of Town.”<sup>812</sup> Ellis, certainly, is a well-established surname in southeastern Massachusetts, going back to the 17<sup>th</sup> century; but he was still a stranger in this remote farming and fishing village.

The increasing appearance and pressures of poverty during these years is evident in other ways. Greater numbers of children were being “bid off”, so much so that the 1798 annual meeting “Voted that y<sup>e</sup> Selectmen be a Committee to See to y<sup>e</sup> Instruction and Education of y<sup>e</sup> children that are bound out.”<sup>813</sup> Sixteen years later, the Town saw to the disposition of the son of Lynda Boyer, who had come into town from Nantucket – an indication, perhaps, of a greater degree of mobility among the people of the New England littoral during a period of economic development and upheaval. The boy was bid off to John Bates for \$95, “tobe Kept till 21 yeares old the money tobe paid in seven yeares in proportions yearly.....”<sup>814</sup>

In a fashion analogous to the move from herring committees to herring inspectors – from ad hoc

<sup>809</sup>Wareham Town Meeting, March 3<sup>rd</sup>, 1790.

<sup>810</sup>Wareham Town Meeting, January 15<sup>th</sup>, 1796.

<sup>811</sup>Wareham Town Meeting, November 16<sup>th</sup>, 1806.

<sup>812</sup>Wareham Town Meeting, 6<sup>th</sup> November, 1797.

<sup>813</sup>Wareham Town Meeting, March 5<sup>th</sup>, 1798.

<sup>814</sup>Wareham Town Meeting, March 1<sup>st</sup>, 1814.

collectivities to magistrate-like public officials – the town took an initial step towards modifying its poor relief. By 1805, conditions must have compelled a reconsideration of the needs of the town's impoverished inhabitants, for it voted “Rowland Leonard + Israel Fearing Esq. Oversears of the Poor[.]” Evidently the new office met some kind of general disapproval, for three weeks later, the town “Voted to Discharge Israel Fearing + Rowland Leonard Esq<sup>r</sup>. From being Overseers of the poor.”<sup>815</sup> Despite its temporary nature, the fact that special magistrates were considered necessary to oversee the poor – probably both in a positive sense, that they were not being maltreated, but also with an eye to preventing socially undesirable or “dissolute” behavior – demonstrates that, relative to the 18<sup>th</sup> century, the years of the early republic saw a general increase in poverty, and its attendant social problems, in Wareham.

#### IV: Electoral Politics and the Rise of the First Party System

During the first years of the new republican regime in Wareham, the political order, while rooted in the continuity of local institutions, underwent significant changes. Perhaps the most significant of these was the rise of actively contested electoral politics, and, eventually, the rise of the First Party System.

At the local and most immediate level of politics, a process of regularization and formalization is observable in the early years of the republic. Town officers are far more frequently noted to have taken legally sworn oaths than in the relatively improvisatory decades of the 18<sup>th</sup> century. This is likely

<sup>815</sup>Wareham Town Meeting, March 11<sup>th</sup> and April 1<sup>st</sup>, 1805.

related to a directive issued by a 1796 meeting, which “Voted to see that all y<sup>e</sup> Town officers are Sworn as y<sup>e</sup> Law directs.” Similarly, the operation and record-taking of the Town government was formally ordered in a hitherto unprecedented way: it was decided “That y<sup>e</sup> Town Purchase Three Blank books for y<sup>e</sup> use of y<sup>e</sup> Town.” Moreover, the Meeting directed “That y<sup>e</sup> Selectmen Keep an office on y<sup>e</sup> first Monday of March, June, September, + December annually at \_\_\_ a'clock in y<sup>e</sup> afternoon. and that they Keep a fair Record of all their Proceedings in their Book + that no order nor Note be by them Given out until recorded by them in their Book.” These regulations were expected to continue in coming years: “That y<sup>e</sup> Town in future direct their officers to Keep their books according to the rules + directions of y<sup>e</sup> book called y<sup>e</sup> Town officers[.]” Finally, the Meeting called for the organization of the Town's finances, which the Revolutionary crisis had thrown into chaos for decades. It “voted that y<sup>e</sup> Town Treasurer be directed to Call on y<sup>e</sup> Collectors that are Indebted to y<sup>e</sup> Town to Settle up by y<sup>e</sup> first of April next or Sue his Execution against them +for y<sup>e</sup> future To settle with them in one year after they have received their bills. or Sue his Execution.”<sup>816</sup> The traditional usages and comparatively informal manner of local government in early Wareham were undergoing a transformation, towards an order based around the regular operation, and more meticulous recording of the administering of Wareham's common affairs.

Extreme localism, even within the town, was persistent. Different officers were appointed for the eastern and western ends of Wareham, as they had under the *ancien regime*.<sup>817</sup> Significantly, Wareham, even in these years of the new republic, continued to follow the practice of backcountry and other peripheral rural communities in Massachusetts, frequently voting not to send a representative at all to the General Court. In May, 1804, well into the life of the young commonwealth, Wareham “Voted Not to send any Representative to the Gernal Court.”<sup>818</sup> It took similar action in 1805, 1806,

<sup>816</sup>Wareham Town Meeting, January 15th, 1796.

<sup>817</sup>For instance, Collectors were appointed for the East and West ends of Town at a Town Meeting, November 11th, 1789.

<sup>818</sup>Wareham Town Meeting, May 7th, 1804.

1808, and 1809.<sup>819</sup> While Wareham was more regularly represented in Boston than it had been during the provincial years, it nevertheless displayed a relative indifference to sending a representative to the General Court.

One of the novel features of the new republican regime was the advent of actively contested elections for high offices of state. The Constitution of Massachusetts, ratified in 1780, created a new infrastructure of elections for the civil and legislative officers of the new Commonwealth. Unlike in the old, royal provincial order, the Governor and Lieutenant Governor, as well as Senators and Counsellors, were to be elected by popular vote, as were the members of the House of Representatives. All of these officials would be chosen by majority vote, and the franchise under the new government embraced “every male inhabitant, of twenty one years of age and upwards, having a freehold estate, within the Commonwealth, of the annual income of three pounds, or any estate of the value of sixty pounds....”<sup>820</sup>

The selectmen of the several towns were to preside over all elections, and the Town Clerks were to certify and report them. While the House of Representatives was to be elected by written (and presumably secret) votes, in the case of Senators, the Governor, and the Lieutenant Governor, the Town Clerk, under the supervision of the Selectmen, was “in open town meeting, [to] sort and count the votes....” Office-holders were subject to more stringent requirements; for instance, a Representative, in addition to having lived in the town he represented for at least a year, had to “have been seized, in his own right, of a freehold of the value of one hundred pounds, within the town he shall be chosen to represent, or any rateable estate, to the value of two hundred pounds....”<sup>821</sup> Property

<sup>819</sup>Wareham Town Meeting, May 13th, 1805; May 12th, 1806; May 13th, 1808; April 15th, 1809.

<sup>820</sup>Constitution of Massachusetts, Chapter I, Section II, Article II.

<sup>821</sup>Constitution of Massachusetts, Chapter I, Section III, Article III.

requirements increased proportionately for Senators and the Lieutenant Governor and Governor; the last also had to profess himself “to be of the christian religion.”<sup>822</sup>

Popular mobilization can be partially measured via the returns of these elections, though only the presence of adult males over 21 years old, and with a modicum of economic independence, will show up directly in the electoral records. Nevertheless, these can still yield important results. Thus, in the election of 1781, the total electorate for the gubernatorial contest was a mere 18 men . By 1800, the electorate that participated in the gubernatorial election had grown to 56 men. 1805 saw 69 men cast votes for governor, while the largest electorate appears to have been in the crisis year of 1814 (of war, invasion, and the Hartford Convention), when 145 men voted in the contest for the Commonwealth's highest office.<sup>823</sup>

This growth in the electorate can be tracked against the results of the US Census. In 1790, for instance, 25 men cast votes for governor. Yet, according to the Census, Wareham in 1790 counted 135 families (the fewest in Plymouth County), with a total population of 854, of whom just 202 were free white men over 16 years old. The electorate would have been drawn from just that proportion of these men who were over 21 years old. Even using the inflated figure of 202, or all free white males over sixteen, only 12.4% of these cast votes for governor. Thus, though the election was contested, it was not a matter of mass democracy; a very narrow percentage of the town's men took part in the choice of chief magistrate of the Commonwealth -- a reflection, perhaps, of the consensual government by local notables which had characterized the life of Wareham under the old royal order. When considered in terms of the town's total population -- 434 free white females, 208 free white men under 16, and 10

<sup>822</sup> Massachusetts Constitution of 1780, Chapter II, Section I, Article II.

<sup>823</sup>See Chart below on p. 426.

"other free persons" (that is, African-Americans and Indians), as well as free white adult males -- just 2.9% of the population voted for governor.<sup>824</sup>

Yet the gubernatorial election of 1800 reveals a different pattern. While Wareham's total population had fallen to 770 -- for this is the era of the opening of Downeast Maine, upstate New York, and farther Vermont to white American settler colonialism, and of increasing poverty on already poor lands -- the number of voters had more than doubled, to 56. Of the 200 men in town over 16, this represented 28% of the total -- and, given that the electorate would have been smaller, an even greater proportion of the electorate. Though this still represented a tiny proportion of the town's population as a whole, it was nevertheless more than double the proportion of the 1790 electorate.<sup>825</sup>

In 1810, Wareham's gubernatorial voters numbered 128. That same year, the Third Census of the United States records that the population had increased, to 851 -- not quite to 1790 levels, but greater than in 1800. Of these 851, 220 were white men over sixteen; the available electorate would have been slightly smaller than this. Thus, even including men between 16 and 20, something like 6 in 10 (58%) of men over sixteen participated in the gubernatorial election. Again, this constituted only 15% of the total population -- yet this was still the greatest proportion yet in the town's electoral history; its significance grows further when the town's population growth in the decade 1800-1810 is taken into account.<sup>826</sup> Thus, though Wareham had not yet passed into the era of mass democracy -- a development that would await later decades -- it did move, in these early years of the republic, in a steadily democratizing direction, with voter participation expanding each decade.

<sup>824</sup>Chart below on 426 , as well as Bureau of the Census, *Heads of Families at the First Census of the United States Taken in the Year 1790: Massachusetts* (Washington, D.C.: Government Printing Office, 1908), 10.

<sup>825</sup>Chart on 426, and United States. Census Office. 2nd Census, 1800. *Return of the whole number of persons within the several districts of the United States: according to "An act providing for the second census or enumeration of the inhabitants of the United States," Passed February the 28th, One Thousand Eight Hundred.* (Washington City (D.C.): Apollo Press, by William Duane & Son, 1802, 12; accessed via "The Making of the Modern World" database, at: <http://find.galegroup.com.proxy.lib.umich.edu/mome/dispBasicSearch.do?prodId=MOME&userGroupName=umuser>.

<sup>826</sup>Chart on 426, and the Third Census of the United States, 11, accessed via Early American Imprints, Series II: Shaw-Shoemaker, 1801-1819, via lib.umich.edu.

It also evident that, in these years, the First Party System, with its fierce contests between the Federalist and Republican Parties, took root in Wareham, as elsewhere in New England and America. The party system did not take immediate root after the ratification of the Massachusetts Constitution, however; rather, it grew slowly, in a piecemeal fashion, and it is hard to locate any one election that marked a turning point. Nevertheless, by 1815, the First Party System was firmly entrenched in town; and though the Federalist Party was initially dominant, after about 1804 the town was closely contested in most elections.

Voting *en bloc* was the prevailing electoral trend in the first years of contested and recorded elections in Wareham. Sometimes this trend expressed itself in outright unanimous decisions in favor of a particular candidate, as occurred in 1782, 1792, 1793, 1795, and even as late as 1799. On other occasions during this era of what Van Beck Hall has called "politics without parties," elections were contested, but very weakly; thus, riding the wave of discontent that arose out of James Bowdoin's repression of Shays' Rebellion, John Hancock received 32 votes in the election of 1787; Bowdoin received just two. Even in years solidly identifiable with the operation of the First Party System, overwhelming landslides were possible, as in 1800, when Caleb Strong, a Federalist, received 52 votes in town, with Republicans Elbridge Gerry, Moses Gill, and William Heath receiving two, one, and one votes, respectively. It is a fine and even fuzzy line between the consensualist bloc voting of the first decade of the new Commonwealth, and decisive landslides of the partisan era; it may, in fact, be a line more perceived in the eye of the beholder than actually present. But it raises the possibility that it was precisely the deferential and paternalistic quality of the consensual style of politics that led to the early dominance in Wareham of the Federalist Party, with its platform centered around a hierarchical, moderate, commercial society.<sup>827</sup>

<sup>827</sup>See chart on 426. On Wood? Or is it Hamilton, Adams, Jefferson author?]

Things changed in the first decade of the 19th century. Now openly and clearly partisan elections were closely and strongly contested by both parties, with the Republicans showing surprising strength in Wareham -- eastern New England, after all, being commonly acknowledged as the geographical stronghold of the Federalist Party (along, arguably, with the Low Country South). It may have been a Federalist stronghold, but it was not uniformly so, and the case of Wareham illustrates this.

The elections of the 1800s were far more closely contested than in prior years. Though there were years like 1786, when Plymouth County's Thomas Cushing received 18 votes to nine each for Bowdoin and Hancock, in general, the contests were closer after 1800. Thus, Caleb Strong, the Federalist who swept Wareham by large majorities in the gubernatorial elections of 1801, 1802, and 1803, only held off Republican challenger James Sullivan by ten votes (34-24) in 1804. In 1805, despite Strong's overall victory in Massachusetts, he lost Wareham for the first time to Sullivan, who bested him by 7 votes (38 to 31). Similarly, in 1806, the Republican candidate prevailed in Wareham despite losing the Commonwealth as a whole (Sullivan received 43 votes to Strong's 37). Finally, in 1807, Sullivan again won Wareham, and by a larger margin -- 56 to 31 for Strong. But this time he also carried Massachusetts as a whole.

Perhaps the most striking evidence of the emergence of the First Party System in the records of Wareham occurs in 1807, with the first appearance of tickets (that is, candidates running on a partisan ticket for Governor and Lieutenant Governor). That year, the number of votes for Governor and Lieutenant Governor were nearly identical -- 56 to 31 for Sullivan in the Governor's race, and 56 to 30 for Levi Lincoln vs. Edward Robbin in the election for Lieutenant Governor. Prior to this, and especially before the establishment of the First Party System in Wareham, the candidate with the second-most support for Governor was selected by the town's voters for the Lieutenant Governor's position. Now, though, starting in 1807, and continuing in every election through 1815, the ticket



becomes the way in which the Federalists and the Republicans organized themselves for the contest for the state's highest offices.<sup>828</sup>

Republican strength in Wareham continued in subsequent elections. Republican candidate Elbridge Gerry won the town in 1810, 1811, and 1812; despite losing the state in the latter year, he won Wareham by a margin of 70 to 45 votes. Yet the approach of war in 1812 evidently rendered the Republicans -- associated with the Embargo Act and the prospect of war with Great Britain -- as suddenly unpopular as they had been popular a decade or so earlier. The Federalists took Wareham in 1813, 1814, and 1815 -- though only barely so in 1814 and especially 1815. In 1814, the crisis year when Federalist New England contemplated secession at the Hartford Convention, and the New England coast -- including Wareham -- lay open to the threat and reality of invasion, the Federalists won 75 votes to the Republicans' 70 in town. In 1815, with the war and its ambiguous denouement current in the public mind, Federalist Caleb Strong prevailed over Republican Samuel Dexter by just one vote, in a tally of 62 to 61; perhaps the electorate was upset with Federalist flirtation with disunion at the Hartford Convention. In any event, during these years Wareham was more of an electoral "battleground" than a reliable member of either the Federalist or Republican coalitions.<sup>829</sup>

<sup>828</sup>See Chart 3.

<sup>829</sup>See Chart 3.

Chart 3. Wareham, Massachusetts Gubernatorial Elections, 1781-1815<sup>830</sup>

| <u>Year</u> | <u>Winner in Wareham</u> | <u>Vote Tally</u> | <u>Loser(s) in Wareham</u> | <u>Winner of Mass.</u> | <u>Notes</u>                                  |
|-------------|--------------------------|-------------------|----------------------------|------------------------|-----------------------------------------------|
| 1781        | J. Hancock               | 16-2              | J. Bowdoin                 | J. Hancock             |                                               |
| 1782        | J. Hancock               | 17-0              | None (unanimous)           | J. Hancock             |                                               |
| 1783        | J. Bowdoin               | 17-6              | J. Hancock                 | J. Hancock             |                                               |
| 1784        | J. Bowdoin               | 22-2-2            | J. Hancock, B. Lincoln     | J. Hancock             |                                               |
| 1785        | T. Cushing               | 21-3-1            | J. Bowdoin, W. Cushing     | T. Cushing             | Cushings a prominent Plymouth Co. family      |
| 1786        | T. Cushing               | 18-9-9            | J. Hancock, J. Bowdoin     | J. Bowdoin             |                                               |
| 1787        | J. Hancock               | 32-2              | J. Bowdoin                 | J. Hancock             | Hancock landside in wake of Shays's Rebellion |
| 1788        | Missing                  | ---               | ---                        | J. Hancock             | ---                                           |
| 1789        | J. Hancock               | 20-9-1            | B. Lincoln, J. Bowdoin     | J. Hancock             | 39 votes for Lincoln for Lt. Gov.             |
| 1790        | J. Hancock               | 29-4              | J. Bowdoin                 | J. Hancock             |                                               |
| 1791        | Missing                  | ---               | ---                        | J. Hancock             | ---                                           |
| 1792        | Hancock                  | 18-0              | Unanimous                  | J. Hancock             |                                               |
| 1793        | Hancock                  | 18-0              | Unanimous                  | J. Hancock             |                                               |
| 1794        | W. Cushing               | 21-14             | S. Adams                   | S. Adams               |                                               |
| 1795        | S. Adams                 | 27-0              | Unanimous                  | S. Adams               |                                               |
| 1796        | I. Sumner (F)            | 25-8              | S. Adams (R)               | S. Adams (R)           | Emergence of                                  |

<sup>830</sup>Information taken from Wareham Town Records, and from the database "A New Nation Votes: American Election Returns 1787-1825", accessed at [www.elections.lib.tufts.edu](http://www.elections.lib.tufts.edu).

|      |                 |                 |                                         |                 |                                                                                                                        |
|------|-----------------|-----------------|-----------------------------------------|-----------------|------------------------------------------------------------------------------------------------------------------------|
|      |                 |                 |                                         |                 | 1 <sup>st</sup> Party System                                                                                           |
| 1797 | I. Sumner (F)   | i. 38 to 8 to 2 | M. Gill (R) and J. Sullivan (R)         | I. Sumner (F)   | Gill gets 34 votes for LG.                                                                                             |
| 1798 | I. Sumner (F)   | 23-1            | J. Sullivan (R)                         | I. Sumner (F)   | Gill gets 30 votes for LG.                                                                                             |
| 1799 | I. Sumner (F)   | 64-0            | Unanimous                               | I. Sumner (F)   |                                                                                                                        |
| 1800 | C. Strong (F)   | 52-2-1-1        | E. Gerry (R), M. Gill (R), W. Heath (R) | C. Strong (F)   |                                                                                                                        |
| 1801 | C. Strong (F)   | 53-6            | E. Gerry (R)                            | C. Strong (F)   |                                                                                                                        |
| 1802 | C. Strong (F)   | 37 to 4 to 1    | W. Heath (R), E. Gerry (R)              | C. Strong (F)   |                                                                                                                        |
| 1803 | C. Strong (F)   | 35-10           | E. Gerry (R)                            | C. Strong (F)   |                                                                                                                        |
| 1804 | C. Strong (F)   | 34-24           | J. Sullivan (R)                         | C. Strong (F)   |                                                                                                                        |
| 1805 | J. Sullivan (R) | 38-31           | C. Strong (F)                           | C. Strong (F)   |                                                                                                                        |
| 1806 | J. Sullivan (R) | 43-37           | C. Strong (F)                           | C. Strong (F)   |                                                                                                                        |
| 1807 | J. Sullivan (R) | 56-31           | C. Strong (F)                           | J. Sullivan (R) | 1 <sup>st</sup> evidence of tickets (e.g. Lincoln vs. Robbin for LG 56-30, almost exact proportion as Governor's race. |
| 1808 | J. Sullivan (R) | 44-35           | C. Gore (F)                             | J. Sullivan (R) | Tickets                                                                                                                |
| 1809 | C. Gore (F)     | 61-58           | L. Lincoln (R)                          | C. Gore (F)     | Tickets                                                                                                                |
| 1810 | E. Gerry (R)    | 74-54           | C. Gore (F)                             | E. Gerry (R)    | Tickets                                                                                                                |
| 1811 | E. Gerry (R)    | 54-32           | C. Gore (F)                             | E. Gerry (R)    | Tickets                                                                                                                |
| 1812 | E. Gerry (R)    | 70-45           | C. Strong (F)                           | C. Strong (F)   | Threat and onset of war sweeps Federalists back to power.                                                              |
| 1813 | C. Strong (F)   | 75-65           | J. Varnum (R)                           | C. Strong (F)   |                                                                                                                        |
| 1814 | C. Strong (F)   | 75-70           | S. Dexter (R)                           | C. Strong (F)   |                                                                                                                        |
| 1815 | C. Strong (F)   | 62-61           | S. Dexter (R)                           | C. Strong (F)   | Close vote, possible punishment for                                                                                    |

|  |  |  |  |  |                        |
|--|--|--|--|--|------------------------|
|  |  |  |  |  | Hartford<br>Convention |
|--|--|--|--|--|------------------------|

## V: Conflict with Britain and the Arrival of the Market Revolution

The growing conflict between Great Britain and the United States that would culminate in the War of 1812 was coterminous, in Wareham as in other parts of Massachusetts and New England, with the arrival of what some scholars have called "the market revolution," and what a previous generation -- or those of a different scholarly bent -- would call the arrival of industrialism. The exact relationship between these two trends is often obscure, especially given the paucity and terseness of town records on both the war and the creation of a new kind of economy. Yet, inasmuch as they both ultimately stemmed from the decades-long world-conflagration of the French Revolutionary and Napoleonic Wars, they did, in the ultimate analysis, spring from the same source. Just as American reliance on home manufactures was helped along by the uncertainty of European sources, so too did the expansion in the American carrying trade made possible by the European crises eventually entangle the young republic in yet another war with its Mother Country.

The bog iron of Wareham and the other towns of southeastern New England had long been utilized for local purposes. According to the 20th century historian of Wareham, Daisy Washburn Lovell, prior to the first decade of the 19th century, the smelting of iron for use in this agricultural-fishing society was primarily a household affair. "Having found bog ore, they proceeded to make nails, farming implements, household utensils and ironware used in their shipping, wagons, and whatever

was needed, in their home smithies. Nearly every household had its furnace and forge." Lovell goes on to remark on the nature of this iron production, stating that a combination of kinship and locality-based ties circumscribed the smelting of iron in early Wareham: "Groups of families in neighborhoods formed themselves into cooperative bodies to follow nail-making: children learned the art early to add their mite to the general good."<sup>831</sup>

The organized manufacture of nails in a factory did not come to Wareham until 1819, with the creation of the Tremont Nail Company (still operating today), but hollow-ware was manufactured in a blast-furnace on the Weweantic River, by four brothers of the Leonard family, who had a long history of involvement with iron bloomeries and blast furnaces in southeastern Massachusetts. Prior to this, according to Lovell, "in the 1700s many families had their own private forges, and with characteristic Yankee ingenuity, when any tool or utensil was needed, be it a plow or a pan, they used what they had to provide it."<sup>832</sup> Putting aside Lovell's somewhat filio-pietist valuation of her own people's native inventiveness, her remark does drive home the point that, prior to the first decades of the 19th century, iron-working was a household, family affair. It certainly was not an instance of market production.

Though Wareham certainly abounded in the necessary bog-ore, wood, and water to produce a great deal of iron, its neighbor to the north, Carver (part of Plympton until 1790), had perhaps even greater resources. Certainly it preceded Wareham in the erection of a large, non-household blast furnace, the "Federal Furnace," so called because of its contracts for cannonballs with the U.S. government during the War of 1812. Indeed, as a 19th century historian of Carver reports, it was in order to find and destroy this valuable cog in the American war economy that "a British fleet [lay] off the coast near Plymouth" during the war.<sup>833</sup>

<sup>831</sup>Lovell, *Glimpses of Early Wareham*, 87.

<sup>832</sup>Lovell, 94.

<sup>833</sup>"History of Carver," in Hurd, *History of Plymouth County, Massachusetts*, 457.

In 1812, just as war with Britain drew close, another factory -- this time, of cotton -- was built in Wareham. According to Lovell, this factory was built near a dam owned by Benjamin Fearing, on the Wankinkco River. This factory also became an object of British arms during the second war with Great Britain.<sup>834</sup>

Beyond factories, it was also during this period that formalized, hourly wage labor first appears in the records of the collective life of Wareham. In the spring of 1808, the Town Meeting appropriated \$200 for the upkeep of the "roods"; there was nothing unusual in this. What was novel, as we have seen was the enumeration of the wages to be paid for work on the roads by the hour: "The men to have ten Cents an hour to work & the teams as Last Year."<sup>835</sup> The next year, the Town voted \$300 for roads, with a rate of 3 cents per hour for "labeur."<sup>836</sup> Why the wage fell so steeply in one year is not clear. Even so, this, too, was a sign of a changing economy, one that was in the first stages of the market revolution.

Unlike the Revolutionary War, the War of 1812 does not make a special appearance in the Town Records. As in previous wars, the town went on with its business as an agricultural-fishing village, though one home to increasingly "modern" forms of economic production. Yet the presence "of war, and of war's alarms"<sup>837</sup>, can be detected in the records of the Wareham Town Meeting. During the Quasi-War with France, for instance, the Town, seeing to its militia, "Voted to find Each Soldier in the training band Six Sporting Cartrages per annum."<sup>838</sup> Similarly, during the enforcement of the Embargo Act, the Meeting "Voted the Selectmen to procure powder for the Town Store" and "Voted for the

<sup>834</sup>Lovell, 98.

<sup>835</sup>Wareham Town Meeting, May (n.d.), 1808; adjourned from the annual meeting, March 7th, 1808.

<sup>836</sup>Wareham Town Meeting, March 6th, 1809.

<sup>837</sup>Cf. W.B. Yeats, "Politics", in James Pethica, ed., *Yeats's Poetry, Drama, and Prose* (New York: W.W. Norton, 2000).

<sup>838</sup>Wareham Town Meeting, Nov. 5th, 1798.

Town Stores to be put in the upper loft of the Meeting house.”<sup>839</sup> Indeed, in the spring of 1815, after the news of the Treaty of Ghent had been received, the Town “Voted to build a house to put the town powder in.”<sup>840</sup> Safety surely played some role in this consideration.

But, on the whole, this second war with the British Empire did not seem to intrude as totally on the life of the town as the first one three decades before. According to Lovell, a total of thirty-two men from Wareham joined the armed services during the conflict; one of these, Joseph Saunders (perhaps related to the unfortunate Widow Saunders), was killed in the Battle of New Orleans. The war affected Wareham in a different way: as a community located among the innumerable coves and bays of the New England coast, it was uniquely vulnerable to British control of the sea. Indeed, it was in this regard that this semi-peripheral rural community found itself on the front lines of the war.<sup>841</sup>

The Royal Navy made more than one raid on coastal Plymouth County during the summer of 1814. As we have seen, one source maintains that these raids had as their ultimate objective the location and destruction of the Federal Furnace, inland at Carver. Or perhaps mere despoliation of American ports and shipping was their goal. In any event, they made multiple attacks, the most famous of which occurred at the northern end of the county, at the well-developed port of Scituate. On June 11th, detachments from the Royal Navy destroyed several ships at anchor in Scituate Harbor. Later that summer, an incident that became famous occurred in this self-same harbor.

A newly built lighthouse, Scituate Light, still standing, marks the entrance to Scituate Harbor. Built on the eve of the war, it had only been occupied for a few years by the Bates family. Mr. and Mrs. Bates and most of their nine children happened to be away from the lighthouse; some local sources

<sup>839</sup>Wareham Town Meeting, March 7th, 1808. The fact that many New England towns kept their town store of powder in the Meeting House meant that the sermons of the learned Congregationalist divines were often drowned out by the stamping of feet, striving to keep warm in the unheated -- for fear of a fatal and explosive spark -- building. [*cf. Story about Rev. Noble Everett and Plymouth Woods Fire.*]

<sup>840</sup>Wareham Town Meeting, May (n.d.), 1815, adjourned from April 3rd.

<sup>841</sup>Lovell, 114.

maintain they had sailed to Scituate town to get supplies. In any event, two daughters of the Bateses, Rebecca, the elder, and Abigail, the younger<sup>842</sup>, were left at the lighthouse, along with a younger brother. They grew alarmed when the British sailed into sight, and began dispatching troop barges in the direction of Scituate. The girls' response was quick-thinking and inventive: they sent their brother to warn their townspeople; meanwhile, both were amateur musicians, and Rebecca bade her little sister to go pick up her drum. As Abigail began to beat the drum, Rebecca began playing martial songs with her fife. They hid behind cedars and sand hillocks to conceal themselves, and played loudly. Sound carries easily over water, and the raiders from the Royal Navy took the fife-and-drum music to be that played by an approaching company of local militia. Apparently not seeking a contested landing, the barges turned about, back to their parent ship, and no raid was made that day upon Scituate.<sup>843</sup>

Wareham was not so lucky. At the same time as the initial raid on Scituate in June, 1814, H.M.S. *Nimrod*, a brig-of-war, cruised in Buzzard's Bay, working its way towards the head of the bay. On the 9th the Royal Navy seized the *Polly*, a sloop under a Captain Barrows, off Westport, near the Rhode Island border. Capt. Barrows agreed to ransom his ship, and returned to land to retrieve the \$200 he had promised the British, leaving two seamen as hostages. Though an American party setting out from Westport actually retook the *Polly* that same day, H.M.S. *Nimrod* retained the two sailors they had captured, Moses Bumpus and James Miller. These guided the British to West Island, off Fairhaven, where they captured one Samuel Besse on the 12th, who claimed subsequently that the British had forced him to act as their pilot sailing northeastward up the bay. On the morning of the 13th, Ebenezer Bourne spotted the *Nimrod* off Mattapoisett, continuing on its northeastward course, and coming to anchor near Bird Island, off what is today Marion, but was in 1814 still a part of Rochester. Bourne

<sup>842</sup>Their ages vary by the story; sometimes they are 14 and 11; I have seen other accounts, like the one cited below, that have Rebecca as old as 21.

<sup>843</sup>A good account is found online at: <http://www.newenglandhistoricalsociety.com/army-two-r-girls-turned-back-british-navy/>



promptly sailed across the bay to Wareham, reaching it in just 20 minutes, warning that the *Nimrod* was dispatching barges, under lateen sails and oars, in the direction of Wareham.<sup>844</sup>

The selectmen happened to be assembled at the Narrows, today's Wareham Center, where Bourne warned them of the impending British assault. An alarm was raised, and the selectmen ordered the town militia to proceed -- presumably by water -- down the Narrows, where the Selectmen would have the town's powder supply delivered. Meanwhile, Bourne met a mounted traveler headed for the village of Agawam, in the eastern part of town, and urged him to make all possible haste towards Capt. Israel Fearing's tavern, telling Fearing to call out the Agawam drill band and march to the eastern shore of the Narrows. At the Narrows, Major William Barrows managed to assemble and parade with twelve armed men; he was met by the Rev. Noble Everett, who had come with powder and balls at the order of the Selectmen.<sup>845</sup>

However, at the last minute, two Wareham notables, William Fearing, Esq., and Jonathan Reed, told Major Barrows to put away his arms, for they had made a deal with the British, who undertook to preserve private property if the New Englanders would not make any resistance. This spirit of neutrality would serve to confirm the worst fears of Republicans and other sections of the republic that the New England (Federalist) squirearchy not only opposed the war, but actively treated with the enemy.<sup>846</sup>

In any event, the agreement was not kept by the British. The 200 Royal Marines landed, and, declaring the Cotton Factory, as well as a number of ships from Falmouth and Plymouth lying at anchor in the harbor, public property, useful for the conduct of the war, they destroyed the former with a Congreve rocket, and put the latter to the torch. William Fearing, Esq., for his troubles, found the unruly marines availing themselves of strong drink at his store, and firing several vessels under

<sup>844</sup>Lovell, 114-115.

<sup>845</sup>Ibid.

<sup>846</sup>Lovell, 114-116.

construction in his shipyard. After all this, the British took 12 residents of the town hostage, and undertook to return to the *Nimrod*.

At this moment, the militia band from Agawam appeared under Capt. Israel Fearing, prepared to fight. However, upon being informed that 12 townspeople were in the custody of the marines, the militia put down their weapons, and the British withdrew towards their mother ship, landing the hostages at Cromesett Point, and firing volleys from their swivel guns and Congreve rockets, and giving three cheers to the humiliated people of Wareham.<sup>847</sup>

The damage to the town was recorded at \$25,000, and the reputation of Wareham appears to have suffered, for several of the town's notables, including William Fearing, Esq., Rev. Everett, and Maj. Barrows, produced an account dated June 21, 1814, describing the incident, and sent it to Commodore Perry. The account is notable in that it describes the British officers as strongly divided over the justice of the undertaking, and then breaking, the truce with the townspeople: "Then the commanding officer ordered the flag of truce to be hoisted, and the second in command swore that it was a damned shame and disgrace to any nation to enter a village under a flag of truce and commit the greatest outrage and depredations possible, and then return under a flag of truce, but on orders being again given by the commanding officer the flag of truce was hoisted."<sup>848</sup> Neither side, then, covered themselves in glory -- but the damage and humiliation to the inhabitants of Wareham was far the greater.

Wareham was marked during the early republic by change as well as continuity. In the arena of electoral politics, and in economic life, distinct changes are evident from the Old Regime. Yet in other ways -- in the continued use of the organs of local government, and above all in the maintenance, albeit

<sup>847</sup>Lovell, 114 - 118.

<sup>848</sup>Ibid.

in changed forms, of the town's ancient commons regime -- this period was tied inextricably to prior decades -- and to the future.

## Chapter 11: Conclusion and Epilogue

This study has examined Plymouth County in three historical periods: the long epoch of what I, following de Tocqueville, have called the Old Regime (1691-1765); the period of the American Revolution (1765-1787); and the first decades of the new American republic (1787-1815). In plumbing the historical depths of three particular communities within this county -- Duxbury, Pembroke, and Wareham -- a mixed, variegated pattern has emerged: of continuity on the one hand, and change on the other. Yet throughout all three periods, the long rhythms of the biosphere which sustains all history sounded beneath the surficial throes of political and economic life; and the human institution of what Melville, in another context, has called "the kingly commons," persisted and endured, providing a popular resource and, in the last third of the study, a refugium from and a counterpoint to the rising forces of a nascent market capitalism. The common land and waters of Plymouth County, though thrust into a world that was increasingly capitalist, were in that world but not of it. In this, they serve as the physical manifestation of the non-market *mentelite* that dominated among the vast majority of Plymouth County's farmers and fishermen.

As we have seen, during the period of the Royal Province of Massachusetts, after the absorption of Plymouth Colony by the Bay Colony, the commons was a constant subject of Town Meetings in all three of the towns in this study. The vitality of the alewife fishery in particular was closely guarded. Likewise, depending on local conditions, common resources of marsh and meadow, forest and swamp, seashore and river, were the subject of regular consideration and lawmaking. From oyster shells to bog iron, the resources of places that legally speaking, belonged to everyone and to no one, were critical inputs of raw materials for the economy of southeastern Massachusetts.

Politically, this was still the era of monarchy and aristocracy -- perhaps in attenuated form on the Atlantic's western shores, but nevertheless powerfully present. Local gentry, such as the Winsors in Marshfield or the Fearings in Wareham, exercised a powerful influence over local society, one that was far from entirely extinguished by the later advent of social and political revolution. Serving, as had their forbears in medieval and early modern England, as justices of the peace -- as royal officials -- local elites inhabited a world predicated socially upon the "Great Chain of Being", and politically upon the deference of the middling and lower orders to the ruling class. This meant, of course, elite domination of the instruments of local self-government, the Town Meeting; yet these early Town Meetings, while consensual and certainly not democratic in the contemporary sense of the word, served, like the physical commons, as an important locus for countervailing forces, forces that, in time, would turn revolutionary. Indeed, while Wareham proved quiescent and, through its remoteness, relatively aloof from the political life of the Province, Pembroke served as a veritable hotbed of Country and proto-Whig ideology and agitation, especially concerning questions of the currency. Duxbury, usually, found itself somewhere between these two. In terms of wider imperial politics, each town was, to a greater or lesser extent, tied into larger imperial wars and rivalries, whether it was

Duxbury men perishing beneath the walls of Cartagena de Indies, or Jesse Webquish, the Wareham Wampanoag soldier, fighting with James Wolfe on the Plains of Abraham.

Economically, the Old Regime was marked by the establishment of a mature settler society in Plymouth County. Though tied to the wider world through the sea and the trade that flowed upon it, the economic activities of the Englishmen of Plymouth County in the Old Regime were profoundly local. Farms were hewed from forests, mills and iron bloomeries erected, boats built for local use and beyond. The Englishmen of southeastern Massachusetts, though engaged in exchange and limited forms of commerce, remained primarily a “safety-first” subsistence society, a pattern that would remain firmly in place even amid the vast and wracking changes of coming decades.

The Revolutionary period (1765-87), as in the Old Regime and the new republic, was characterized by the endurance and persistence of the commons in Plymouth County. The preservation of the herring fishery, as well as other common resources, frequently occupied the several towns in their legally assembled meetings. The seasonal rhythms of this agricultural and fishing society continued in their regular and established patterns. At the level of ultimate materiality -- the ecological -- broad continuities with the Old Regime remained.

Politically, the revolutionary era, coming after the defeat of France in the Seven Years' War, opened on a note of optimism and confidence. But the Stamp Act of 1765 proved immediately controversial and even detested, with crowd action and protests erupting throughout British America, including Plymouth County. As the revolutionary crisis grew more and more acute, crowd actions increased, along with punitive measures from Parliament. By the mid-1770s, the county was occupied by a force of British regulars stationed in the loyalist town of Marshfield, while local Tories were treated to the severe humiliation of “rough musick” and other forms of popular intimidation. The Town Meetings remained intact and functioning, though they were quickly taken over by Whig/Patriot forces,

and became constitutive elements of the new revolutionary regime. On the whole, while the established forms of town government remained constant, much of the political order was overthrown, with local committees of correspondence, safety and inspection directing the revolution in each town. The Great Chain of Being was severed in this first of the Atlantic Revolutions.

The war created needs for manpower and materiel that each town, taking directions from the government of the new Commonwealth -- albeit in a largely uncoordinated fashion -- attempted to fill. This meant an unprecedentedly tight control of the local economy by local governments, with price controls and quotas of beef and fighting men to be supplied. Indeed, while the economy of Plymouth County was, from its earliest days, critically shaped by local governments, it was during the Revolution that this relationship reached unprecedented levels of intensity. With much of the male labor force of the towns away fighting, women and girls formed harvest brigades, upending the gender roles of the traditional order. During these war years, the economy of the county was subordinated to the greater goal of securing the independence of the new American states.

The new republic (1788-1815), starting with the adoption of the new federal constitution in 1788 and ending with the conclusion of the War of 1812, was marked on one level by profound, sweeping changes, especially politically and economically, though these took place in the context of a number of enduring continuities: of common lands and waters, and of the forms of local governance.

The towns still zealously guarded their common lands and waters, from herring streams to barrier beaches. The building of roads, fences, bridges, and other forms of physical infrastructure intensified during this period. Though the forms of the commons remained similar to those in the period of the royal province and the revolutionary years, there is evidence of increasing pressure. The shipbuilding boom that occurred during this period would have created a great increase in the demand

for crucial raw materials, such as lumber and iron. This, in turn, would have meant an increase in ecological pressure not only on valuable timber species such as white oak, and the bog iron of the county's wetlands, but also the vast quantities of wood that were converted to charcoal to power the iron furnaces.

Politically, the establishment of contested elections for a number of offices, including Governor, United States Congressmen, Electors for President, state senators and councillors and representatives, marked a momentous change from the old monarchical order. Moreover, the development and firm establishment of the First Party System, with Federalists dominating locally but with surprisingly ardent and persistent locales of Democratic-Republican strength, marked a shift away from the voting *en bloc* that characterized the first elections under the new republican regime. While Plymouth County was, in many respects, far friendlier territory for the Republican party than other parts of Massachusetts, the imposition of the Embargo Act, with its disastrous effects on an increasingly maritime and commercial economy, diminished the local chances for the party of Jefferson and Madison. By the time war was declared in the summer of 1812, the conflict was a subject of bitter dispute and division among the inhabitants of the county, with some denouncing the war as folly, and others in turn denouncing their neighbors as traitors. The active presence of the British fleet off the coast of Massachusetts -- and its occasional raids, as in Wareham in 1814 -- can only have intensified and heightened these fears. On the whole, though, the War of 1812 passed off with far less intensity than the Revolution in Plymouth County. The republican political order was by now firmly established in southeastern Massachusetts.

It was during the years of the early republic that the market and industrial revolution arrived in force in Plymouth County. The most significant development during this period was the establishment of a commercial, oceanic shipbuilding complex on the bays and tidal rivers of Duxbury, Pembroke, and



other southeastern Massachusetts towns. Though the towns of Plymouth County had always been intimately tied to the sea, fishing locally and even as far as the Grand Banks and trading on a limited scale with the West Indies, the flourishing of the carrying trade in neutral, American bottoms during the wars of the French Revolution meant the advent of something new. Developed in a very short time in historical terms, the shipbuilding complex filled vast and sudden demands. The shipbuilders of the North River and Duxbury Bay made their influence felt on land as well as on the waves. Ezra “King Caesar” Weston’s domination of Duxbury during these decades may serve as a metonym for that of his class as a whole. Yet, as the debacle of the Embargo shows, if this mode of faring upon the sea was far more profitable than safety-first agriculture and fishing, it was also inherently riskier. Even though the the shipbuilders bounced back from the War of 1812, expanding in the 1820s and 1830s, the rise of clipper ships in the middle years of the 19th century doomed the Plymouth County shipping boom. With the extremely deep-keeled and sharp hulls required to make the passage around Cape Horn in good time, clipper ships simply could not be constructed in the comparatively shallow harbors of Plymouth County. This time, while some shipbuilding would continue, the boom years would not.

The War of 1812 would prove critical for changes in the economic development of the county. During these years of conflict, with access to British manufactured goods cut off, the first factories were erected, for instance in the hamlet of East Pembroke on the Duxbury line. Similar developments followed after the war, such as the establishment of the Tremont Nail Company in Wareham (1819). Yet even with the presence of these factories, and the later development of the shoe industry in the county, the herring streams remained a potent refugium of common rights, and remained so. As Henry Litchfield observed in the early 20th century, Pembroke would lose the opportunities brought by the shovel factory that located at Easton, thirty miles to the west; but it retained its fish, its streams and ponds, its ancient landscape.

Concomitant with these developments was an increase in poverty. The towns of Plymouth County had always experienced poverty, especially among widows and orphans. These were dealt with through a kind of internal, household-based putting out system; in a real but brutal sense, the poor formed but another of the town's many commons. Something seems to have changed, though, during these decades of capitalist transformation, with the the question of poverty and of poor-houses pressing ever more insistently on the institutions of local government. The general tendency of the 19th century towards controlling and confining those deemed socially marginal took root alongside older traditions of "ancient liberties."

This, then, was the experience of Plymouth County, Massachusetts during the Old Regime, the American Revolution, and the new republic. Far from an incipient capitalist economy, it was, until the very last years of this study, a more or less traditional society, the past, present and future "bound each to each" through the physical, mental, and spiritual bonds of the enduring commons.

## II

The years of Embargo, and then, and even more dramatically, of the War of 1812, would prove essential for the transformation of Plymouth County to a market economy. The effect of the war may be likened to that of the electrical sparks in the Urey-Miller experiment, which turned previously inorganic matter into organic amino acids: under its effect, something that looks more and more like the beginnings of a market economy begins to take hold. For one thing, much of the iron is used up in the construction of American naval materiel, artillery pieces, and balls. After the war, the old iron bloomeries, having used up much of the local ore, began to import bog ore from New Jersey; the economic power of private actors compared with the public began to swing decisively in favor of the

former, as Town after Town approved new cotton or nail factories; though the Towns no doubt presumed that, as in the case of the grist mills of the previous centuries, a reasonable balance could be struck between public and private interests. But conditions had changed. The new textile mills, compared with the old grist or saw mills, used orders of magnitude more water. They also proved incapable of operating in combination with a healthy herring fishery. For one thing, the logic of a market militated against taking several months off from production; and, in addition, the increasing use of heavy chemicals as the century went on meant that the rivers and ponds of the County no longer provided a liveable habitat for the fish. For many observers in the latter decades of the 19<sup>th</sup> century, the days of overflowing herring runs seemed to be over.

Yet all was not lost. The herring, even if in dramatically reduced numbers, kept coming. And as the industrial revolution passed New England by, the interests of sportsmen, conservationists, and rural people who bore a folk-memory of the fish-fries of old, began to come together. First, the factories themselves fell into disuse. By dribs and drabs, in the 20<sup>th</sup> century, the seeds were sown of a newfound – but in many ways, very old-fashioned – concern with New England's anadromous fisheries. By the latter decades of the 20<sup>th</sup> century, though in reduced numbers compared with their pre-industrial height, the herring runs of coastal New England again ran wild with fish in the early spring. Today, the threats come not from industrialization, *per se* – though the decades of mercury pollution in several streams will, in human terms, never go away – but from our unique, post-industrial economy, an economy that seems to run, more than anything, on borrowed ecological credit. At sea, the herring are gathered in vast troves from factory-trawlers operating in international waters, beyond the reach of any state; as the basic food fish for higher-level oceanic predators such as tuna, swordfish, and bass – predators that we like to eat -- this bodes ill for the health of our fisheries in general.

On land, the problems are different. The intensive and successive waves of suburbanization that rippled out from Boston after 1945 – aided, in particular, by the construction of Massachusetts Route 3 in 1960 – have meant that most of the ponds where the fish spawn are now surrounded by relatively dense residential developments. These developments, in turn, import all the ephemera of suburbia – most destructively, from the point of view of the fish, “lush” green lawns. These lawns, of course, are in no way “natural”; they rely intensively on fertilizers and anti-pest chemicals. That is what the ironically named “TruGreen ChemLawn” trucks on our highways are carrying. From the perspective of maintaining a healthy herring fishery, it is the fertilizer which is the worst. These chemicals are typically nitrogen-based; this nitrogen is washed into the ponds during rain or other precipitation events, where it feeds vast algae blooms. These algae blooms, in turn, use up all the oxygen in the pond, rendering it uninhabitable for much else; a similar phenomenon lies behind the Gulf of Mexico's anoxic Dead Zone. So, from the ocean depths to the very Ponds that thousands of generations of their ancestors have spawned and died in, the herring are threatened.

But if there is one thing that can save them, it is the old spirit of preservation of the Commons. Today, groups like the Herring Alliance, as well as local community groups within Towns like Pembroke, Halifax, Middleboro, Duxbury, and others, act in the spirit of that old, 18<sup>th</sup> century ethos. And though this is hardly sufficient, it is a beginning; and those of us passionate about this cause ought to remember, that in the 18<sup>th</sup> century as in the 21<sup>st</sup>, the task of clearing the herring brook has always been a hard and laborious one.

### III

One of the reasons I have been so skeptical of the argument that early New England was a capitalist or market-based place, in addition to its inconsistency with the broad preponderance of historical evidence, is its inconsistency with my lived experience. I conducted an interview in April, 2012, with a neighbor of mine from growing up on High Street, in West Duxbury, right next to the Pembroke line. Priscilla Swanson Harris (1913-2015) was a remarkable woman. She was born in a house built in 1793, and her first Presidential vote was cast for Franklin Roosevelt in 1932; she died in that same house over a century later, and to this day it lacks insulation, and is heated with dried maple and oak cordwood in the original 18th century fireplaces and chimneys. Recounting her childhood in the Teens and Twenties, Harris stated that her family, for the most part, provided its own sustenance, growing corn, potatoes, vegetables, keeping livestock -- though her father, as a minister, did draw a meager salary.<sup>849</sup>

Would your family raise a lot of your food at home? I asked. "Oh yes," Harris answered. "We had a horse. And we had cows. And a pig. And a bull. And so we raised all our own vegetables. Winter vegetables we had in the cellar. And we had corn and potatoes and all those vegetables out here [in the side yard]." Most families on High Street lived that way, she said.

This is not to say market capitalism did not exist in the 1920s. It surely did, and for certain items, like clothing,<sup>850</sup> the market would have been the only choice. But the irruption of these market forces into subsistence even in the 20th century was far from complete. As late as the 1940s, a returning soldier in Plympton, a rural town south of Pembroke, finding himself unemployed, was

<sup>849</sup> Interview with Priscilla Swanson Harris, 4/1/12.

<sup>850</sup> I am indebted to estimable Katherine E. Rosenblatt for this particular insight.

admonished by his mother to go clear the back field of second growth swamp maple and to plant some potatoes. Which he did, living off them for the next year.<sup>851</sup>

Meanwhile, the spirit and physical reality of the commons in Plymouth County remain intact, and indeed, flourishing. At the same time, both face unprecedented threat from suburban sprawl exacerbated by poor planning and steady demographic pressure. Climate change will wreak further changes. Yet, given their long history, I remain relatively confident in the long durability of the commons regime in southeastern Massachusetts. At its best, it transcends the quotidian and brings us face to face with something greater than ourselves. And now, with the return of fauna not seen in nearly four centuries, including of beavers and bears, nature itself enacts rites of eternal and perpetual return.

An old denizen of the Hockomock Swamp's description of his beloved swamp may stand in for all of southeastern New England:

"Most of the swamp's still the way it's always been.... Last time I trapped was in '68 and I took 100 muskrats. I still hunt and fish the Nip [Lake Nippenicket] pretty heavy and nothing's really changed. Funny thing is, though, most people don't know the Hock's there. They ask me how come I don't go North and I don't say to[o] much. Shucks, why go North when I've got it all right here?"<sup>852</sup>

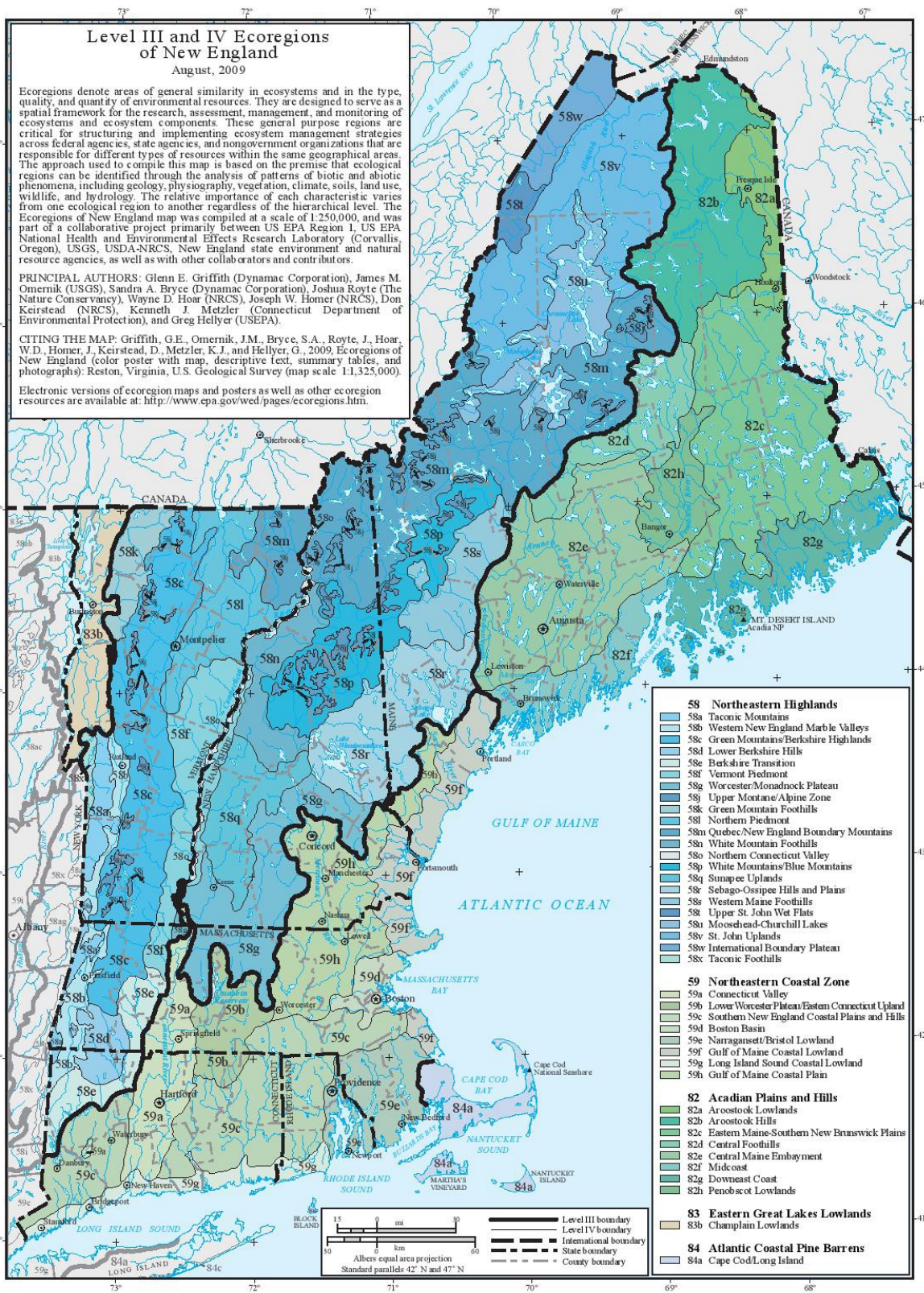
Before our eyes, the landscape is changing once more, returning to itself, with the reappearance of beavers, bears, and other large fauna in Plymouth County. And as in decades past, the herring still swim homeward with the "ever-returning spring."

<sup>851</sup> Discussion with Gregory Holt.

<sup>852</sup> Harvey C. Ellis, in Henry Moore, "The Hockomock." Pamphlet [YEAR? PUBLISHER?] reproduced at <http://www.glooskapandthefrog.org/hock.htm>, accessed 3:47 p.m., 9/5/2015.

## Further Maps

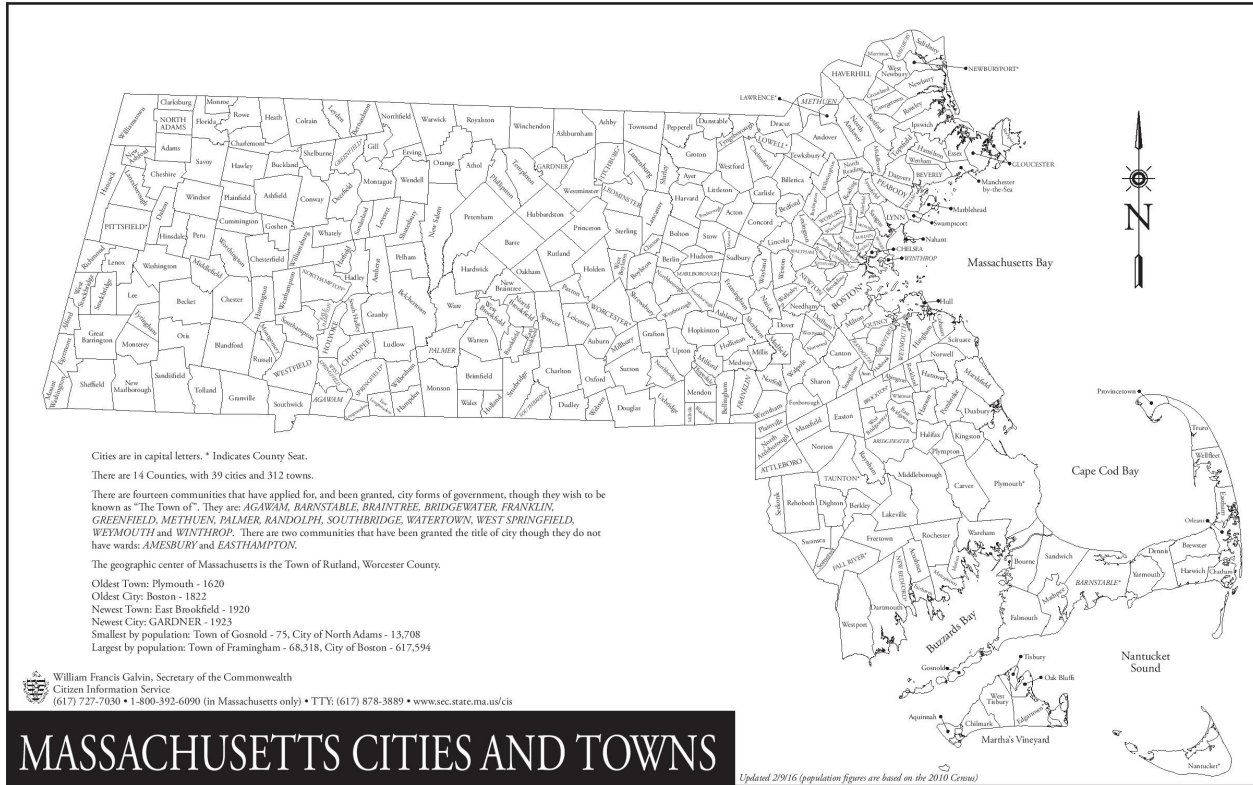




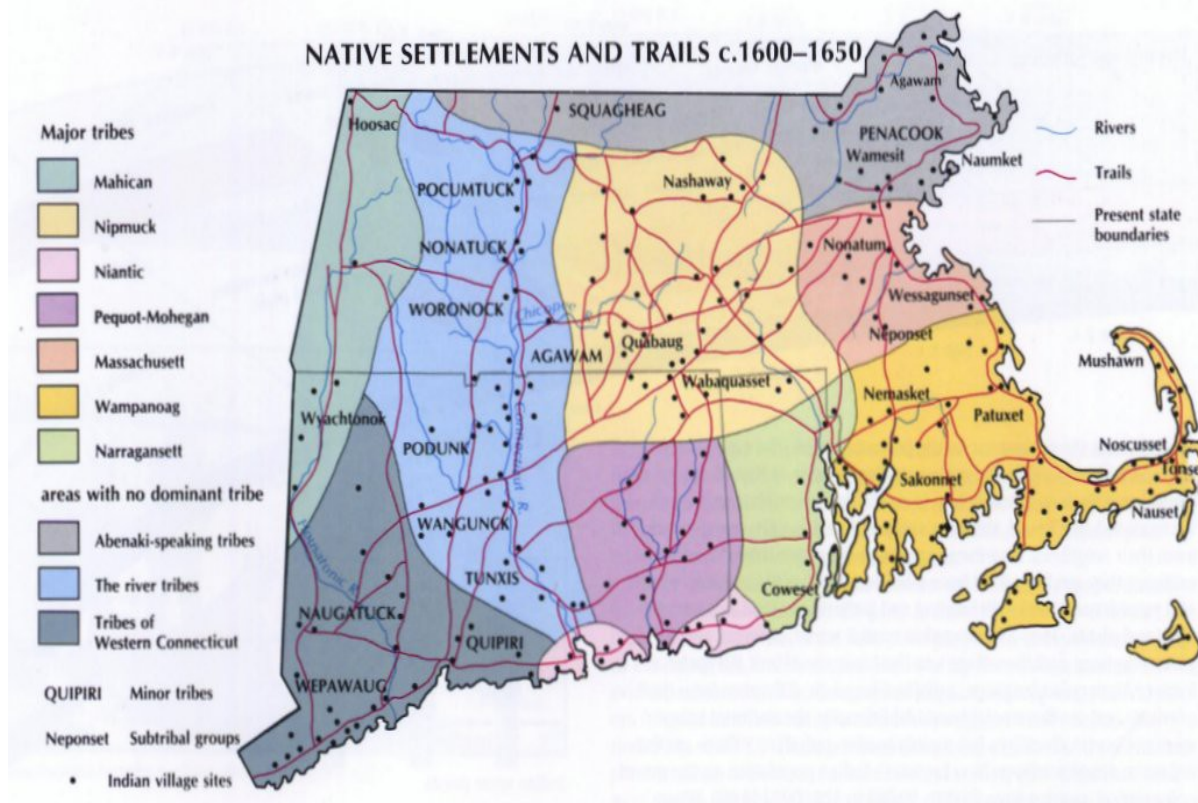


<sup>853</sup> Map 6. Ecoregions of New England. Griffith, G.E., Omernik, J.M., Bryce, S.A., Royte, J., Hoar, W.D., Homer, J.W., Keirstead, D., Metzler, K.J., and Hellyer, G., 2009, Ecoregions of New England (color poster with map, descriptive text, summary tables, and photographs): Reston, Virginia, U.S. Geological Survey (map scale 1:1,325,000).

(Below: Cities and Towns of Massachusetts)

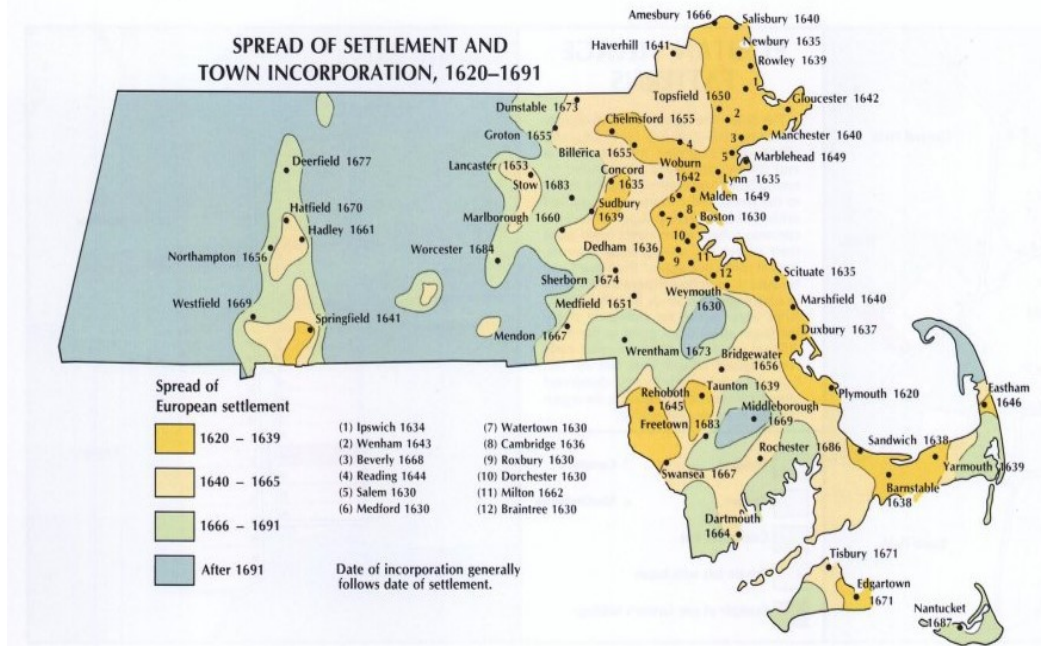


854 Map 7. Massachusetts Municipalities. William Francis Galvin, Secretary of the Commonwealth Citizen Information Service, Boston, Massachusetts. [www.sec.state.ma.us/cis](http://www.sec.state.ma.us/cis)



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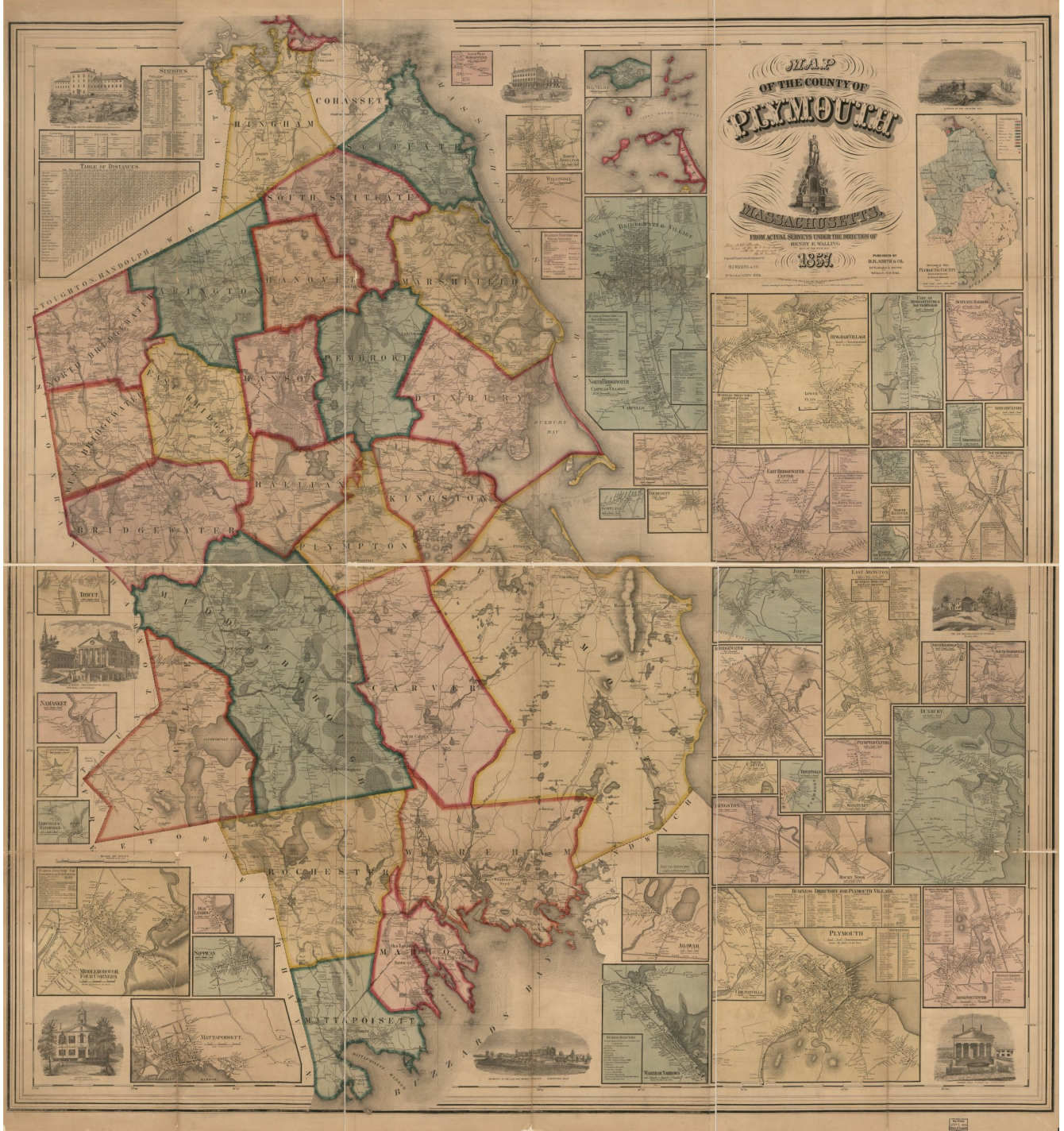
<sup>855</sup> Map 8, Trails and Nations. Richard W. Wilkie, Jack Tager, eds., Roy Doyon, Illustrator. *Historical Atlas of Massachusetts* (Amherst: University of Massachusetts Press, 1991), 12. Available online at [http://www.geo.umass.edu/faculty/wilkie/Wilkie/hist\\_mass\\_p12.jpg](http://www.geo.umass.edu/faculty/wilkie/Wilkie/hist_mass_p12.jpg)



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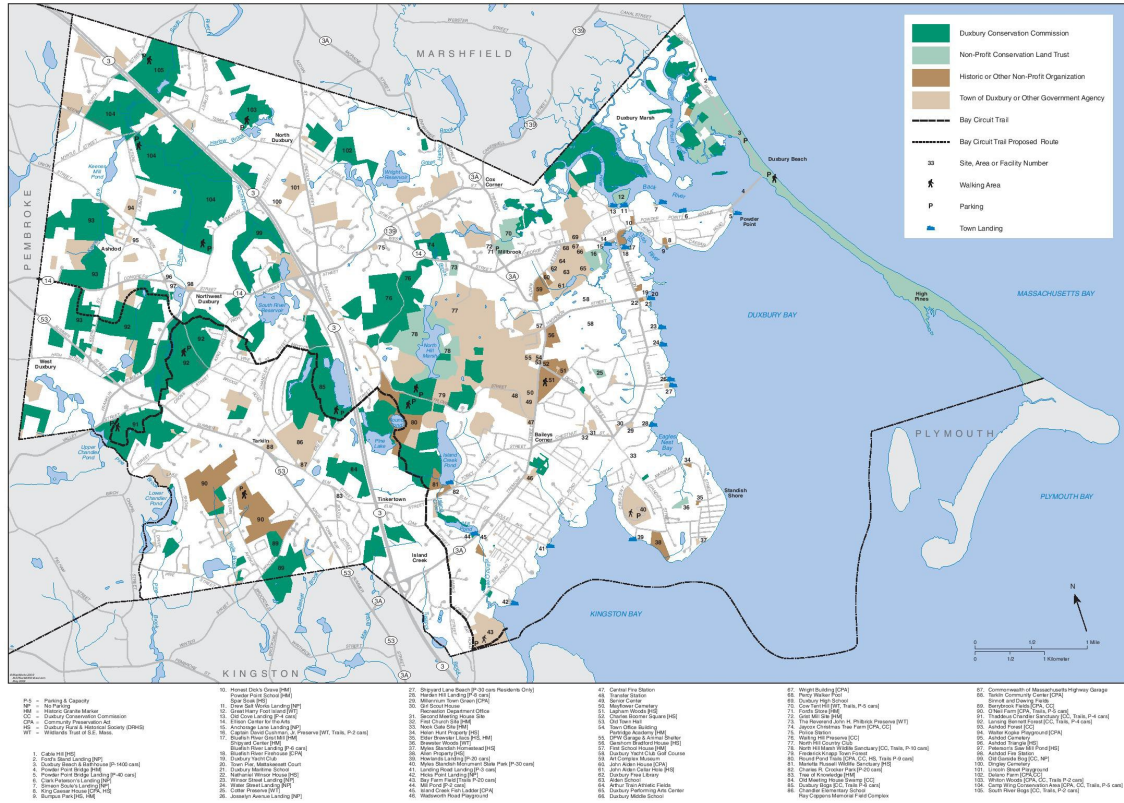
<sup>856</sup> Map 9, English Settlement. Ibid., 17. [http://www.geo.umass.edu/faculty/wilkie/Wilkie/hist\\_mass\\_p12.jpg](http://www.geo.umass.edu/faculty/wilkie/Wilkie/hist_mass_p12.jpg)





<sup>857</sup> Map 10, Plymouth County in the 1850s. Henry Francis Walling, "Map of the County of Plymouth, Massachusetts" (Boston and New York : Published by D. R. Smith & Co., 1857). Available online via <https://www.loc.gov/item/2012592354/>.





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(Above: Map 11. Common lands in 21st century Duxbury)

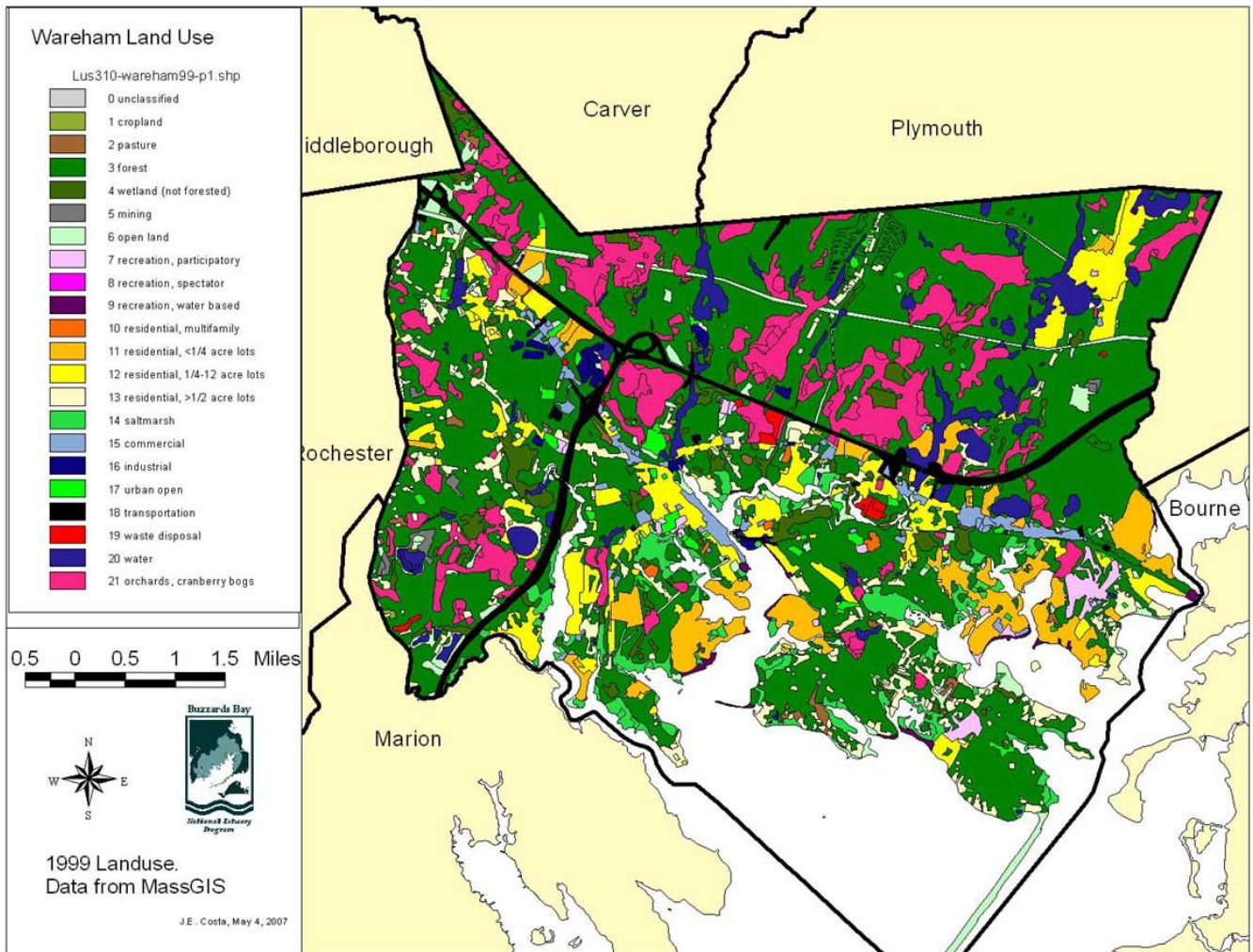
858 Town of Duxbury, Massachusetts, “Conservation and Other Points of Interest Map”, [http://www.town.duxbury.ma.us/Public\\_Documents/DuxburyMA\\_Conservation/ConAreas/pointsofinterest%20DuxOSMap14May.pdf](http://www.town.duxbury.ma.us/Public_Documents/DuxburyMA_Conservation/ConAreas/pointsofinterest%20DuxOSMap14May.pdf)





*(Above: Map 12. Pembroke in the latter 19th century; a better 21st century map would show the vast amount of residential construction and suburbanization that has taken place in the last three decades. This map is not at all meant as a 1:1 comparison with those of Duxbury and Wareham in the 21st century.)*

<sup>859</sup> Original from *Atlas of Plymouth County, Massachusetts*, (George H. Walker Company, 1879), located online at [http://www.old-maps.com/ma/ma\\_towns/plymouth\\_towns/plym79/Pembroke\\_1879.jpg](http://www.old-maps.com/ma/ma_towns/plymouth_towns/plym79/Pembroke_1879.jpg)



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(Map 13. Land use in Wareham at the turn of the 21st century.)

<sup>860</sup> Wareham Land Use Map, using Mass. 1999 GIS data, via the Buzzard's Bay National Estuary Program, accessible online at [http://buzzardsbay.org/wareham/pics/wareham\\_landuse\\_1999\\_m.jpg](http://buzzardsbay.org/wareham/pics/wareham_landuse_1999_m.jpg)

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