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The undersigned, acting as a Committee of
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A Study of the Relation of the
English Parish
and
New England Town Meeting.

A thesis submitted to the faculty of the
Graduate School of the University of Minnesota

by

Gladys McAlpine Campbell [Blakey]

In partial fulfillment of the requirements
for the degree of Master of Arts.

May 18, 1916.



"BEATING THE BOUNDS."—A SCENE IN LONDON ON ASCENSION DAY, SKETCHED BY J. GILBERT.

The Ascension Day practice of traversing the bounds of parishes seem to be perpetuated in order that the rising generation may not be deficient in the knowledge of parochial topography. Armed with long, pointed willows, and headed by the dignitaries of the parish, both of high and of low degree, they traverse the boundaries year after year, until their brains retain an almost geometrically accurate survey of the precise extent and limits of the district in which they happen in youth to be located. In London, where houses are occasionally built partly in one parish and partly in another, the inmates experience an unpleasant visit on each Ascension Thursday. One, or perhaps two, hundred charity school children, armed with their wands, and looking as important as the officers of Rome with their fasces, rush through the houses placed in "this middle state;" but when the occupants remember that the object is to preserve the customs and the land-marks of their ancestors, the reverence for antiquity subdues the feelings which the annoying intrusion would otherwise excite.

Introduction

The English Colonies in America came into being from a variety of causes. The hardy adventurer following the lure of the sea, the fortune hunter, the calm merchant bartering for furs, the pious Puritan, the Spanish hater, the missionary to the Indian all came from His Majesty's Dominion at approximately the same time. We should expect therefore certain resemblances in their forms of government of those who remained, varied by the new economic and social conditions.

The local government to which these people were accustomed was that of the corporated town the borough, the unincorporated and the country districts. But all of these were divided as was all England into districts called parishes whose officers were subordinate to the greatest of all local officers, the Justice of the Peace.

Virginia transplanted the Parish system but New England did not. Towns were here the unit which were governed by that most democratic of all organizations the

town meeting.

It is no wonder that scholars have long sought to find an explanation for such advanced and apparently new procedure. Charles Frances Adams has given several explanations, the last one being that it was a development from the corporation idea, basing his proof mainly on the fact that the early records so often use the word "Plantation". but this meant simply the colony - that which had been planted.

One of the most curious theories is that advanced by Herbert Adams who feels it necessary to go back to the gatherings of the Anglo Saxons in the Thuringian Forest. That a custom could be lost for eight hundred years and suddenly crop out is most interesting, but it is hardly fair to call one the origin of the other.

Channing considers it an outgrowth of the Vestry, a theory which Charles Francis Adams once held. George Burton Adams traces it from the borough meetings, but it must be remembered that boroughs were most aristocratically governed and further New England did not come from the

city districts.

In order then to secure the proper setting for an investigation of this problem, it is necessary thoroly to understand English local government. The greatness of the national institutions have made the smaller seem insignificant, indeed the county did not prevent any local power from developing to the same extent as the town of New England. Yet in the parish, as will be shown, were suggestions which might well have been adopted.

The first part of this paper will deal with the parish, in its social and governmental function. The second part with New England, noting the similarlty and difference of the two units.

Table of Contents

Introduction

I-III.

The Parish

Chapter I. Its two Fold Functions 1

- A. Civil Unit
 - 1. Relation to Townships
 - 2. Relation to Boroughs
- B. Ecclesiastical Unit
- C. Changes made
 - 1. By Ecclesiastical action
 - 2. By Parliament

Chapter II. The Church 8

- A. Fabric
- B. Building
 - 1. Communion table
 - 2. Pews
 - 3. Floors

Chapter III. The Secular Duties..... 21

- A. To the National Government
- B. To the Court
 - 1. Musters
 - 2. Keeping the Peace
- C. To the Parish
 - 1. Roads
 - 2. Bridges

Chapter IV. The Poor..... 38

- A. Localization of the Problem
 - 1. Before Elizabeth
 - 2. Elizabethan Legislation

Chapter IV (continued)

- B. Classes Cared for by Parish
 - 1. Local Family
 - 2. Children
 - 3. Foreigners
with a pass.

Chapter V. The Parish and Education52

- A. General Conditions
- B. Control by the Church
 - 1. Schoolmaster
 - 2. Curriculum
 - 3. Government

Chapter VI. Organization of the Parish.....69

- A. Parish Meeting
 - 1. Personell
 - 2. Procedure
- B. Vestry
- C. Officers
 - 1. Churchwardens
 - a. Relation to ecclesiastical authorities
 - b. To County Officers
 - c. Local
 - 2. Overseers of the Poor
 - 3. Constable
 - 4. Surveyor of Highways
 - 5. Vicar
 - 6. Clerk
 - 7. Sexton
 - 8. Minor Officers

Chapter VII. Parish Finance.....91

- A. Methods of Securing Funds
 - 1. Gifts
 - 2. Ales
 - 3. Plays

Chapter VII (Continued)

- B. Investments
 - 1. Sheep
 - 2. Lands
- C. Rates

New England

Chapter VIII. The Town of New England.....99

- A. Definition
- B. Duties
 - 1. To General Court
 - 2. Local
 - a. Church
 - b. Governmental
 - Land
 - Highways
 - Watch and ward
 - Trained bands
 - Trade

Chapter IX. The Town and the Poor.....121

- A. Those Eligible to care
 - 1. Legal residents
- B. Methods
 - 1. Donations
 - 2. Care of sick
 - 3. Apprenticing children
- C. Funds

Chapter X. The Town and Education.....128

- A. Place of Meeting
- B. Curriculum
- C. Government
- D. Funds

Chapter XI. Organization of the Town.....136

- A. Town Meeting
 - 1. Personell
 - 2. Place
 - 3. Procedure
- B. Selectmen
 - 1. Number of
 - 2. Function
- C. Officers
 - 1. Constable
 - 2. Surveyor of Highways
 - 3. Overseer of Poor
 - 4. Cowherd
 - 5. Clerk
 - 6. Minor Officers.

Bibliography 148

The Parish

Chapter I

Its Two Fold Function

The parish according to Lord Coke was "locus in quo degit populus alicujus ecclesia"¹. This definition makes the church the distinctive feature and this is true. It became, however, more than this, for as we shall see it was used for civil administration as well.

All England was divided into parishes, tho in a confused and irregular way. Normally the counties were divided into such districts tho there were cases in which a parish was in two counties.² Relations to the township and borough were as irregular. In general the parish was in the south coterminus with the vill or township.³ "Town" is often used synonymously with "township": for example in the wardens' accounts of Little Cornard Suffolk are items showing the receipt of rent from town lands and of revenue from articles sold by consent of the township.⁴ Similarly, in Cratfield Parish Papers these three words are used almost

1 Reports III:135

2 13 Chas II. C 12

3 Pollock and Maitland Eng. Law I:560-561

4 East Anglian Notes and Queries. New Series vol I:269

interchangeably.

In the north, the divisions were much larger.
Kirkham parish included seventeen townships:¹ that of Deane,
ten:² The Act of 13 Chas II c 12 stated that the town-
ships of the northern counties were to be administered as
the parish of the southern.³ Or to illustrate the same
facts from a different point of view, the average number of
square miles to a parish was five and one tenth. The fol-
lowing table from the "History of Norfolk" brings out the
variation:⁴

1 Parish of Kirkham (Chetham Soc) p 90

2 Chetham Soc. vol 69 p 12

3 Statutes at Large, vol VII:102

Act for better relief of the poor.

I. Whereas the inhabitants of the Counties of Lancashire Cheshire Derbyshire Yorkshire....by reason of the largeness of the parishes within the same have not nor cannot reap the benefit of the Act of Parl. 43 Eliz. C 2...

1. All poor...within the township of the several counties...shall be maintained, kept, provided for, and set to work within the several and respective townships wherein he was lawfully settled...

II. The J. P. within the said counties to have power to raise money within these townships as is given... them to do within any parish in 43 Eliz. C 2.

4 History of Norfolk 43

Shire	Sq. Miles per parish
Westmoreland	23.8
Northumberland	22.1
Cumberland	14.6
Durham	13.1
Lancashire	10.9
York	9.1
Norfolk	2.7
Suffolk	2.9

Not only was there little uniformity in the relation of parish and township but also between a parish and a borough. In some instances there were several boroughs in a parish as Brindlie Borough,¹ or there may have been several parishes in a borough as in Ipswich,² or Nottingham where there were "three paroches chirchis",³ or Winchelsey a town of two⁴ or London of many. Kirkham is a good example of a parish containing a borough and extra borough land in its great area. "Sopham" says Leland,⁵ "is but a towne of 1 paroches".

Wigan in Cheshire is the only example I have found of the identity of parish and borough in more than its geographic limits. The rector, John Maunsell, in the time of Henry III was a 'beloved and faithful friend'

- 1 Journals of House of Commons 2 Jac I
 May 4, 1604 "For erecting of a parish church for the ease of inhabitants of the two boroughs called Brindlie Borough in the county of Surrey and making them a parish".
- 2 East Anglian N S. vol IV
 3 Lelands "Itinerarie" I:94
 4 " " IV:115
 5 " " 116

of the king. As a reward of his services it was conceded that the town (parish) of Wigan "should be a borough forever, that the burgesses should have a guild merchant and other liberties thereto belonging". The successors of the rector were to be lords of this borough.¹

In other words, the parish was a geographical division whose boundaries, by the sixteenth century were definitely settled. Indeed one of the gala days was that set for the yearly perambulation when the youths in ribbons and plumes "beat the bounds" and were rewarded by "vittles and beere" or bread and beere and cheese, as the custom of the country so decreed.²

Any change in its entirety either geographically or ecclesiastically must be brought about by official action. Two churches might be united by concurrence of patron, parson and ordinary yet the two churches remain.³ Often there was a plurality of benefice - one rector for several parishes - a condition which had been very common earlier, but to which people were just beginning to object.⁴ Two parishes might be amalgamated by Act of Parliament.⁵

1. Chetham Soc. vol 15:9 et seq.
2. "Item for Bread and beere given to the boys that went the bounds of the parishe...12 s." E. Anglia, N S IV:5 "Pd...for Ribbon and plumes for ye boys yt went ye bounds... 5s. 6d. "...Arch. Cant. V:75
3. Case of Harmen v Renew. Salkeld Rep.III:88
4. New Romney - for instance - 3 civil parishes under one vicar. Stubbes, Anatomy of Abuses II:75
5. 37 Henry VIII. Arch. Cant XIII:238. Salkeld III:88 Journals House of Commons I:65 "Bill for uniting Parish of Strond to Parish of St Clements".

in which case there existed but one parish: or a division of a parish might be incorporated as in the case of St. Saviour's of Southwark.¹ It would, quite naturally follow that "anyone holding lands in the parish was a parishioner".²

The life of the parish centered around the church, to which all owed support, both financial and personal:

"For Holy church exhorteeth all manner of people
 Under obedience to be and buxom to the law
 First religious of religious their Rule to hold
 And under obedience to be by day and by night".³

There were often other churches in the parish but these were chapels, maintained by a bequest or by guild endowments. The dependence of this on the original church was often recognized by a gift "Pd 3s 4d per annum to the mother church".⁴ Even when such a chapel was made into a parish church,⁵ this form of homage was sometimes continued.

Attendance at church was insured by the recusancy acts of Elizabeth.⁶ In the case of Button v. Standish decided at a slightly later period, the question was raised whether a parishioner was bound by law to come to his own parish church. Holt, Ch. j. held that if a man re-

1 4 Jac I, Journals House of Commons March 3, 1606.
 2 Coke III:135
 3, Piers the Plowman, Whitakers Text II p 529
 4 Hobhouse, North Wooton Accts. p 50
 5 "There be dyvers paroches churches thereabouts that ons a yere do homage unto Chute their mother church", Leland V:103
 6.I Eliz C 2

paired to any other chapel...it would be a good excuse for
not attending his ~~own~~ parish church.¹

Since the church was the center of the neighborhood, uniting the group in a religious and social way it is only to be expected that there would be voluntary acts on the part of such a community which were of a secular nature, caring for the poor, mending the roads, "giving towards the making of a haven".² There are numberless references in the accounts of Suffolk church wardens to money spent in 1547 for powder, "shotte", 'ordenances', 'the settinge forthe of soldiers, all to serve the King, to defend the Realm'.³

Thus Elizabeth at her accession found a machinery ready. The problem too was before her - that of the poor, vagabonds, impotent crooks, conny catches. It was natural to expect the small local division to care for its own unfortunates and shiftless fellow beings. By the Poor Law⁴ the parish was thus made a statutory civil division; the church officers are now responsible both to the bishops' court and the Justice of the Peace.

- 1 Salk III:88
- 2 East Anglia N S I:156
- 3 IH. 49 et seq.
- 4 43 Eliz c 2

To summarize - the parish was the smallest unit for civil and ecclesiastical administration. It was universal throughout England tho varying in size, Sir Thomas May once said that in the parish could be seen all the functions of the state.¹ Perhaps this statement is slightly exaggerated yet most of those activities were present, even if in merely embryonic form.

In the following pages we shall discuss first the parish church; then its secular duties; both in relation to the country and to local needs; officers and the financial measures.

1 Quoted in Cobden Club Essays p 12

Chapter II

The Church

Life in the parish centered around the church, for here were held social gatherings, fairs often, meetings of a business nature and the services on Sunday; so the care of the building was one of the important duties of the parish.

Religious zeal and civic pride have in times past become so inextricably confused that it is impossible to untangle the threads. The doors of a Ghiberti, the spires of a Cologne, the Nativities of a Botticelli all serve two masters. In the same way but with a less ostentatious spirit the Englishman poured out his gold to beautify the service of his church.

Inventories of the goods made during the reign of Edward VI¹ astonish us with the vast amount of wealth that had been expended on the church fabric - chalices of "sylver", pixes of copper and gilt, candelsticks, crosses, handbells, censors, cups of gold, water stoppes, peckes (baskets) for holy bread, crewetts. Banners, altar cloths

1 Arch. Cant. VIII:92-105, 153 et seq.

9

of the most gorgeous materials - white and green satin in one little church in Kent - corporax (communion table) case of black velvet, or crimson silk, or of gold embroidery, sepulche cloths, herse cloths of fine stuff, and the riot of color in the vestments, black velvet, or red, or white, blue damask, green silk, must have made the most humble church a sight which would be sure to appeal to the aesthetic soul which Trevelyan ¹ claims was the natural possession of every Englishman of that day.

The greatest pleasure the ardent lover of the ² "Squyer of Lowe Degre" can promise the fair maid is that

"Then shall ye go to your evensong
With tenours and trembles among
Threscore of Copes of damaske bryght
Full of perles they shalbe pyght
Your aulter clothes of taffeta
And your sicles all of taffetra
Your sensours shalbe of golde
Endent with asure many a fold
Your quere nor organ nor song shall wante
With countre note and dyscant
The other halfe on orgayns playeing
With younge children full fayre syngyng."

At the accession of Mary, censurs were again suspended, surplices made, the 'lynen' clothes washed and wax tapers set up. The change was of short duration.

1 Trevelyan, "England under the Stuarts"

2 p 35

Elizabeth in the first year of her reign ordered the abolition of the sacrifice of the Mass, and destruction¹ of all images, walls were whitewashed and texts put up.

The church, however stripped of its grandeur, still required constant attention. Communion was celebrated,² which required that the wardens see to the supply of wine and bread, which was often baked in the church houses. "It. in emendatione unius domus vocate la olde bakehouse xiiij. iijd."³ The anxiety of a north county vicar over the means for procuring the bread and wine led to a very curious agreement: "1595 June 1. Memo. that Mr Vicker is content the daye and year above writne that so longe as he doth find bread and wyne for the communion haveinge ijd. yearlie of everie house for the same, he is to give everie year a lame (lamb) to the use of the parish or the price of a lam as the common sort paye when he letteth them their own tyth lams... Wm Murray Vicar."⁴

The position of the communion table was a source

- 1 Cratfield (1583) p 107
It. for Scripture setting upp in the church xxijs. ojaç
It. to James Meeke for twell days worke for whitinge the church xijs.
- 2 Cratfield Parish Papers 92.
1561 - It. payde at Ester for Communion bread iiijd.
It. payde for wyne at Ester...ijs.
It. payde to Sir John Page Vecar for bred and wyne for won whole yere. viijs.
- 3 Hobhouse 196
" 40
- 4 Surtees Soc. vol 84 p 37

of constant friction.¹ In 1633 the table in St, Gregory's Church London was moved from the middle of the chancel to the upper end placing it altarwise, and the King approved the change. Excuses for so placing the table were that the table was not treated with proper respect, hats were put on it during service.² By the Canons of 1640 it was declared that "the position of the Communion table sideway under the east wall of every chancel or chapel is in its own nature indifferent" but that rails should be put around the table.³ It was expected that tables would be put altarwise and this was considered by most churches too Romanish. Laud was one of prime movers in this innovation. November eleventh Strafford was impeached. November 22nd the Commons celebrated the Holy Communion in St Margaret's with the table moved into the middle of the church. An order of the House of Commons was passed January 23rd, 1641 that a Commission be sent into the several counties to demolish and remove out of churches and chapels all images, atlars or tables turned altarwise.⁴

Constant investigation of the condition of the church buildings was held by the archdeacon. This digni-

- 1 Historical Notices Chas I 195-9
"Petition of parish of Christ Church London...that Master Edward Finch...having set up their Communion table altarwise...causing all communicants to come to the rails"
2. Cratfield Papers 170
- 3 History of Eng. Church. Chas I to Anne. p 83
- 4 " " " " " " p 88

tary was not at all inclined to connive at offences and churchwardens were quite properly awed by his authority as the following record from a Suffolk church shows:

"We were comanded by Mr Archdeacon at his last visitation to do certayne reprations in our churche and chancell which Reprations in our churche we have repaired both in glasinge and Tylynge and also a deacent clothe for our Communion Table but for the leavellinge of our chancell we beg to crave a longer day for that there hath been one buryede verye lately. We had from that present tyme to do these repracions by the feast of All Saints next following." signed by the wardens and questmen.¹

Carelessness seems to have grown however even among such inspectors by the time of Chas. II. Perhaps one of the evils of the Reformation was a lessening of reverence for the Church and Civil War had certainly been demoralizing. It was only natural that with the growth of non conformist congregations interest in the hitherto only church should wain. So general was the decay of buildings that His Majesty commanded "all

1 E Anglian, N S I:182

archbishops and bishops that they take special care of the repairing and upholding the same (i.e. parish churches) from time to time by themselves and their officers to take a view and survey of them and to use the power of the ecclesiastical court for putting the same into execution: and that judges be required not to interrupt this good work by their too easy granting of prohibitions." Church wardens accounts show that most of the money went to repair the church.

The question of pews was an important one both because of the revenue derived from the rent thereof and because of the social position implied in the location. In St Mary's, Reading, those in front paid 8d, those behind 6d, the third row 4d, etc.² In Kirkham those seats in the west and north were free.³ Pittington in 1584 passed the following resolution, "It is agreed...that every householder...to take such place as is appointed for them... paying for the same...iiijd a roume"⁴.

⁵ Sixty years later a similar order was enacted that definite seat assignments should be made to the women.

1 Rushworth, Hist. Coll. II:28
 2 Quoted in Sedley Ware, p 80
 3 Kirkham 95
 4 Surtees Soc. 84:13
 5 " " 84:86

But they knew not what they did. Some of the women refused to sit in any but the first seat in the stall, perhaps so they could leave soonest. Such was the determination of these seventeenth century feminists that "to avoid suits at law and restrain the pride of such, it was agreed upon by the twelve everyone should take their place as they came that such as came first to the church should have the first place in the stall appointed for them."¹ In the Wigan church there was objection to putting the men on one side and the women on the other.²

In the northern parishes the floors were strewn with rushes.³ This was not uncommon in houses. In Dekkers "Belman of London" he describes a place where the "windows were spread with herbs...the chimney dressed up and the floor strewed with rushes!"⁴ And in Arden of Feversham, Ales says "In vaine we shrive, for here his blood remains." To which his accomplice Mosbie replies "Why, strew rushes on it, can you not?"⁵ The bearing of new rushes to the church was one of the gayest of revels. Certain days were set apart when everyone enjoyed their holiday. A cart decorated with flags and ribbons

1 Surtees Soc 84:87

2 Chetham 16:378

3 "Rushes to strew the Church ix. vid.(1603).Kirkham 94

4 Sig. B 4. Quoted in Dodsley's Plays X:213

5 Quoted in Dodsley's Plays X:213

laden with rushes formed the raison d'être for a procession thru the parish to the music of fife and drum. At every door they stopt for a gift of food or money until the church was reached, where they scattered the rushes, making the floors warm for another winter.¹ Later the churches were flagged.²

The pulpit was furnished with cushions of blue linen, green kersey or leather filled with feathers. A sand glass was provided on which the congregation might keep a watchful eye in case the preacher dared trespass on their hour.³ The Reverend William Holland is responsible for the statement that "until the glass had run down, the orderly members of a congregation, however wearied they might be made a show of respectful attention; but if the preacher detained them any longer they dispersed with hubub and clatter".⁴

Constant items are found in parish records of expenditures for bells, with all the appertenances, frame, rope, plating. Each church was proud of its collection, the gifts sometimes of wealthy parishioners.

- 1 Lancashire Legends 110-11. Quoted from Notes and Queries, 2d Series, XII:229
Also Surtees Soc. 84:169, 188, 194...
- 2 St Oswald, 1608. Surtees Soc 84:148, 151
Pithington, 1634, " " 84: 97
Houghton 1604, " " 84:282
- 3 Cratfield 158
- 4 " 162

It was customary to ring them on every significant occasion both of local and national interest. Feast days,¹ funerals,² curfews,³ were thus announced. "Bid the merry bells ring to thine ear that thou art crowned", says the King to the Prince of Wales in Second Henry IV.⁴ and the wardens accounts are full of such items as "payd to the Yong on the Coronation of the quen to be spent for their paynes in ringing, xvii."⁵ Matters of political import were thus celebrated such as the Gunpowder Plot;⁶ and "1628 For ringinge the beales at news of ye Pliment OO OI O2 10";⁷ "To the Ringers at the Princes return from Spain, xxd"⁸

Most churches seem to have owned clocks and organs. All possessed a chest with lock and keys known as the Town Box, Church Box, or Dede Box in which were preserved the minute, deeds and the Register.⁹ This book contained the records of births, marriages, deaths, sometimes causes of death. This was in accord with an act of 30 Henry VIII enforced particularly in the reign of Elizabeth so that

- 1 Arch, Cant. X:245, Cratfield 151
- 2 Cratfield 128, 146. Surtees Soc. 84:31, 123. Hobhouse 55.
- 3 Prestbury, 1577. Chetham Soc. 1.
- 4 Act IV, sc 5:107.
- 5 Cratfield 106
- 6 Surtees Soc 84:177 Cratfield 144
- 7 E Anglian, n s, III:356
- 8 Cratfield 179 Letters Archb. Usher 314
- 9 Injunctions of Elizabeth, Gee and Hardy, 422

children would be baptized in the Anglican church and not by priests. Yearly returns of all entries were to be made to the bishop.¹ These registers are now of greatest value to genealogists. Interspersed among the names and dates are often found quaint remarks of local and immediate interest. The Cratfield book breaks in "Aug. 18. Such hail as neither we ever saw nor our fathers told of, sowing the grass, breaking many glass windows, scattering down birds and much fruit!"²

Bibles, prayer books, tracts containing articles of faith or those "which concerned our minister with directions for preaching and catechising" were also owned by the church.³ They were issued by the Commissary's Court or by the King.⁴ The unwelcome "Book of Sports" was forced by James upon many a reluctant congregation and its contents were disseminated not by the press but by the

1 Hist MSS Commission III:9

2 p 145

3 Convocation of 1536-7; Cratfield 53:165;
I Edw VI; Surtees Soc 84:60

4 Cratfield 169 "...laid out...for a Book sent out by the King and is commanded to be taken...4d"

¹
pulpit. The wardens saw to it that good care was taken of this as well as other church property:

"Paid to Robert Smith for timber board for to make desks for three books in the church... 5s 3d.

" Paid to Robert Bullard for making them 5s od.

"Paid to Henry Williams for 3-1/4 yards of blue linen for to cover the Books in the church...2s 10d."²

The yard of the church was the burial ground. Reverence for it seems to have been decreasing. At least two petitions have been preserved which were directed to the Church of St Mary - the Tower in Ipswich, one of which states "the church yard of that parish church is noy³only kept and made a comon passage for horse and footemen." The

1 "The Archbishop of Canterbury having in his metro-political Visitation given instructions to proceed against such ministers as did not read His Majesty's Declaration publicly on the Lord's Day was imitated by other bishops in their respective visitations who likewise required the church wardens upon oath to represent whether the Kings Declaration for Sports hath been read and published in the church by the Minister."

Rushworth Historical Coll. II:459

2 Cratfield 168

Also Knebworth, Herts accounts. Royal Historical Soc. VIII:234

3 E Anglian, n s, I:189.

other "requires them to reform certain nuisances in the church yard."¹ Injunctions to the laity at York in 1571 warned the churchwardens not to "suffer any pedlar or others whatsoever to set out any wares to sell either in the porches of churches or in the church yard."²

That churches were often so used is shown in the tract "Bartholomew Faire". The entrance to all the vast and thrilling carnival is Christ Church cloisters"which are hung so full of pictures that you would take that place or rather mistake it for St Peter's in Rome: onely this is the difference, those are set up for worship, these here for sale."³

"The why is as plain as the way to parish church", says Jaques in "As You Like It"⁴ The reason is not hard to find. The church had become a real center of the neighborhood, fostering the social feeling as well as the spiritual. It was also a place for the transaction of public business as we shall see.

1 Calendar of State Papers, Domestic (1611-1618) p 314
 2 Quoted in Stephenson, "Elizabethan People" p 179
 3 p1 contained in Ashbee's "Rare and Curious Tracts"
 4 Act II, 7, 52

Chapter III.

The Secular Duties.

It is characteristic of the government of Elizabeth and the Stuarts that administration was enacted thru the county. To the shire officers, Justice of the Peace, Lord Lieutenant Sheriff and Coroner were entrusted collection of aids, subsidies, ship money, maintenance of bridges and highways, furnishing troops, purveyance, over-¹seeing poor relief, holding court for the Kings Assizes.

Theoretically, counties were divided into hundreds, but at this time the unit was obsolete except that the High Constable was appointed at the Quarter Sessions to have jurisdiction over this territory.² Local government was in a confused and indefinite state.³

The legal status of the parish under such a regime is an anomaly. Parliament at this time had not defined its function; tho, when convenient, used it. In some counties much freedom was permitted, even encouraged

1. Trevelyan, "England under the Stuarts" 21-3
Beard, "Justice of the Peace"
Diary of Walter Younge
2. 34 & 5 Henry VIII C 26
3. Redlich and Hirst. "English Local Government" vol 1. 15
et seq.

to the local officers, while in others the reverse was true, either because of indifference on the part of the churchwardens and parishioners or because of the efficiency of the larger unit. In Cornwall, where conditions were backward, and in Somerset, parish activities were limited to social and ecclesiastical affairs much more than in certain parts of the north or the East Anglian Country, judging from the records at hand. We shall in this chapter consider its relations

- (1) to the central government
- (2) to the county
- and (3) local management

remembering it is often quite difficult and sometimes gives a distinctly false impression to separate them, for instance, maintaining the peace, was both a parish and county duty; and so was caring for the poor.

Direct communication between the national and local unit was managed thru proclamations, tracts costing a few pence, bot by the wardens and read from the pulpit. They dealt sometimes with secular matters, for instance, "It. for a proclamacyon for wayghts and measures, iiiiij^d";¹

1. Cratfield, 115

or with religion, " Pd. for a boke containing the Queens
Injunctions for the parish, vid"¹; or matters of general
interest, the Gunpowder plot, or the plague.²

Lack of well organized financial schemes forced
Tudors and Stuarts to depend for revenue on irregular and
no doubt unsatisfactory methods of collection.³ We
wonder how Elizabeth's patience could have endured such
a strain as Purveyances. Sheep, butter, oats, wheat and
eggs were collected thru the High Constable from the parish.⁴
Constant complaints were made until finally the counties
were allowed to arrange for their own commissioners instead
of having purveyors appointed by the Crown.⁵ The local
group also suffered. Constant items appear in the accounts
showing a loss "for the loss of two weighs of cheese and
1-1/2 barrells of butter L.2-5s.-6d."⁶ These items re-
present the difference between the price paid for the
articles and that received from the purveyor, "Queen's
Price".

Cratfield at one time refused to pay - "Item
paid to the Queen's Bailiff for rent the 28th of May 3s.-2d.

1. Historical MSS Commission, 5th Rep. 573
2. Arch. Cant. VIII:78
3. For instance "Aids" "Ship Money" "Benevolences" "Loans"
4. "Quarter Sessions", Hamilton. 7-9, 36-7.
5. Acts of Privy Council 1597, p 231
6. Cratfield, 121, Also Acts of Privy Council, 1592

He did demand 11 eggs but I paid none"¹ Money was
finally substituted for provisions.² The evil was not
entirely abolished until the time of Charles II.

Elizabethan parishes were not per se responsible
for national taxes. These were collected thru writs
issued by the Sheriff to the High Constable. However, this
unit was a convenient one and advantage was taken of it
by James I and Charles.³ Both these rulers were trying to
collect funds without a Parliament, by loans, benevolences,
and other similar means.

The first of such measures was in 20 James I,
a Compulsory Loan. Commissioners were appointed in each
parish to get contributions. In Cratfield at least, the
town took upon itself the payment, and in 1622 gave £.3,⁴
1627, £.12,⁵ 1628, three subsidies amounting to £.8.⁶

Charles' Ship Money was levied in 1635. Pitting-
ton spent £.2 in furnishing wood.⁷ The townsmen of
Cratfield met to make the rate - £.1-3s.-4d. and for
their own cheer at that meeting drank seven shilling's
worth of beer - paid by the parish - a common item of

1. Cratfield, 121, Also Acts of Privy Council, 1592
2. Cratfield, 129
3. Hist. MSS Commission, 5th Rep. 402. Surtees Soc. 84:94
4. Hamilton, A H, Quarter Sessions 50-51
5. Cratfield Parish Papers, p 152
6. " " " p 160
7. " " " p 163

¹
expense.

The ordinary procedure for securing troops was for directions to be sent by the King thru the Privy Council to the Lord Lieutenant of each county,² to the High Sheriff and Commissioners of the Muster,³ or in the case of London, to the Lord Mayor⁴ specifying the quota desired or warning that "the Captains and Leaders of the Bandes be not absent nor the enrolled soldiers out of the way." It seems to have been left to the discretion of these officers to levy the muster as they saw fit, either thru the Constable or wardens.⁵ In Lancashire the numbers were apportioned by hundreds, parishes, and townships.⁶ East Anglian parishes similarly were responsible.⁷

Definite days were set apart for training:
"Paid to George Prieste for carriage of one of the church muskettes to Torrengrton att the traininge

1. Surtees Soc. 84:97. Cratfield, 171
2. Acts of the Privy Council, 1588, p 126
3. " " " 1601, July 6
4. " " " 1601-4, p 23
5. Lancashire Lieutant. XVII. Abstract of authority given to Lieutenant by their Commission 1585.
Statutes at Large, vol VIII, 35-6
Quarter Sessions (Devon) Hamilton, p 129
6. History of Blackburn, p 71
7. "Affidavit of John Venn, captain of the trained bands of Christ's Church parish"...Lords Journals V:158
Hist. MSS Comm. 5th Rep. 30.
E. Anglian, N S I:236. "Sowgers for the King"

and home again...vid.¹ And sometimes such enforced leaving home worked hardships. Elizabeth realized the absolute dependence of the country on the farmers and so wrote to the Sheriff and Commissioner of the Muster of Hereford that altho she had lately ordered the forces to be viewed, the requirement was cancelled because harvest time was at hand.²

When this matter was overlooked, efforts were made to acquaint the authorities that such was the case. A very quaint document has been preserved among the records of the church of Mendelsham (Suffolk).³ - "Petition to the Churchwardens...These are to certifiye the townshyp of Mendelsham with all that there are diverse poor men within your town which are greatly charged at the two traynings the last somer at Ypswiche desiring to be restored agayne from part of there expenses... went to Ypswich... some did serve and some did not...And we that did not serve at the training before were commanded by the constable to be at Ypswich...And therefore we being poor men and of occupation we would desyre you to consider

1. Hartland Accounts. Hist. MSS Commission, 5th:572
2. Acts of Privy Council, July 6, 1601
3. Hist. MSS Commission, Rep 5:594

of the tyme of the yere when these trainings were; the first the weake before Pentecost and the last in the beginninge of Harvest; that is when pore men should have provided things necessary to lyve by afterwards" - (signed) ...

Each parish had in its possession swords, daggers, girdles, pikes, bullet-bags, corselettes, coats, flasks and tochboxes with all the accoutrements of war. ¹ Pittington in Durham had a very efficient method of taking care of such property: "It is agreed", says the record, "that the common arms of this parishe being three muskets with the furniter belonging to them and three costelets with the pikes and all the furniter belonging to theme shall be maid complet and fully furnished att the charg of the whoel parish by the general sesment and after it is made, then to be maintained and kept in the manner followinge

1. 1598, Hartland. Hist. MSS Com. 5th Rep:572
 "Paid to Roger Synckerke for mending the head of the churche pikes. 1d.
 Paid for a girdle and hanginges for one of the church armors, xiid.
 Gratfield:72, 1546. It. to Alic Probebanke for j sheve of anons, ijs. xd.
 Countless similar items.
 In accord with 4 & 5 P&M. C. 2 "Be it further enacted that the inhabitants of everye Citie Bourghe Towne Parishe and Hamlett within the Realme...shall have finde kepp sustayne and mayntayne their comen Charges and Expenses suche Harneis and Weapon and as muche thereof as shall bee unto them appointed.

See also Earl of Suffolk's "Letter Book".

that is to say:...

(3 townships)... shall maintain and keepe from time to tyme and beare all the charges at the musters and other times when need shall require bothe of souldiers waiges and powder and other things belonging to the three common Muskets.

(similarly three other townships maintain three)

And it is further agreed upon Easter Teuseday yearly in the forenoon six common armors shalbe brot in and viewed by the twelve of the parish...¹

Usually the armor was kept in the church as is evidenced in the following extract from the Middlesex County Records: "6 March 27 Eliz. True bill that at St Martins-in-the-Field...on the night of the said day John Deapinge...yoeman, broke into the church of the said parish and stole therefrom eight bumbarbs called calyvers worth four pounds, a buff jerkyn worth 10s., two swords and two daggers worth 20s., a piece of iron and steel called a head piece worth 2 shillings, three instruments called flaskes and tucke-boxes worth 2 shillings of the goods and chattels of the parishioners of the said parish"²

It thus seems safe to say that the national government never acted directly with the parish, but thru

1. Surtees Soc. 84:85-86
2. Middlesex Co. Records. I:158
Hist. MSS Commission, 5th Rep:45." Sir Major Cockin demanded to see the armes of the church...not permitted to enter until after service."
Lords Journals IV:158
Hist. MSS Commission 5th Rep:571-3
" " " 3d Rep:330. "Paid to...Constables for setting up whipping post...xiis."

county officers whether for revenue, purveyance, or soldiers. To this larger division then we must look for the most interesting development of the parish as a secular unit.

As a division of the county, the parish was under obligation to assist the constable in keeping the peace.¹ "By the olde lawe of England," wrote Sir Thomas Smith,² "if any theft or robberie be done, if he that is robbed or he that seeth or perceiveth that any man is robbed doe levee hue and cry that is to say doe call a crie for aide and say that a theft or robberie is done contrarie to the Princes peace and assurance; The Constable of the village to whom he doth come and so make that crie ought to raise the parish to aide him and seeke the thiefe, and if the theefe be not found in that parish to go to the next and raise that constable and so still by the constables and them of the parish one after another. This hue and crie from parish to parish is carried till the theefe or robber be founde."

It was indeed a simple matter this chasing the

1. Statutes at Large VIII:40 "All High Constables, petty constables and other officers within said counties, cities and parishes and places aforesaid...to be aiding to their respective lieutenants and deputies..."
See further, Stephenson, History of Criminal Law
Lee, History of Police.
2. VI Edw. III, C §.

undesirable over the parish bounds into the next. For altho Sir Thomas says that "if the parish which doeth not his dutie but letteth by their negligence the theefe to depart, doth not only paie a fine to the king but must repaie to the party robbed his damages,"¹ in reality no such fines seem to have been paid.

Harrison realized the inadequacy of the method for he remarks, "Certainly this is a good law (i.e. of hue and cry): howbeit I have known by my own experience felons being taken to have escaped out of the stocks being rescued by others for want of watch and guard, that thieves have been let pass because the Covetous and greedy parishioners would neither take the pains nor be at the charge to carry them to prison if it were far off; that when hue and cry have been made even to the faces of some Constables they have said, "God restore your loss! I have other business at this time."² County courts endeavoured to force parishioners to aid the constable.³

A few parishes had stocks or a jail in which to keep the prisoner until he was given into the custody of a

1. De Republica Anglorum p.90
2. Elizabethan England. p 247
3. Midd. Co Records. 11 April 1 Chas.I action against individuals for refusing to follow hue and cry. See also "Quarter Sessions, Hamilton, pp 111, 129.

county official.¹ In the absence of this the accused was let out on bail or kept in the church. Each parish was forced to contribute its portion towards the county house of correction,² which became especially necessary after the passage of the Elizabethan laws on begging.

An interesting example of the method used in a country wide effort to rid England of tramps is found in the instructions sent to the sheriff, 1569. The high sheriffs were ordered to make a search beginning at 9 p.m. July 10, and ending at four the next day in every town, village and parish to apprehend all vagabonds, sturdy beggars, rogues or Egyptians and to cause them to be imprisoned in stocks, and "you shall do well to cause the ordinary watchman in all parishes to be well warned that by no lewd practices of evil disposed crafty persons passing by them in the night by pretences of such like lewd devices any levy or raising of people be made as in some corners of the realm hath been lately attempted though well stayed by the

1. 23 Henry VIII C2. The J.Ps. shall appoint in what towns new goals shall be built.
Midd. Co. Rec. I:46 "True bill that the inhabitants of St. Clements...had...neither stocks nor a cage nor huttes...as they ought to have."
2. 43 Eliz. C 2. Examples of execution of this act found in Midd Co. Rec. II:118: Surtees Soc. 84:92, 93, 97, et seq.: Cratfield 140.

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wiser men.

The parish in which the vagabond was caught had²
to pay a sum to the Constable, known as 'rogue money'.
It soon became not a casual payment but a regular assess-³
ment levied at the Quarter Sessions.

In some districts the parish was also responsible⁴
for watching in the time of war. On the coast, maintain-
ing beacons "pitch boxes as they now be" was similarly nec-

1. Queens Council to Sheriff of York in Strype's "Annals"
I, part 2:556-8

Similarly in 1646 when the plague was spreading thru
Devon it was by the court ordered "that all parishes and parts
adjourning near unto any places infected do appoint and keep
very strong watches and guards for the repressing the ex-
cursions of all persons from any such infected places
...and all constables and other officers and watch-
men are required to be very careful and vigilant in the
performance of their duties herein." Hamilton, "Quarter
Sessions" p 106.

2. 14 Elizabeth C 5. "The Constable or other officers for
the conveyinge of such Roge or Vacabonds by commandment
of said Justice to have such reasonable chardges for them-
selves and the Prisoner from tyme to tyme borne by the
parish or parishes where the Roge or Vacabonds shall
happen to be taken."

See also, Aydelotte, p 157

3. Surtees Soc. 84:19. "Item for our charges the xxi day
of July when we wer at the Quarter Sessions concerning
the Rogge money iiijd. " Hist. MSS Com. 3d report;330
4. E Anglian N S, I:285, Hemley (1574) "Item we have bestowed
the rest watchynge of belles in time of war."

essary, tho this was often done by the High Constable.¹
Whichever administrative district was used depended on the
Lord Lientenant under whose direction the work was carried
out.

In the phases of work just described (i.e. Musters, keeping the peace, watch and ward) are seen the more obvious chances of the county to make use of the parish. There was no rule to follow and little precedent. It was convenient to use it at times, and in some counties. Further relations between the two divisions will be seen in connection with the carrying out of the poor laws, recusancy acts and maintenance of highways. The procedure used by the Justice of the Peace in dealing with the wardens will be discussed in the chapter on the organization of the parish.

Legal recognition of the right of the parish to legislate on local matters was not given until later, but this was based on a precedent which had become established in the Stuart period. The decision was as follows:

"The inhabitants of a town or parish may make bye-laws for repairing their church or highways and this without

1. Cratfield 125-160
Arch. Cant. VIII:299-310. Lord Lieut. and Constable
have beacons set up by hundreds.

any custom or prescription to do so; because these are necessaries to which the law hath made them subject as they are a parish: and therefore the law enables them to supply these occasions as if they were incorporated, but they cannot make a by-law for regulating a common without a custom enabling them so to do and such custom must be pleaded."¹

There is no doubt as to the need for repairing roads. In all parts of England the highways seem to have been neglected. People did not do much travelling, which was both the cause and effect of the bad roads. Horseback was the common mode of travel for such wanderers as John Taylor who journeyed from London to Cornwall and has left such a delightful account of the churlish hills, the jovial ale houses and the big fish.² Or Leland who has become famous thru his "Itinerarie". Coaches were introduced in the early part of the reign of Elizabeth, but, altho they were gorgeously decorated and upholstered were not comfortable.³ "A coach! I cannot abide to be jolted!"⁴

As in other matters of local import there was not at this time any uniformity in caring for the roads. In the reign of Mary an act had been passed stating that "the

1. Salkeld Reports III:76
2. "Journey of John Taylor" in Ashbee, "Rare and Curious Tracts"
3. Stephenson, "Elizabethan People" p 42-5.
4. Dekker "Westward Ho" quoted in Elizabethan People, p 43.

Constables and churchwardens shall yearly upon Tuesday and Wednesday in Easter week call together a number of the parishioners and shall then elect and choose two honest persons of the parish to be surveyors and orders for one year of the works for amendment of the Highways in their Parish".¹

But this procedure was not followed in all places.² Some times individuals took care of that portion of the road in their possession;³ or the hundred was responsible; or the Justice of the Peace gave orders thru the Constable.⁴ It was quite generally accepted however that a path and road near the church was under the care of the parish.⁵

Various schemes were used to fulfill this obligation. Pittington set apart six days in May, when who owned wanes or draughts were to send them with laboring men for the use of the Surveyor of the Highways.⁶ The same method was used in Middlesex. A public notice was read in church on the Sunday after Easter that certain days in June would be set apart for this purpose. One year a gentleman,

1. 2 & 3 Philip and Mary C 8.
2. Churchwardens' accounts of Ludlow(Shropshire)(Camden Soc.) contain no items for road expenditures nor do those of Yatton (Somerset) in Hobhouse.
3. Surtees Soc. 84:67
4. Beard, "Justice of the Peace" 83
5. For example, Midd. Co. Rec. I:53
6. Surtees Soc. '84:89.

John Johnson by name was so lacking in public spirit that he failed to send any "wain cart fitted according to the country with oxen, horses or other cattle, two fit men necessaries for carting things for this purpose either for the said six days or any one of them" whereupon legal action was taken in the county court.¹

In the parish of St. Michaels' Bath labourers were hired to do this.² East Anglian churches paid their highway expenses by selling chalices or other valuable pieces of silver.³ Often, too, bequests were left "to amend the footways going across the streets at the stone stile ... and that with grete stones sufficiently as the common people and parishioners may pass without any greffe".⁴ There seems to have been some misuse of property so given for in 1621 a bill was drafted against "misemployment of land tenements and hereditaments given for maintenance or repair of causeways and highways. All property given for above purpose to be let at best yearly rent; leases for a longer period than five years to be void, and notice to be given in any parish church when any such property is to be let."⁵

1. Midd. Co. Rec. I:100
2. Royal Hist. Soc. VII:312
3. Arch. Cant. VIII:130 et seq
E Anglian N S, I:150
4. Arch. Cant. VIII:235
5. Hist, MSS Comm. 3d Rep.:22

The county of Middlesex demanded that bridges also should be kept up by the parish.¹ The same was true of certain East Anglian Shires.² But there were difficulties between the various groups as well as between individuals and groups as to where responsibility lay. A case arose in 1617 in which the parish of West Drayton sued Lord Pagett for neglecting to repair a bridge. The court settled the litigation by deciding that "the inhabitants of West Drayton...for the time being shall from tyme to tyme henceforth at their owne charges repair the said bridge; the said Lord Pagett, his heirs and assigns fynding the tymber for the doeing thereof as his ancestors before him have done."³

As in the care of the roads, responsibility rested with the county to see that bridges were kept up.⁴ Hence it was easier to pay a lump sum to the constable. Pittington agreed that that officer should levy the rate.⁵

The parish also realized the necessity of protecting their crops for all were zealous in carrying out the act of 8 Eliz. C 15 by destroying moles, crows, mice and

1. Midd. Co. Rec. II:237
2. E Anglian N S I
Arch. Cant. VIII:130
Cratfield 104
3. Midd. Co. Rec. II:126
4. Beard, Justice of the Peace, p 83
5. Surtees Soc. 84:70-71, 173.

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other molesters of grain.

In theory a complete administrative system was built up by Elizabeth from the smallest unit, the parish, thru the county, linking these to the national government by the Justice of the Peace. Complete development and crystallization of the system had not come. Education, for instance was not included.² It worked in maintaining the peace, tho the parish constable was not the most efficient officer imaginable, and particularly well in the execution of the poor laws.

1. E Anglian N S, I:155
"Anno Dom 1575, Im primis to Mr Fortescues servants for moules and young crows...xviiiid.
Ite. to Mr Germins man for two moules and other vermin. ijd.
Itm to John Bygges children for crows. jd.
Similarly Cratfield:104.
Arch. Cant. VI:235
Ludlow Accounts:139
2. Vid infra Ch 5.

Chapter IV

The Poor

"When I consider the degrees and several callings¹ of our country inhabitants", wrote Sir Francis Henry in 1618, "I think it fitt to begin with the poorer sort from whom all other sorts of estates doe take their beginning. And therefore of the poor thus much. It's familiar with the nature of man to weigh benefits received with feathers and light weights butt incomodities hee weightte with lead and heavy weights, complayning evermore with a long and large report of them such is the corrupt and froward judgment of many in these days who esteem the multitude of our poore heere to be a matter of heavy burden and a sore discommoditie thinking that as noe grieffe is greater than theire owne so no incommoditie to be greater than that which is where they dwell. Butt if such did remember that the poore as the rich proceed from the Lord and that the rich cannot stand without the poore or if they did see

1. The Braviary of Suffolk p 56

how far the number of the poore in the shires do exceed ours they would nott esteeme of our poore as a burden butt as a lookeing glass wherein the rich may see his owne estate if once the Lord should bereave him of his benefitts which he doth dayly abuse!

Unfortunately, or fortunately, not all can look on Our Lady Poverty with so philosophical a mind. With the change in economic conditions, enclosures for instance, and with the dissolution of the Monasteries the alms giving organization of the middle ages, the problem of the poor became almost overwhelming.

It was a duty which the church would naturally assume. In the reign of Edward VI. churches were providing themselves with chests, locked, one key belonging to the vicar, the other to the wardens, in which were put contributions for the poor.¹ That these offerings might be increased, two persons were selected by the vicar and churchwardens who were to "gently ask and demand"² for gifts each Sunday after service. Houses of the poor were³ mended with the proceeds from the sale of church fabric.

1. "Item paid for ij locks for the poor mens chest ij.s.,ij.d. 1547. E Anglian N S I:224, 160-Arch,
2. Cratfield 84
3. Arch. Cant. VIII:141, 159; X:317.

Bequests and endowments helped a good deal to supply funds¹ tho they likely accomplished little of permanent value.

Elizabeth seemed to grasp the situation quickly for in 1559 injunctions were issued which stated that "...because the goods of the church are called the goods of the poor and at these days nothing is to be less seen than the poor to be sustained with the same, all parsons, vicars, pensionaries, prebendaries and other beneficed men within the deanery, not being resident upon their benefices which may dispend 20 l or above either within this deanery or elsewhere whall distribute hereafter among the poor parishioners or other inhabitants there in the presence of the churchwardens or some other honest men of the parish the fortieth part of the fruits and revenues of their paid benefices."² "Indeed I must say as it hath pleased the Lord to vouchsafe us some poore so that with the powerfull effort of the prevayling word and the due regard of the commanding law much charitable reliefe is here used..."³

But even this beneficence was of little value in getting at the problem - indeed it probably made things

1. E Anglian N S, I:143, 354...
Suff. Inst. Arch. I:111 et seq. "To the poor people of Ixw, fyfthe s, to be paid and distributed by my executors ...10 s. the day of my buryall and so forthe every yere vjs. viiijd. during the term of 6 yezes next following.
2. Brom Gee and Hardy p 423
3. Breviary of Suffolk 57

worse. Aydelotte¹ quotes from the dedication of Harman's "Caneat" written to Lady Elizabeth, Countess of Shrewsbury who constantly gave to all who asked, and Harman wished the lady to know that "the abhominable wycked and detestable behavior of all these rousey ragged rabblement of rakehelles that under the pretense of great misery dyseases and other innumerable calamities which they fayne - through great hipocrisie do wyn and gayne great almes in all places where they wyly wander to the utter deludinge of the good geners deceavinge and impoverishing of all such poore householders both sick and sore as neither can or maye walke abroad for reliefe and comfort."²

Begging had become a profession.

"Into a beggars hand that alms did crave
 Instead of one penny, two pence one gave
 Which done, he said, "Beggar, happy thou art
 For to thee my hand is better than my heart."
 "That is", (quoth the beggar) "as it chanceth now
 The better for me and the worse for thou."³

Vagabonds, pedlars, 'upright men', 'Abraham men', (pretending to be mad), counterfeiterers of every description, all were united for a common purpose, with a language of their own, and

1. Rogues and Vagabonds:22
2. Harman "Caneat" N Sh. Soc. pp 19-20
3. Heywoods "Epigrams":117

social caste definitely formed. Tricks of every kind were their stock in trade, to get something for nothing.¹

Attempts to check begging were made by issuing licences to those who were considered deserving of aid.² This had been done in the fifteenth century for students of Oxford - "scholar gypsies" - and the plan was now extended.³ As we would expect, a passport of this kind

1. Aydelotte, Elizabethan Rogues.

2. 5 Eliz, C 3

3. Example of a "pass"-

"To the whole of the sons of Holy Mother Church, to whom the present letter may come, Thomas Chandler Professor of Sacred Theology and Chancellor of the University of Oxford, Greeting in the Saviour of all:-

"Know the whole of you that we with full affection recommend to your worship by reason of his deserts N-a scholar of this University, a peaceable and honest and praiseworthy student strongly beseeching you that when he shall chance to traverse your places, lands, castles, towns, fortresses, lordships jurisdictions and passages ye shall freely suffer him to cross them without let trouble arrest or injury with his goods and chattels or to make halt in his expeditions and if at any time it shall befall that wrong be done him in person chattels or goods ye deign to remedy the same as may behove in remembrance of the aforesaid University. Further deign to assist him when need press, with your charitable favours receive him whom we recommend and succor him with the protection of charity devoutly considering that him who pitieth shall God also pity in meet and acceptable time..."
From Snell, "Social England", p 65

would be the easiest thing in the world to counterfeit and it must have made and idler out of many an easy going, but able, person.

Punishment for vagrancy was whipping at a carts' tail, stocking, loss of one or both ears, or even death.¹ Unfortunately this merely added zest to the excitement of a life of chance. By the act of fourteen Elizabeth Chapter five, more stringent punishments were to be inflicted.² The heart of the difficulty was reached in an act of four years later which enacted That, flax, wool, iron and other material should be provided in towns and cities, in the care of certain officers who were to employ the poor in working on the materials.³ Labour was feared when gaols were not, and tho the execution of the laws was no doubt lax, the principle was good.⁴

Elizabeth's attempt to localize the care of the poor was begun in the fifth year of her reign when each borough and parish was to have a register containing names of the inhabitants and a list of "impotent, aged, and needy persons". If any parish had no poor it was to contribute to other parishes. In other words, residence in a parish

1. Harrison, "Elizabethan England" 127-130
2. This act includes as rogues fencers, bearwards, jugglers, tinkers, petty chapmen, unless they have licences from two Justices of the Peace.
3. 18 Eliz. c 3
4. Aydelotte, p 70

establishes the right to have relief.¹

By the act of 14 Elizabeth C 5 the Justices in Quarter Sessions were to assess parishes for the relief of prisoners in the county jails.

The great acts of the last few years of Elizabeth's reign combined the principles of earlier legislation but developed a machinery for the enactment of such laws. Churchwardens and two other men of the parish were to be nominated yearly under the jurisdiction at least of the Justice of the Peace to levy rates and care for the poor.²

All kinds and conditions of men had to be helped and the means used in various communities to solve the problem are of vital importance for much the same situation had to be met in New England and even more similar to-day.

The most pressing problem must have been that of the inefficient person, unable to make a living for himself and his family, who had always been in the parish and whom destiny seemed to place on the parish. For such a case

1. 5 Eliz C 3
2. 39 Eliz C 4
43 Eliz C 2

there was chance for little more than cheap and constant relief, sometimes money, or grain, often bought by the parish and sold at a much less rate, or wood. One parish (Hawkhurst) had more than an opportunists attitude toward their philanthropy for they lent money for the purchasing of cows.

1. Surtees Soc. 84:76 "Pittington-" "... they receyved of the executors of Robt Smith deceased xx for interest whereof for one year they must pay to the poore folk in No. Pittington about Christmas ...ijs "
 - Arch. Cant. X:75 "Hawkhurst" "...sum of one pound ...distributed among 16 poor parishioners".
 - Arch. Cant. IX:228. "paid to ye pore men iiijd."
 - Hist. Blackburn:545, Annually distributed 6s. 8d.
 - Hobhouse:206, Tintinhull xijs. given in alms to J Brentlecourt.
2. Arch. Cant. X:317, " and for 6 bushels of wheat and six bushels of barley distributed in alms among poor parishioners...7s. 6d."
 - E Anglian, N S, I:187, "we howte rye(rye?) and mawte for ye pore folk XXXVs."
 - E Anglian, N S, I:187 "we have layde oute fore x seme rye for ye pore folk iiij li. iijs. iiijd. (an unusually large item)
3. Arch. Cant. XII:407 -1631- Ville of the Wood. 24 bus. of wheat bot at prices ranging from 6s. 3d. to 7s.6d. a bushel-sold at 4s.
 - Similarly, Cratfield:153.
4. Hist, MSS Commission 5th Rep.:107
Cratfield:108, "It. paid to John Smith for felling and rivinge of 9 seare trees for the poore. xxd."
5. Arch. Cant. V:57.

When the crops were poor or there was a plague, greater generosity was needed, as the records of Birchington state. "This yeare the Parisshe being visited with Godes heavye hande there weare 3 assessments made and confirmed for the use of the sicke and poore."¹ In 1630² Cratfield paid out L.7-16s. for wheat.

Children of the poor were usually bound out as apprentices. The amount paid varies from a few shillings³ to several pounds.⁴ Clothing was often furnished - for instance "for a petticote for her, a senoch, a payer of stockinges, a paire of shoes and the making of them, vijs"⁵ Or arrangements were made with individuals to take such children from the public charge as the following agreement shows: "Whereas yt John Clerke dwelled with us in parish of Lyttle Cornerd in the county of Suffolk and there had by his wife thre children so that we the inhabitants of Cornerd aforesaid do bound us whose names are heer under written to discharge the townshippe of Briers of the three children of the said John if so be yt God shall taik the said John out of this world by his naturall death during

1. Arch. Cant. XII:407
2. Cratfield p 166
3. E Anglian N S. IV:92
1604-Item for binding of a poor child apprentice xj s.
4. Cratfield:164-(1629)-Laid out to Francis Mantell for his apprentice and for his indentures making L.2-2s-0d."
5. E Anglian N S IV:92

the said term and tyme that ye said John doth dwell and inhabit now in the parish of briers aforesaid in witness¹ whereof we have sett our hands..." (signed by seven men).

A suggestion of the way the parish passed around those who were destitute and homeless is found in the following record;²-

"Item layd out on Sparram's wyfe for kepene of Mother Grene	11js.xd.
Item for sowing of them.....	viijd.
Item layd for Wedow Grene two Rakes of veale & a shoulder of veale and a meats toyng and five penner of head.....	1js. vd.
Item layd out to Spynk's wife & Smyth's wife for keeping Grene & bordinge themselves.....	vjs. iijjd.
It. layd out to Mother Grene when she was seke.	xijd.
It. layd out to Wedowe Swayne for kepen of Grene.	xijd.
It. layed out to Mother Grene when she was sick.	vjd.
It layd out to Thunkell's wife for kepinge of Grene's child.....	vjd.

A great deal of the aid given was because of "impotence", as Harrison says. The complete ignorance of principles of sanitation and hygiene, and lack of medical care that could be called worthy of the name was responsible for an enormous amount of suffering. One has only to read the life of Lady Briliana Harley to realize that it was not limited to the lower classes. However, Elizabethan com-

1. E Anglian, N S, I:113
2. Cratfield, 127 et seq.

munities did their best, paying for the 'leechcraft' of those skilled in the art.¹ This agreement was made in St. Stephens, Ipswich: "Agreed with Mr. Mattheve Windes in the year of our Lord 1645 by William Barnard and William Sare the Churchwardens for that year that he should undertake the cure the Legges of Goodman Lam it haveing been a longtime sore and infirm and if he bee cured perfectly he was to have fowrty shillings one halfe down, the other half when cure was perfected, and if afterwards of its own accord should break out again he was to Dresse it and use his best endeavour for the recureinge of it at his own cost and charges as long as they the said Mr. Windes and Goodman Lam lived whereupon we the said churchwardens paid him for his first pay-li 01- 00s-00d²?"

Such varied and heavy items of expense would make any people chary of admitting those who might be a public care. For this purpose, laws were constantly being proposed to prevent the increase of the burden, especially in cities. In 1621 a bill was presented "for avoiding of great charge daily increasing upon inhabitants in cities

1. Norfolk 116-117. "Paid Mother Mason for the leechcraft of her eye" 1590
"Paid to collectors of Pulham Mary for the leechcraft of John Barnes" 1563
Cratfield:119 (1590) Item payde to John Woller for heallynge of An Fyske vjs. viijd.
2. E Anglian N S I:178.

and towns corporate for relief of poor people". No person was to settle in any city or corporate town unless he possessed property of annual value of 40s. Altho this was rejected, it shows the constancy and pressure of the problem.¹

Yet "Many there are which...yield rather with this liberty (as they call it to be daily under the fear and terror of the whip than by abiding where they were born or bred to be provided for by the devotion of the parishes".² Responsibility to those not living in the parish was limited to contributing a few pence. Excuses of every conceivable nature served as a pretext - no doubt too many were true - for a license or a pass to beg; to a blind preacher,³ "A sayler that came from Turkey",⁴ "a pore wench that was distraught of her mind",⁵ "to relieve Robt. Cusen of Farden in Norfolk upon the sight of his certificate which testified that the sea brake in and drowned five hundred acres of land and cattell the loss whereof amounted to two thousand and five hundred pounds...5s...Od.",⁶ "to William Aoche his wife and 3 children which had a passe to gather as they

1. Hist MSS Commission 3d rep:22
2. Harrison, "Elizabethan England": 124
3. Cheddar (Somerset) Accounts. Hist. MSS Com. 3d Rep.:329b
4. Ibid
5. Smarden, Arch. Cant. IX:231
6. Hawkhurst. Ib. V:76

were travelling homeward iid.¹"

Nor were foreigners neglected, for the wardens accounts contain many such items as these: "laid out to a death Jernme (deaf German) minister",² "paid to 2 Irish men who had a pass under the Duke's hands to travel to Lynn in Norfolk where they had kindred as they say, and the constables and churchwardens should be helping and relieving them in their travel considering their great loss upon the sea by the cruelty of the Turks who took one of their brothers and 6 of their men and carried them captives who lie in miserable slavery till they have paid the ransome³ of L.50 a piece as appears by their pass...ls.0d."

Lepers and other helpless poor were allowed to beg by proxy.⁴ Ralph Josselin says in his diary "we had a collection for one Hastwelle a French Baron that forsooke the popish religion and all his honours for ye Protestant religion. I might have been a beggar whereas I am yet a giver."⁵

These examples might be extended indefinitely yet they are sufficient to show the generosity and ill advised promiscuous giving of the wardens.⁶ A great deal

1. Hartland Accounts. Hist. MSS Com. 5th Rep.:574
2. Cratfield:169
3. Cratfield:154
4. Aydelotte :24
5. Diary (Camden Soc.)p 19.
6. Cratfield :122, 123, et seq.
Surtees Soc 84:74, 286, 287, 112, 113.

had, however, been done in limiting vagrancy even to a slight extent. The greatest results were attained in making the parish unit for poor law administration. By this means the question was at least localized yet a firm hold was kept on the Overseers thru the office of Justice of the Peace.¹

1. Vid. Infra p 80

Chapter V.

The Parish and Education.

"A scholler quoth you! Marry sir, I would I had been made a bottlemaker when I was made a scholler; for I can get neither to be a Deacon, Reader, nor Schoolmaister, no not the Clerke of a parish."¹ There were persons who appreciated schools more than the jovial Miles did his university education. Lord Frances Hervey wrote,² "Now among the best meanes of a comely language I cannot call to mind anything that doth further the same good schools for youth who well seasoned at the first are always after fitter for the best impressions. Of such schools heere bee many where there is no good towne that is without them so againe for free schools heere be sundry well founded and endowed whom I beseech the Lord so to blesse that they may still more and more bring forth many good members for the State and the Commonwealth."²

1. Hist. Friar Bacon. Act V, Sc 2.
2. Breviary of Suffolk :55

Interest in secondary education was manifested not by the national government but thru individual effort. Endowments before Reformation days were left to chantries, priests appointed to pray for the soul of an individual, his family and friends", who usually among various other duties taught the boys of the vicinity.¹ After the dissolution of the chantries, foundations were given by (1) private individuals in return for which the donor had the honor of having the school named for him;² of making the laws³ by which the school was to be governed and of choosing⁴ the usher, sometimes too of free admittance to his heirs and relatives;⁵ (2) by Royal Foundation⁶ not of great importance; (3) by Guilds,⁷ for instance the Haberdashers'

1. Leach, "English Schools at the Reformation"
2. The School of Wolston Dixie Knight in Market Bosworth in the County of Leister"
"The Free Grammar School of Roger Manwood in Sandwich" quoted in Stowe, English Gr. Schools, p 16.
3. Stowe, p 17
4. Stowe, p 17
5. "In Witton, kinsfolk of the founder were to be taught freely and were if fit preferred as masters".
"In Great Bardfield the founders' kin were always to be admitted as free scholars; while in Burford the heirs of the founder were after his death were to have the privilege of electing free scholars known as Wisdoms' scholars who were to pay nothing but admittance fee."
Ibid. p 18
6. For example, Blackburn
7. 1614-May 23. "Act to confirm and enable erection & estab. of an almshouse free grammar school & a preacher in town of Monmouth intended to be done & performed by Master and 4 wardens of fraternity of art or Mystery of Haberdashers in City of London". Hist. MSS Com. 3rd Rep. 15a.

Guild of London; (4) city or borough¹, (5) by parishes²,
with which our interest chiefly lies.

It seems only natural that with a building at
hand the Church would be a convenient place to hold school.³
Saxfeld⁴ seems to have remodelled an old chapel, altho
realizing its deficiency. Blackburn held its sessions in
the chapel on the south side of the church. At a vestry
meeting of St. Margarets', Lockbury, 1593, "Mr Edward Rogers
moved the parishe to have his skollers in our church and
there keepe his schole in hotte weather for the better
keeping of said scollars in good order which was granted
him by an order of this vestry"⁵ John Evelyn records that
his education began at four "and then one Friar taught us
at the church porch of Wotton"⁶ "Like a pedant that keeps
a school in a church"⁷ Cartmel used the church until 1624
when the inhabitants bought a building for L30.⁸

Whether the church was so used or whether there
was a school house there was no separation between education
and religion. This is shown in (1) the control over the

1. Sandwich, "It was moved by the maior what a godly act
and worthy of memory yt should be to make & found a free
school within the toune for the godly education of children
in the knowledge and feare of God..."Boys Hist. of Sand-
wich, 199. Quoted in Stowe, p 13-14.
2. Stowe, p 14, and App A
3. "Spent iij li for (s)courying of the chapell to be a
scholehouse and the rest of the money we intend to ffind
with all a scole. E Anglian, N S I:363
4. East Anglia N S L:363
5. Fish, 444 in "School Review" Sept 1, 1915
6. Memoirs 1624
7. Shakespeare, II Henry, V:2
8. fish, school review, 1915

schoolmaster and (2) over the curriculum.

No master was allowed to teach until he had been accepted by the Bishop. The Injunctions of 1559 read " ...no man shall take upon him to teach but such as shall be allowed by the ordinary & found meet as well for his learning and dexterity in teaching as for sober & honest conversation and also for right understanding of God's true religion".¹ It was also enacted in 1581 that, "...if any Person or Persons, Body Politick or Corporate...shall keep or maintain any schoolmaster which shall not repair to the church as is aforesaid (Sunday & Holiday) or be allowed by the Bishop or Ordinary of the Diocese where such schoolmaster shall be so kept, shall forfeit every month for so keeping him Ten Pounds."

"And such Schoolmaster or Teacher presuming to teach contrary to this Act or being lawfully convicted shall be disabled to be a teacher of Youth & shall suffer Imprisonment without Bail or mainprise."²

Careful regulations were prescribed to insure the securing of a master of high character. An interesting

1. Stowe, p 31
2. 23 Eliz. C 1.

comment on the frequency of drunkenness is found in the conditions set down:- "We ordain and establish(E. Retford York 1552)...that if the schoolmaster or Usher be a Common Drunkard or shall be remiss or negligent in teaching the scholars of the said or have or use any evil or notable crime offence or condition, he shall have three several monitions, and then, if he does not amend, be expeeled¹ forth from his post." "I will that if the schoolmaster be given to unlawful pastimes or drunkenness or else be noted openly to have an evil name or any detestable vice or deed which shall require or need ecclesiastical restraint or correction, then shall such vice or offence be redressed by the Bishop or the ordinary of the Diocese of Carlisle according to the ecclesiastical or common law."² Chigwell (1629) "I constitute and appoint that the Latin Schoolmaster be a Graduate of one of the Universities, not under seven and twenty years of age, a man skilful in the Greek and Latin Tongues, a good poet, of a sound Religion, neither Papist nor Puritan, of a good behaviour, of a sober and honest converstaion, no Tippler, nor Haunter of Alehouses

1. Watson, "Eng. Gr. School to 1660" p 126
2. Ibid, p 128, Kirkly Stephen (Westmoreland 1566)

no Puffer of Tobacco, and above all that he be apt to teach and severe in his Government, and all Election or Elections otherwise made, I declare them to be void ipso facto, as if he were dead";¹ "Schoolmasters shall be removed if found insufficient or remissly negligent or upon just occasion be detected of notorious licentiousness such as common swearing, drunkenness, a common haunter of alehouses and taverns or otherwise scandalous".²

The minister often acted in the capacity of schoolmaster, as would be expected. A splendid example of this was Ralph Josselin, a pious, sturdy Church of England divine, thoroughly imbued with Puritan philosophy. So intensely did he enjoy teaching that upon his resignation he presented "Dr Might with a piece of plate cost 5s. 6d. per ounce, it cost mee 5l.-19s.6d. as a token of my love in giving mee the schole."³ John Conybeare was also an interesting person, devout, a Latin scholar, and as capable in writing

1. Chigwell, quoted in Watson, p 131

2. Wigan, Ibid. 132

3. Diary (Camden Soc)

Other instances-Kirkham (Chetham Soc) pp 143, et seq.
Hist. MSS Com. 3d Report, 11A

"An act to convert the manor and prebend of Cutton in Devonshire (being a prebend sine cura) to the maintenance of a preaching minister which shall also teach a free grammar school."

medical recipes as exercises and adages.¹

Philip Stubbes in speaking of the schools said that there were schools in almost every parish, "But alas such small pittance is allowed the schoolmasters as they can neither buy the libraries nor which is less hardly maintain themselves, which altogether dissuadeth them from their books and is occasion why many a one snortath in palpable ignorance all the daies of their life."²

Salaries were not large, it is true.³ But often there were also gifts. Cratfield seemed to feel a grave

1. "John Conybeare - Elizabethan Schoolmaster" example of his recipes--"To cause to sleep--Take a spoonful of pure Rosewater as much of vinegar, two spoonefulles of the oyle of Roses, half a handfull of Roseleaves made in powder, mingle them all together and take crumbs of leavened bread, made of wheat and playt thereof and lay it over the forehead and temples. p 75.
A drinke for the eyesight: "Take a quantitie of Ivie that groweth upon the Ashe, a quantitie of the rootes and leaves of daisies in the field, a quantitie of fennell and a quantitie of three leaved grasse: All theese being washed cleane stamp them and strayne them with a pint of stale ale and drink thereof evening and morning or at midnight for a season." Ibid p 76
2. "Anatomie of Abuses" (N S S) p 20.
3. Table of wages paid in Stowe, "English Grammar Schools" p 86

responsibility for the welfare of its master for during his illness he was given 2 shillings.¹ A few years later more than twenty-six shillings was paid for his board, probably because of some extenuating circumstances.² At his death the parish assumed the funeral expenses.³ In Kirkham the salary was xs. a quarter and the cockpenny.⁴ This salary was later raised to 16s. a year and for every burial..... such sum as was agreed by the 30 men and also such sum as hath heretofor been paid for the holy loaf"⁵

As careful watch was kept of the curriculum of the school as was kept of the schoolmaster. It is particularly interesting to find in this expression of parish life strong Puritanic tendencies early showing. The settlers in New England had good precedent when they laid the foundations of their educational system.

"The Statutes and Orders to be Kepte in the Free Grammar School of Queen Elizabeth in Blackborne" are characteristic of the rules of schools of the time. These were agreed to 1597 and again in 1600:

"After the ringinge or towelinge of a bell, if

1. Cratfield :146
2. " 124
3. " 146
4. Kirkham :96
5. " 135-6

that can be hard soon after six of the clocke, in the mornings the schoolmaster and usher with there Schollars in as dutifull manner as conveniently may bee shall dayly come to the schoole and there shall have prayers such as the Governor shall from tyme to tyme appointe.

"After prayers they shall begin to teach att or before seaven of the clocke and shall continer untill xj. And in the afternoones they shall begin to teach at or before one of the clocke continewinge till after fyve of the clocke and shall then alsoe have and use prayers."

"License to play shall not be granted to Schollars at there departing from the Schole nor to any other persons than to persons of honor or worshipp or to Masters of Art or to other persons of equivalent account and by concente of some of the governors in after nones only...

"The schollars shall diligently apply there books, dutifully and decently behave themselves in all things in all places and att all times and to all persons especially to the governors and shall frequent Divine Service upon Sundays and Holidays for which purpose there parents and friends shall apparell them decently, that all excuse of

absence may be removed.

"Sith discontinuance is the greatest hinderance to proceedings in larninge, Parents and friends are not to discontinaw schollars from the Schoole which if they doe, the discontinuars are to be signified to the governors for reformation thereof.

"Upon days and times excepted from teachinge the Schollars may be caused by the Schoble Master and the Usher to larn to write ciper caste accounts singe or such like and allsoe upon holidays and other convenient times.

"The exercices may bee Englishes, speakinge Lattin varicacious duble translations, disputacions verses epistells, themes and declamations in Latin and Greek.

"Once yearly at some conveniente tyme especially in September the schollars shall exercise themselves in verses or other exercises severally in praisinge God who of his fatherly providence haith moved the governors and benefactors of this schole to prepare the same for the bringynge up of the Youth and profit of this Church, praisinge God that others by there example may be stirred upp to bestowe their goods

upon such like godly uses.

"The formes or sieges may be seaven if the capacities and proceedings of the Schollars soe require...Authors in Latin for any introduction may be the grammar, Cato de Moribus Supristis Verulanus, de moribus in meuse Esopa Fables etc. In poetrie Terence, Ovide, Vergill, Horrace, Juvenal and Persius. In histories Salust, Cesars Commentaries and Tullius Livias Decades: In Cicerowes workes his familiar Epistles offices tusculans quaestians, his Retoricke and Orations for Epistells Macropidus, for Themes Apthomius for the principles of religion some cathachisme the Spaller and such like.¹

"Authors in Greek may be Cambdens or Clemades grammar, Basillo Epistells Isocrates Orations, Hesiod Homer Theocritus Pindarus Olinthrace Demostenes Oracions and the Greek Testament.

"In Heebrewes if any bee willinge and fitt thereunto some Heebrewes grammar or splalter.

"The principles of Arithmetic, geometry and Coamographie with some introductione into the sphere are profitable.²

1. Letters of Archbishop Usher contain interesting lists of books, pp 317, 321, 324.
2. Blackburn Grammar School (Chetham Soc.) I:73 et seq.

This religious element both in the qualifications for schoolmaster and in the regulations and curriculum may be explained partially from a survival of mediaevalism and partially from the method of governing. Separation of education and the church was a slow process.

As we have said the national government took no part in building up a general educational system.¹ There was then no uniformity in methods of governing. Mr Stowe has summarized the various types as follows (1) government by feofees, men to whom property is deeded upon condition that they use such money for the support of the school. (2) government by incorporated trustees, colleges or guilds or incorporated towns.²

The first method is of the most interest to us, because it was in this kind of organization that the parish had its share. New enfeoffment was usually provided for by the founder. In Blackburn, the churchwardens were ex officio members of the board.³ Often the vicar was consulted before appointment of a master and sometimes even had sole⁴

1. Vid supra p. 53
2. "English Grammar Schools in the reign of Queen Elizabeth" Chapter II.
Also, Wigan II:261
3. Blackburn Grammar School I:45
Sevenoaks (Kent, Fish, School Review,)XXIII:443.
4. Monmouth (Letters Patent Carlisle II:164)
Gillingham (Decree of Commission L:372)
Drayton (in Report Charity Commissioner XXIV:301)
quoted in Stowe, p 63.

1
power.

Kirkham had a governing body of thirty men (the vestry) but they consulted the whole parish.² In St Michael's, Cornhill the parish acted as the board,³ and the same was true of Chipping Campden, Gloucester, tho in this parish "thru the fraudulent conduct...of Sir James Merwin ...and others, the inhabitants have almost been deprived of the profits."⁴ This also occurred in Bradford, except that the privilege in this case was seized by the archbishop.⁵

1. Tenderden, Strype "Life of Parker" I:228
Lowestoft, Barnstaple, Quoted in Stowe, p 64.
2. Kirkham (Chetham Soc) p 139
"it is ordered that the whole parish shall appear at some day..."
See also, Smarden Accts. Arch. Cant. IV:229
3. Accounts of St Michael Cornhill, pp 66-67
quoted by Fish, School Review XXIII:446
Similarly Mendelsham (Suffolk) Hist. MSS Com. 5th Rep:593.
4. Hist. MSS Com. 4th Report p 50.
"Petition of inhabitants...: About 154 years ago one John Darbie gave to the free school and poor of the parish the manor of Fines Court...profits of which were received by the churchwardens of Chipping Campden..."
5. Hist MSS Com. 4th Report:46
"Petition of Ezekial Taylor on behalf of the inhabitants of Bradford: Certain lands have been left in the parish for maintenance of a schoolmaster to be elected by the parish and so for many years enjoyed, but four years ago one Gervas Wanan was appointed Schoolmaster by the late Archbishop of York without consent of the parishioners and petitioner and others who opposed the nomination were questioned in the High Commission Court at York and put to much expense: pray that right of election of a schoolmaster may be declared to belong to parishioners."

The feofees of Whitchurch school were expected to render an annual account to the church wardens at a meeting in the parish church.¹ Wellingborough reports were presented at an early meeting open to all the parishioners.²

Funds with which to manage the schools were secured from deeds and bequests,³ from church resources,⁴ city foundations⁵ and fees.⁶ Each child had to pay either an admission fee or tuition.⁷ Often pupils from without the parish paid more than those resident in the town in which the school was located.

An interesting story has been preserved in the re-

1. Reports charity Commissioners XXIV:337
Statutes 1570. Quoted in Stowe, p 27
2. Ibid
3. 39 Eliz. C 6. History County of York: 81
History of Blackburn:305
4. vid supra p
5. Stowe, p 34
6. Entrance fees in Shrewsbury (from Stowe p 183)

A lord's son.....	10s	
A knight's son.....	6s	8d
Son and heir apparent to a gentleman... ..	3s	4d
And for every other of their sons.....	2s	6d
Every burghr's son.....		4d
7. (Stowe p 94.) Blackburn Grammar School I:49.

ords of Kirkham, telling of an endowment for that school. "Isabel Birely", says the account, "wife of Thomas Birely born in Kirkham...an alehouse keeper all her life and through that employment attained to a good personall estate above most in that town of that calling being moved with a naturall compassion to pore children shee saw often in that town, was hard say dyvers tymes she would doe something for their good, and in the year 1621 having gotten a good stock of money in her hands was moved to put her sayings into action. The thirty men of the parish being assembled at the church, she with 30L in her apron came to them telling them she had brought that maney to give it towards the erecting of a free school for pore children to be taught gratis....wishing them to take it and consider it. They (the thirty) were the men especially trusted by the parish for the common benefits of the church and were therefore the most like persons to move their severall townships to contribute everyone something....and not doubting but their good examples in their contributions would be a strong motive to excite others. This was thankfully ac-

cepted and wrought so with them that everyone was forward to promote it." The result of their labors " sparing neither paynes of his bodie nor his purse:...Travelling all the parish over to every particular towne and house earnestly persuading them to contribute" was a sum of Ll70.¹

The parish was only one of the organizations used to maintain schools, but its influence whether direct or indirect can not be overlooked. Indirectly the parish guided the school by being present when annual reports were given, by renting or giving the church for a school building. Directly, by having control of the funds, either in the hands of the wardens, or vicar or both; by laying down the rules for the curriculum; by employing the minister as school master. The result of this arrangement is seen in the strict rules of the schools, the demand for church attendance of scholars and pupils, and the care taken in the selection of the classics, that they be not too pagan. In the corresponding chapter in the section

1. (Kirkham:136 et seq.)

on New England will be seen the schools as the Puritans
transplanted them.

Chapter VI.

The Organization of the Parish.

Such an extension of duties as has been summarized in the preceding chapters could be managed only by a more or less complex administrative scheme. Pollock and Maitland thus explain the development of the unified action on the part of the parish: "The duty of repairing the parish church is analogous to the duty of repairing the county bridges; it is planted in the soil, and to the soil it has ceded...No doubt the occasional nature of the charge almost compels the rector or archdeacon to deal with the parishioners as a body, to call them together and endeavour to persuade them that a wall is crumbling or that a new missal is wanted. The parishioner will make terms with him; they may vote him a rate to be assessed in this way or in that; and very likely as they will have to pay, they will hire the workmen and buy the materials.¹

1. History of English Law, I:613.
 Legal recognition of parish meetings.
 Hobart, 212.
 V. Coke's Rep. 63
 VIII. Coke's Rep. 70
 Cro. Jac. Rep. 498
 Codex, 215

Annually in almost every parish was held a meeting open to all parishioners. This was held in the church or church house, usually about Easter. In the fifteenth century it was an occasion for bringing in gifts and enjoying revels.¹ The main business in the late sixteenth and early seventeenth was to hear the accounts and reports of outgoing officers and elect their successors.²

A vivid account of the procedure of such a meeting is contained in the records of the parish of Morebath. Zest was added to this occasion because of a disagreement over the office of clerk. A certain Mr Leddon refused to pay his stitch of corn, then two more followed suite. Finally the vicar said he would do nothing about it, but at Christmas warned the parish to provide a clerk by Lent. The matter was, however, put off until after Easter. A committee of four were chosen who invited one, John Sydenham to join them. On a Sunday set apart to end the disagreement, every man in the parish was asked if he would accept these men and abide by their decision. Five men

1. Hobhouse

2. Many examples might be given as the chapter will show. See also Redlich and Hirst "England Local Government" Webb, "English Local Government"

Vestry records of St Helen's Bishopgate, London, 1558.

"Item - That if any parishioner of the said parish be duly warned by the church wardens to come to any vestry to be kept by the said parishioners and do make default that then he or they having no good lawful excuse shall forfeit for any such default the sum of 2d. to the use of the parish". Quoted in White and Notestein, "Source Book", p

dissented. "So a fresh day was appointed...The day was Sunday before Rogation week. Then was the parish again singularly (one by one) demanded by name if they would accept an order from Mr Sydenham and three of the four men (for the fourth was sick at the time) and all that were in the church said ye and there lacked no more that day but William at Tynwell, and William Leddon and William Sceby. Therefore they were contented to abide by the order of Mr Sydenham and the three men¹".

When the large parish meeting was found to be cumbrous,² a group was chosen of varying size, commonly known as the 'Select Vestry' or the 'Governors' the 'Twelve'⁴ or the 'Thirty'⁵ as the case might be. In Kirkham it was of essentially representative character,⁶ two from each of the townships in the parish. That of Lancaster was made up of one from each of twelve townships, two from each of three townships, and five and the mayor from Lancaster.⁷

1. Hobhouse: 222-224
2. It was agreed by the consent of the whole parish to elect and chuse out of the same xij men to order and define all common causes pertaining to the church...without molestation or troubling of the rest of the common people.
Surtees Soc. 84:13
3. Hartland, Hist. MSS Com. 5th Report 572
4. Pittington - Surtees Soc. 84:28
5. Kirkham, 85 et seq.
6. Kirkham 89
7. Materials for History of Church of Lancashire, III:602

Vestries were of two kinds (1) closed and (2) open. The first was a decidedly oligarchic method for it was self perpetuating. The second were those whose members were not chosen by the vestry. An interesting example of the crystallization of a select vestry is found in the parish of Dalton-in-Furness. Here the once popularly elected group has become as 'closed' an organization as a board of aldermen ever did under the influence of the guilds. There are twenty-four men governing the town, who hold office for life, filling vacancies from those who will be friendly towards their policy. The Vicar is chairman. Easter Monday the board meets, elects churchwardens and sidesmen, manage parochial affairs, church and civil, and tell the newspapers only what they desire.¹

The officers to whom the vestry or parish meeting assigned its work were the Churchwardens, Sidemen, Overseers of the Poor, Surveyors of the Highways.

Of these, the most important was the Churchwarden, known also as the Churchreeve¹ or Swornman.² Usually there

1. English Illustrated Magazine, XXV:434
2. History of Blackburn:736
E Anglian, N S I:187
3. 21 Jac I, C 12, Also called Questmen Comex 215.

were two,¹ the sometimes only one² and in other places several.³ As a rule they were elected at the annual meeting of the parish,⁴ but in exceptional cases the vicar appointed one: the parish, the other.⁵ The consent of the vicar is recorded in only a few parishes and for only a few years.⁶ Houghton-le-Spring had an arrangement by which the two senior wardens appointed two other wardens "with the approbacion and likinge of the gentlemen fower and twentie and Mr Parson of that parish and not otherwise".⁷

They were appointed either because of family connections or the location of their homes or to get the fine for parish use upon their refusal.⁸ Smith in his "De Republica Anglorum" does not give much praise to the class

1. Codex I:215
2. Arch. Cant V:73, E Anglian IV:124
3. 4 in St Oswald, Surtees Soc. 84:160 et seq
Morebath, Highwarden, warden for each 7 or 8 lights
Hobhouse, 208.
Hawkhurst, "The parish have chosen wardens for the poor mens box... and hope to make their accounts as the wardens doeth." Arch. Cant. V:70
Archaeologia, XXXIV:51 ff
4. Anatomy of abuses II:101. Mod Cases p 89
5. Salkeld Rep. III:90. Canons 1603 C LXXXIV states
"All churchwardens shall be chosen by the joint consent of the minister and parishioners if it may be. But if they cannot agree on such a choice then the minister shall chose one, parishioners another"
Codex, 215
6. Surtees Soc. 84:26-27. no other reference in that parish (Pittington)
7. Surtees Soc. 84:279-80
8. Webb, English Local Government.

from which these officers were chosen. "The fourth sort or class amongst us", he writes, "is of...day labourers, poore husbandmen yea merchants or retailers which have no free lande...all artificers. These have no voice nor authoritje in our commonwealth...yet they be not altogether neglected, for in cities and corporate towns...enquests and juries are empaneled of such manner of people...and in villages they be commonly made churchwardens..."¹

Sir Thomas' aristocratic tendencies must have overcome his better judgment for these men in many cases were from families of recognized standing.² Stubbs calls them "Honest, substantial men".³ It was not unknown for a woman to be a warden.⁴

The office was unpaid and, as we shall see, demanded a constant attention to manifold duties, important and petty. If a person was elected, he must serve or pay a fine that varied from a few shillings⁵ to many pounds.⁶

1. "De Republica Anglorum"; 46
2. The same names appear in the lists of vestrymen-i.e. St Oswald, Surtees Soc 84:177 John Lambton, gent. warden in 1622, one of the 24 in 1609. John Knesleid warden in 1609, Thomas Knesleid one of the 24 the same year.
3. "Anatomy of Abuses" II:101
4. Morebath; Hobhouse 218
5. Certain ones exempt by Canon law i.e. peers, lawyers, apothecaries. Codex I:215
6. Thirty pounds - Annals of St Helen's, Bishopgate, London, p 129. Quoted in White and Notestein "Source Book", 260.

Punishment for neglect of duty was reelection to the office.¹
 The one privelege was a dinner at the beginning of his term,²
 with the outgoing wardens, or at the time of the Visitation.
 So extravagant did they become that St Oswald's vestry pass-
 edan act limiting the expense on such occasions to XXs but
 this proved to be of no avail.³

Since the parish was both a secular and eccles-
 iastical unit, the churchwarden was responsible both to
 the Justice of the Peace and to the Bishop.

The bishop maintained his control (1) thru ec-
 clesiastical courts and (2) by visitations. The time and
 place for holding such courts was decided upon by the
 ecclesiastical judges.⁴ Bishop Barnes of Durham who had
 peculiar priveleges established two general synods yearly.
 Besides these, "two general chapters were to be held by his
 chancellor or Vicar General at some convenient church with-
 in every ward and deanery in the nonths of January and July
 every year".⁵ Further the Court of the Official of the

1. Kirkham; 91
2. Surtees Soc. 84:175, "the old and new church wardens
 dinners vs.
 Ibid, 206.
 Cratfield, many examples.
 Ludlow 163, 165, 166-
3. 2 dinners each 1 L-15s. Surtees Soc. 84:210
4. Canons of 1603. CXXV Codex 1001.
5. Surtees Soc. 84:16

Dean and Chapter was held every Easter and Michaelmas.¹

By the Canons of 1603, wardens could not be troubled for presenting oftener than twice a year.² At these courts the parish was officially represented by the churchwardens and often the vicar.³ They took the oath of office,⁴ presented lists of recusants,⁵ cases of immorality,⁶ and unseemly conduct.⁷ They were questioned as to the vicar,⁸ his character and benefice, the intellectual and moral

1. Surtees Soc. 84:16
2. C XVII Cidex p 961
3. Arch. Cant. IX:227
Surtees Soc. 84:19, 22 et seq.
E Anglian N S, IV:124
Ludlow, 166, 167 et seq. etc.
4. Codex 216
5. Ibid 964; 3 Jac 1 C 4.
Surtees Soc 84:336. 27 Aug 1580, Officium dni, con. Johonnam Salven uxorem gerrardi salven. Detect. She haith absented hireselfe from the church since mid-somer last was a twelmonth Meyther did she communicate with us neyther at any other place to our knowledge all the time."
6. Ibid. 361 et seq. I Chas, I C 1
7. Canon X C. Codex 964. Surtees Soc. 84:355
"Officium dni. con. Alisonam Dunn uxorem Geor. Dunn Presented to be a common scolder"
8. Diary John Rous, p 66.
Rushworth Hist. Coll. II:187. "...Whether your minister noted to be an incontinent person, frequenter of taverns, ale houses, a common gamester, a player of dice..."
Historical Notices Chas I, I:153.

77

state of the schoolmaster.¹ They were fined in case the church was not kept in good repair,² and ordered to buy numerous books and pamphlets.³

The ecclesiastical authority was not dependent upon mere reports, but thru visitations either semi-annually or annually the archdeacon or bishop himself saw what was going on.⁴ The parish always entertained these distinguished guests.⁵ Elizabeth ordered visitations to secure better order in the church as to vestments, doctrines, rogations and Sunday observance.⁶ Abuse of the custom had grown by the time of Chas. I. In a tract published in 1641 "a Deialogue between two Rectors, Busy Body and Scrape-All" the former says "Oh brother, you would not believe how I delighted in a commission, which I would go into the County withal and expedite; and, if they would not give me ten pounds for it,...I would not make many delays for the matter, but have got it taxed by any surrogate to twelve or fourteen pounds..."⁷

1. Rushworth Historical Collections II:187
2. Codex; 194
Hamilton "Quarter Sessions"; 81
E Anglian N S I:183
Ancient Church of Prestbury (Chetham) 55
3. Cratfield; 93, Surtees Soc. 84:12, 68 et seq.
"Dialogue showing that our Sovereigne Lord King James being immediate under God...doth rightfully claime whatsoever is required by the Oath of Allegiance."
4. Tit. XLII C I. Codex 957. General duty of visitations.
Ibid, 967, Visitations by archdeacons, examples,
Surtees Soc. 84:96, et seq.
5. Codex 957. examples vid supra p
6. Frere "English Church", vol V:59.
7. "The Spiritual Courts epitomised", printed in London 1641, in Harleian Miscellany IV: 419

Similar accounts to those given at the bishop's court were made at the Quarter Sessions before the Justice of the Peace. Recusants were reported,¹ the work done by the parish for the poor,² rogue money and soldier money.³ Thru the churchwardens the parish was sued for failing to keep the roads and bridges in repair,⁴ for "neglecting to guard a deep pond with chain or railing"⁵ In case of neglect of payment for poor relief, the county was not at all hesitant in using force. During the reign of Chas. I the Court of Quarter Sessions in Devon asked Lient. Col. Harris to send soldiers "to take and apprehend the parish officer and to levy the rate himself wherever the officers were negligent of the payers obstinate."⁶

Many attempts were made by both Elizabeth and James to legislate on matters that were governed by the laws of economics. One of these acts was the law of wages,⁷ which the wardens were to help enforce. These officers could also present cases of persons "making deceivable cloth

1. I Eliz. C 2, Historical Notices of Reign of Chas. I, II, 25, 29.
2. 43 Eliz. C 2 and 3.
3. Vid supra p
4. 5 Eliz. C 13. Ancient Church of Prestbury, 60
5. Midd. Co. Rec. II:250
6. Hamilton, "Quarter Sessions"; 107
7. 5 Eliz. C 4.

in violation of 21 Jac I. C 18; of cases of drunkenness,¹ according to an act of the same year; and of the act to enforce burial in wool.² When King James was rebuilding St Paul's, the wardens gave to the Justices names of those willing to contribute.³ Victims of the plague were also reported.⁴

As a local officer, the churchwardens kept the parish funds, received all the gifts and rates, spent it according to his own discretion. There was, of course, suspicion at times as to the wisdom of their course. In Pittington an advisory committee was formed to consult with them "about the byeing and selling of their shepe and woule and for the furnishing of their stint in sheep,"⁵ They called the parish meetings where they presented their accounts.⁶ In districts where funds were raised by ales, the wardens had charge of them.⁷ They were responsible not only for seeing that the church was repaired, but attending to all the material and labour used for that purpose.⁸ In the case of Starkey v. the Churchwardens of

1. 21 Jac I. C 8
2. 18 Car 2. C 4
3. Ancient Church of Prestbury, 55
4. Chetham Soc. Vol 16:289
5. Surtees Soc 84:39; Similarly, Hobhouse;46
6. Codex 216, Canon CXV
7. Vid infra p
8. Churchwardens Accts. of Ludlow contain little else than reports of money so spent. So Hobhouse. It is the main part of all accounts.

Wathington in the King's Bench it was held that the "churchwarden is a corporation and the property is in him¹ and he may bring Trover at common law." The functions of this officer were indeed all important tho their multiplicity and time consuming nature made it a thankless task.

In a few parishes there were Sidemen, who were assistants of the churchwarden.² It was made a requirement of the church to have such an office by the Canon of 1603 but even so was not universally adopted.³

Closely associated with the churchwardens were the Overseers of the Poor whose office was established by 39 Elizabeth C 3. These men were ordered to have monthly meetings to consult upon matters in connection with execution of the poor laws. Under the supervision of the Justice of the Peace children whose parents could not support them were apprenticed, material provided for employment of the poor, levied rates for the care of those who were "on the parish".

The constable was the representative of the Justice of the Peace in the parish, which had some say as to his

1. Salkeld II:347
2. Codex 216
3. Pittington appointed such only in 1605, 1606, 1608, Surtees Soc.84:24

appointment, tho he was not elected in a parish meeting.¹
 He, theoretically, kept the peace, tho, as we have said,
 this was poorly done.² Furthermore he collected the rogue
 money³ and other county rates,⁴ had charge of the trained
 bands,⁵ in some places reported recusants,⁶ supervised
 care of the roads,⁷ and occasionally took over the Over-
 seers work in regard to the poor.⁸ The parish gave din-
 ners to the constable at times, reimbursed him for money
 spent in going to quarter sessions.⁹ Sometimes we find
 large amounts recorded for unspecified purposes, probably
 for rates.¹⁰

The Surveyors of the Highways were variously
 known as 'Moorwardens', 'Waymen', 'Waywardens' or 'Super-
 visors of the Highways'.¹¹ This officer was not univers-
 ally appointed, but in such parishes as did, the election
 took place at the same time as that for the wardens.¹² As

- 1. 34.5 Hen VIII C26
- 2. Smith, De Rep. Angl. 94, vid supra p 29
- 3. Surtees Soc 84:78
- 4. Ibid 308-12
- 5. Hist. MSS Com. 3d rep. 330
Cratfield;177
- 6. Midd Co Rec. I:160
- 7. 8 Cokes Reports; 41
- 8. Smith, Sir Thomas, op cit. 93
- 9. Surtees Soc. 84:46
- 10. Cratfield:177
- 11. Toulmin Smith
- 12. Pittington 84:88, 89-. In accord with 2 & 3 Philip
and Mary C 8.

the title indicates his duties were mainly to keep the roads in repair,¹ and in some places to keep the river cleared.² A report was made annually of those who had done their part, or who had not.³ In parishes where no Surveyor of Highways was chosen the work was done by the constable or warden.⁴

The vicar should also be considered as an official of the parish. Lombard says that he was called on to keep the registers because he could always write and, therefore, would be often asked to preside at parish meetings,⁵ the Toulmin Smith claims this was illegal...⁶ He sometimes attended the wardens at the Consistory.⁷

The inventories made at the time of Edward VI.

1. Pittington 84:88, 89-. In accord with 2 & 3 Philip and Mary C 8.
2. Pd. to Mr. Fuller for mowinge ye river xiis. iiiiid. numerous instances. Hist. MSS Com. 3d rep. 329
3. Toulmin Smith, 458
From accounts of Steeple Ashton of Wiltshire for 1573,
"Old waymen do present that every man hath carried"
"Old waymen do say that all is well saving that John Collet and John (sic) Haiward is behind."
4. 8 Coke's Reports, 41
5. Quoted in Toulmin Smith 286. Also Chetham(Wigan) 16:270 parson being sick and unable to go up to the church to choose wardens sent for mayor and rest of parishioners that were at church to come to hall to choose church-wardens...
6. Toulmin Smith:286
7. Vid supra p 76

were occasionally signed by the vicar as well as the church-
wardens.¹ Licenses to eat flesh were granted by the vicar,
but signed by the wardens.² He also certified to honorable
character of persons selling flesh during lent.³

Parson Fleetwood of Wigan was also a Justice of
the Peace and therefore signed injunctions to churchwardens
constables to suppress violations of the Lord's Day occasion-
ed by wakes fairs, bull baitings, pipings and huntings in
the time of Divine Service and ordered not more than a
penny be charged for a quart of ale."⁴ A bill was passed
in the first year of the reign of Charles I, ordering that
clergymen shall not hold such offices.⁵

1. Arch. Cant. VIII:82
2. E Anglian IV:67. "Decimo octavo die February 1631.
Memoranda that there was granted to the right worship-
ful the Isaack Jermy Knight of the parish of St Clement's
Ipswich and to the Lady Jermy his wife to Mr Robb Brooke
& Mr Francis Brook of thee same parish a licence to eat
fflesh being shurelly forbidden to eat fish by ye physic-
ians: this license was granted unto them by Thos. Scott
Clarke Parson of the same parish the 14 Feb. 1631 & is
now registered in the church bookes according to ye
Statute in that can provided. Tho. Scott rector Saint
Clements in Gippe
Arenaut Knapp Churchwarden."
3. State Papers, Domestic series, Jac I, 1611-1618:p 521
Feb 12, Certificate of Vicar and Inhabitants of St
Leonards Shoreditch of the honesty of John Brackston
hitcher: with request that he may be allowed to kill
and sell flesh privately during Lent to sick persons
who bring testimonials from their ministers.
4. Chetham 15:165. Quoted from Barnes Lanc. I:520
III:543.
5. Journals of the House of Commons III:567 b.

This same Vicar Fleetwood tried to keep the vestry under his thumb by laying down certain conditions to which they were to subscribe—

1. They shall lay no gauld themselves without the consent of the vicar.
2. Vicar shall have a negative voice in all their proceedings & that they shall determine nothing without consent of the vicar.
3. They shall not elect, put or elect any new 30 men without Vicar's consent.
4. They shall not meet in the church upon any business whatever unless they acquaint the vicar before.
5. If there be any turbulent or fascitious person that the rest of the company shall join with the vicar & turn him oute.

(Signed) Ed. Fleetwood.

However, the fear of the clergy was not such as to drive the board to agree. A childish dispute then ensued. The vicar kept "the 30" out of the church by violence. Finally, because the church was badly in need of repair, the wardens called a meeting but the vicar locked himself in the church.

The clerks of the parish were two - the Parish Clerk and the Vestry Clerk. The former was in the pre-

reformation days and assisted in the service. "Will no
man say Amen, am I both priest and clerk?" said the King.¹
Chaucer has given us a picture of a parish clerk named
Absalom who

"...jolly was and gay
Goth with a censor on the holy day
Censing the wive's of the parish faste²
And many a lovely lōke he on him caste"

Since this officer was usually in orders, he probably had
had some education "For sondry schols maketh sutell clarkes"³
and could, therefore, write the book of accounts. "The
Clerke of Chatham: he can read and write and cast accounts."⁴
When he was not able to do this, it was done by a neighbor-
ing friar⁵ or the priest,⁶ later by the schoolmaster.⁷

After the Reformation he kept this duty in some
parishes,⁸ in others it was turned over to the Vestry Clerk,⁹
a secretary of the vestry. He took care of the alock,¹⁰
taught singing,¹¹ played the organ,¹² and assisted at

1. Rich. II IV 1, 173
2. Canterbury Tales
3. Dodsley, XIII:432 N. 1.
4. 2 Hen IV. iv 2, 92
5. "Pd. to the friary clerke...xd."
"Pd to the frawry clarke...ixd."
Hobhouse, Accounts of Pitton 1497, Yearly...1519.
Also Cratfield 30c
6. Vicar made responsible for register by
7. Cratfield 105
8. Hist MSS Com. 3d: 329
9. Toulmin Smith
10. Hobhouse: 71
11. (Chetham) Kirkham; 90
12. Chetham, 16:275

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christenings and burials.

In London and other cities the clerks formed a fraternity or gild which was both professional and social in its purpose. The duties imposed by the Corporation (of London) were:

1. Attendance at the service in Guildhall Chapel on Michaelmas day previous to election of the Lord Mayor.
2. To make returns of the deaths of Freemen in their respective parishes.
3. To make weekly returns of the number of deaths² and christenings in their respective parishes.²

During the plague 1611 on, the reports had to specify the disease of which person died.

These clerks were also in great demand to take part in funeral processions, singing the anthem dirge or mass or to bear the corpse.³

"Altho the execution of the office concerneth⁴ divine service yet the office is merely temporal."

1. Surtees Soc. 84:314. "The old and accustomed wages and duties belonging to the clerks of the parish be continued...for a marriage...,for asking the banes...., for a christening...,for a Burial..."
2. Christie, "Parish Clerks" 126-139.
3. Ibid. Also Diary of John Machyn
4. Coke XIII:70

1

Hence the election was made by the parish usually. In London the parson or vicar made the appointment (Canon of 1604).² In Hackney a dispute arose because both the vicar and parishioners elected a clerk, wherefore the vicar's clerk interrupted the parishioners in discharge of his office. Suit was brought in Kings Bench and the Jury gave their verdict in favor of the parishioners "because on the evidence the right of election did belong to the parishioners" A year later upon the resignation of the clerk, the Vicar's clerk was elected "on condition of good behaviour (he hath little or no means to support himself and family) of not exacting further fees or dues than hath byn accustomed."³

The wages paid to the clerk were usually very trifling, a few pence for each bit of work, at the most one of two shillings.⁴ Houghton-Le-Spring was very considerate of the tastes of their clerk, for in 1606 the following resolution was passed; "This day it was agreed by the xxiiij of this parish that the clarke shall have for Christmas duties his breade standing in as ample manner

1. Coke XIII:70 8 Jac I. Parishioners of St Alphage in Canterbury by custom ought to choose the Parish Clerk ...He who is clerk of the parish is removeable by the parishioners.
2. Codex 2 Surtees Soc. 84:191, Christie op.cit.170
3. Ibid 171
4. Item to the clerke for writing our business this last yeare xijd. Surtees Soc.84:27
For a marriage 4d: christening ijd, burial iiijd.

as hath beene hearetofore, or if he do not like the bread
of any to receive of such ijd in monye."¹ Five years later
it was voted that "the clerk shall from henceforth have of
everie plough within the said parish in lewe and full satis-
faction of his bowne at Christmas ijd in money yearly and
for his egges at Easter a penny."² In some parishes each
householder paid a rate of four pence a quarter which gave
the clerk in at least one parish we know of, a wage of six
pounds.³

The Sexton's or sacristan's duties were (1) to
keep the church clean, (2) to ring the bells, (3) to dig
the graves. He was elected by the parish, not annually,
however, as many officers were.⁴ Records of a parish in
Durham contain the following instructions to the sexton.
"...he is not to make any graves within the church without
leave of one or more of the churchwardens, to take the
pavement stones carefully up without breaking, to dig and
make every grave within the church a yard and a half deep...,
to sweep the church and seates every fortnight and cast
out the dirt and rubbish; to observe the accustomed howers

1. Surtess Soc. 84:286
2. Ibid 290
3. Hist MSS Com 4th rep. 54
Quoted also in Christie op. cit. 172
4. Surtees Soc. 84:311

for ringing the bells, on the Lord's dayes and at other meetings foreward and after the bells are now repayred the sexton to find the roapes after, and the money given at burials for ringing, each ringed to have his part, to dispose as he pleaseth soe it be not spent by wastefull drinking. To keep the spades and shovels for the making of graves for that use and no other: and carefully and duly to do all things else belonging to his place.^{"1}

Like the clerk, the sexton was paid a few pence for times he officiated plus "buns at Christmas and eggs at Easter yearly".

Some parishes had numerous other officers - beadle, hog reeve, aleconner, scavenger, which are interesting only because the names appear in New England but the officers there had important positions.

The parish as we have seen had an opportunity for practical practice in the parish meeting. It was a democratic organization, open to men and women of all conditions of life. The vestry was a representative organization.

1. Surtees Soc 84:311
2. Redlich and Hirst. English Local Government;31

"Parishes governed by Select Vestries remained comparatively few, and those few had been introduced into the large ...towns and the out-growths of London." It carried on an enormous bulk of work, tho it might have been more, had it not been for the Justice of the Peace.

Chapter VII.

Parish Finances.

The preceeding chapters have dealt with the numerous activities of an anomolous governmental-religious unit and its organizations. Of no less interest is the subject of the raising of the funds to cover the multi-fareous expenses;- for roads, and bridges, soldiers, queen's provisions, trips to London, church plate, food for the poor, constant donations to itinerant paupers, gifts to His Majesty, repairs to the church buildings, entertainments for visiting Bishops.

One cannot but be impressed with the unbounded generosity of the whole parish - not with the large bequests of a few which would be expected - and with the joy that seemed to be always connected with it. The days "accompte" were days of revels in the 15th century. "Comes Robeyer Hood and delivereth ivs.", "Come the Maidens", "Come the Hogglers", "Presented in the Kyngs Revyll",

"During the processions of the Croke alms were gathered -
¹
 two or three pounds" Gifts were made of rings and beads,
 kerchiefs and gowns for

"Ye ware bothe golde and good velvet
 Cloth of damaske with saphyres set;
 Ye ware the peryl on your head
 With stones full oryent whyte and read;
 Ye ware coronalls of golde"²

A custom too popular to be suppressed until the
 late 17th century was that of the "Ale Clark ale, Whitsun
 ale or potation, a celebration managed by the churchwarden
 which always netted good profits. So eager were the parish-
 ioners for this feast that in one parish an order was pass-
 ed "churchwardens shall yearly keepe an ale to the comodite
³
 of the parish upon payne of xxs. a year". One John Mason
 in Elham willed the proceeds of three acres of land to
 whomever would undertake the burden of getting up on "yer
⁴
 ale" annually.

These celebrations brot in large sums. In Mere,
 Weltshire, in 1559-61 the total wardens' receipts were
⁵
 21 1-5s.-7-1/2d., proceeds from the ales were 17 1-3s-1-1/2d.

1. Hobhouse 1, 27, 15
2. Squyr of Lowe Degre, p 33
3. St Gladstonbury. Quoted in Sedley Ware 73
4. Arch; Cant. X:66
5. Sedley Ware, p 72

Twenty years later the revenues amounted to 17 l-4s-7d. of which only a little over 4 l. came from ales. Cratfield was not content with one a year:

"Will Osforth res... of a church ale at pentecost...xs. ¹
Item res. of a church ale in hervest... ix.s.vjd." ²

Minstrelsy drums and Morris dancers increased the merriment. Parishes visited the ales of neighboring churches, or sent the warden as a kind of official delegate. ³

In 1609 proceedings were brot in the Star Chamber against one Robt. Allwell stating that he had made public and disguised shows and pastimes at their church ales where-

1. Cratfield 30, pate 22 (5 ales)
2. Sedley Ware, 71
3. Dodsworth MSS. Bodleian Lib. Quoted in Stephenson, 177

The parishioners of Elveston and Okebrook in Derbyshire, agree jointly, to brew four ales and every ale of one quarter of malt betwixt this (the time of the contract) and the feast of St. John Baptist next coming. And every inhabitant of said town of Okebrook shall be at the several ales. And every husband and his wife shall pay two pence and every cottager one penny and all the inhabitants of Elveston shall have and receive all the profits & advantages coming of the said ales, to the use and behoof of the said church of Elveston. And the inhabitants of Elveston shall brew eight ales betwixt this & feast of St John Baptist, at the which ales the inhabitants of Okebrook shall come and pay as before rehearsed. And if he be away at one ale, to pay at oder ale for both...

Carew-Survey of Cornwall. "Besides the neighbor parishes at those times lovingly visit one another and this way frankly spend their money together."

in they charactured the plaintiff and his friends." ¹ Accusations of too gross revelry and objectionable features as this just mentioned forced the government to try to suppress ales. ² Somersetshire refused to give in, until the Privy Council took a hand upon complaints of revels upon the Lords day. Orders were thereupon made to the clerks of assize to send copies of the order to every parish to be read by the minister yearly the first Sunday in February and likewise ³ the two Sundays before Easter.

Processions on Plow Monday usually brot in several ⁴ shillings. This celebration took place about the first of January "when the labour of the plough and other rustic toil begins". On this day the young men yoke themselves and draw a plough about with musick and some of them in antic dresses like jack puddings. They go about from house to house to gather money. If you refuse them they plough ⁵ up the ground before your door.

1. Hist MSS Comm. 3:57

2. Quarter Sessions Elizabeth to Anne, p 73

3. Rushville Hist. Coll. II. 1 a I

Church or parish ales revels may games plays & such other unlawful assemblies of the people of sundry parishes into a parish on the Sabbath day & at other times is a special cause that many disorders contempts of law and other enormities are there perpetrated & committed to the great profanation of the Lords Sabbath the dishonour of Almighty God the increase of...dissolute life and many other mischiefs and inconveniences of the Commonwealth. Order of Justice, July 1595

4. Reseyved on Plow Monday...vijs. Cratfield, 31

5. Cratfield, 31.

In mediaeval times parish plays were common, particularly on the feast of Corpus Christi. ¹ As late as 1600 ² we find churchwardens renting a stock of players costumes. Money was also made by the sale of silver, ³ the rent of ⁴ pews.

The investment of parish funds is as interesting as the methods of raising them. Parishes in Durham ⁵ invested their money in hogs and sheep.

"Even such kin as the parish heifers are to the town bull!" ⁶ Pittington had a particularly fine stint of sheep. Each year from 1584 to 1624 reports were made of the number in the flock and the location. Arrangements

1. Chambers, "Mediaeval Stage, Ch. XXI
Accounts of St. Laurence Reading "gadeynce of a stage play" Quoted in Chambers, 392. "For a pair of gloves for God Almighty," Hobhouse, 39. Snell, Social
2. St. Peter's. Hobhouse, 232. (England, 59
3. Arch. Cant. VIII, p 130
This is to certifiye that we...have sold a chalys of silver waying xij uz...The hole sum Lv is and the money have bestowed upon the reparcious of the stone bridge ...mending of a highway and reparcyous of the church.
Ibid V:56.
4. St Oswald, Surtees Soc. 84:119
Receipts for staules (iiiijd. each)
For seates of fourmes.
See also, Ibid, p 13n, 14 et seq. Int. VIII.
Ludlow Account:169.
5. Surtees Soc. 84:
Also Herts-Royal Historical Soc. VIII:233.
Received of Widow Ballard for rente of one of the Church Beasts...iiijs.
235: 237.
6. 2 Hen IV; II 2, 121

were made that "everie iiij pound rent within this parishe as well of hamlets ans townships shall gras winter and somer one sheepe for the behoufe of the churche."¹ The accounts for the year 1589 are typical of the profits from this source:

Item received for a weather lame sold in Durham, ijs. ijd.
Item rec'd of Nicholas Younger the xiiij day of June for a weather sold by him in winter... .. iijs. iiijd.
Item for a weather sold from Ludworth v July... vjs.
Item received for twee stone and fower pounds of woöl the v day of July... .. xis. iiijd.²
etc summa xLs. iiijd.

By 1624 the flock had dwindled to six wethers, ten ewes, five lambs and was sold for six pounds.

Fordwick in Kent, received an income from "church bees".³ Others invested in trades such as spinning and weaving.⁴ Trees from the commons were cut, split into boards and sold.⁵ Fairs were always remunerative. The Parish of Chagford in Devon bought from the lord of the Manor for L 10. the local markets and fairs subject to a rent of 16s. yearly which they had always paid as tenants.⁶

1. Surtess Soc. 84:15
2. Ibid. 26-27
3. Hist. MSS Com. 5th rep. 608
4. Cratfield; 148
5. Royal Hist. Soc. VII:312. Cratfield; 141
6. Sedley Ware, p 69

Nearly every parish had a certain amount of common¹ land beyond the glebe with which the vicarage was endowed. Cratfield was particularly wealthy in this respect. The farm of Benselens was rented out in 1611 for thirty years; "upon a consideration of L.20, viz L.13-6s-8d. in hand paid, L.6-13s-4d to be paid, L.1-6s-8d. yearly by equal portions at the usual feast during the said term of 5 years" "Yielding and paying moreover and besides L.7 a year and so yearly and every year during the said term of 5 years. Provided always that if Thomas Fiske or his wife father & mother to the said William shall happen to depart this life at any time within the said term that then the said William shall pay L.10 a year. If both of them happen to depart this life then L.13 a year"²

With the increase in the amount of poverty and decrease from the ales and festivals, rates were assessed. They were levied by the parish in meeting assembled but if they could not agree the constable and wardens might do it. Notice was to be given in church previous to such action. The rate was then, the first of local taxes. With the com-

1. E Anglian N S Vol I:181
Received from the town meadow (1576) xs.xixd.
Arch. Cant. IX:233
Rec'd...for two yeres farme of the church craffte.
2. Cratfield:140

ing of this prosaic form of getting money the time has come when the parish as a social center is no more. The Puritan in his new home did not wish his church to be this kind of an organization, but they carried to the New World the ideas gained from their experiences in England and there developed a new organization - the Town Meeting.

Chapter VIII

The Town of New England

Settlements in the New World had reached a period of security when the little flock of Pastor Robinson set forth. The Virginia colonists had passed the starving time and had survived the militaristic government of Dale. Their government was the parish system, which was readily adaptable to a widely scattered population such as existed owing to the large plantations, and was transferred directly from the mother country. Here was the vestry, the churchwarden, with all their powers of administration recognized legally by the House of Burgesses.

In New England certain titles are familiar, the Constable, Overseer of the Poor, Surveyor of the Highways, yet parish and churchwardens are not mentioned. There were townsmen whose name we met in East Anglia; tho here the word has a specialized meaning.

The Town Meeting has called forth much admiration and discussion. De Tocqueville in his "Democracy in America", (p.46-7) gives several pages to this form of administration even going so far as to say that "In this part of the Union the impulsion of political activity was given in townships; and it may almost be said that each of them originally formed an independent nation."

The town or township was a division of the land whose boundaries were marked with exactly the same care if with less revelry than in Merrie England.¹ Its government was by public meeting under the jurisdiction of the general court. Its function was civic and religious, educational and economic, in short to make a place goodly to live in even tho their homes were in a wilderness, whether they had been led by a "strongbent of spirit". These duties may be most clearly seen by grouping them under two classes, (1) those due to the general court, (2) those of local character.

The first class may be quickly disposed of . Two men from each town met with the court "to consider such

1. Plymouth Court Records, 164
Dedham III:61
Ipswich, 1640
Boston Town Records, 95

Matters as they were to take order in".¹ The number of such meetings varied; in 1634 there were four. "Many things were there agitated and concluded, as fortifying Castle Island..., prohibitions against tobacco and costly apparel and immodest fashions; and committees appointed for setting out the bounds of towns with divers other matters which do appear upon record".² And in this loose vague supervision of the superior body is the great distinction between the Town Meeting of New England and the Parish of old England.

Our interest in the town, therefore, lies chiefly in the management of local affairs, church, land, highways, trained bands, education, the care of the poor and a multitude of small matters, unringed hogs and unmarked cows.

The power of the towns to thus act was granted by an order of the general court March 3, 1635 which stated that "Whereas particular townes have many things which concern only themselves and the ordering of their own affairs and disposing of businesses in their owne towne, it is therefore ordered that the freemen of every town, or the major part of them shall onaly have power to dispose of

1. M C R. I:95
Winthrop's Journal: 122
2. Ibid, 132

their owne lands and woods with all the previledges and appurtenances of the said town...; also to chuse their own particular officers..."¹

Unlike the parish, the officers of the church and town were not the same;² Like the parish the town maintained close control over the church.

The church of these stolid Puritans was a very different place from that in which their ancestors had worshipped a century earlier. No silver chalices nor gorgeous vestments lent an air of richness and color to the service, nor money to the treasury. Plainness and sobriety of worship was the rule by which the soul of the New Englander was saved from the lust of the world. Mirth and grief and jollity have yielded their place to "loathed melancholy".

The meeting house no matter how barren was the center of the community both spiritually and politically and, therefore, must be kept in good condition. The town in its general meeting assumed this responsibility. By their order, the land was set apart,² the site chosen,

1. Church officers were the Pastor, Elders, and Deacons who admitted members. Permission to start a new congregation had to be secured from the magistrates. Winthrop's Journal I:177
Plain Dealing -3 . Mass Hist Coll. III:69 et seq
Early Laws of Mass. 95. Mass Hist Coll VIII:234-7
2. Dedham III:92
Cambridge 94-95
Dorchester I:54

the building erected,¹ and repairs made.² In Dorchester the question of seating was given by the town to church officers,³ but in Cambridge it was voted that the Elders, Deacons and Selectmen should be a joint committee for doing this.⁴

On Sunday everyone had to be at service, by order of the general court.⁵ That there might be no excuses for evading this rule the same decreed that no house should be built more than a mile from the meeting house.⁶ The younger generation of church-goers needed to be watched, for Selectmen were appointed to "take oversight of the boys in the gallereyes"

Then it became evident that too much time was spent by persons in going to church, the "minister with the advice of the Magistrates and with the consent of their congregations did agree to reduce the number of lecture days to two."⁷

In the early days, membership in the church was a necessary condition for admission "to the body politicke".⁸

1. Dorchester I:243
Dedham III:113
2. Cambridge, 85
Ibid 86-112
Watertown, 18
Dedham III:135-187
Ibid IV:3
3. Dorchester, 4
4. Cambridge, 127
Watertown, 94
Dedham IV:1
Worcester, 206, Quoted in Howard, 73.

5. M C R. I:140
6. " L:157, 181
7. Winthrop's Diary I:135

8. M C R. I:87

When this was abandoned it meant the bringing in of a new era, separation of church and state.

Another condition was ownership of land and since membership in the commune entailed responsibilities on all the citizens, it is not surprising that they were careful in the management of it. The town records are full of stories of attempts and experiments as to the best way to handle the situation. It was a problem the parish had to face in a different way. There the land owned by the parish¹ was part of its endowment for parish expenses. The ownership by individuals was settled. "Commons" were found in many a district.

It was natural that these seekers of Utopia should have thought that the ideal plan would be to hold all the land in common. This was tried in Plymouth but given up after four years of experiment. Common pasture for the cows was the property of almost all the towns. In Dedham the payment of 13s. 4d. gave the owner the right to pasture two cows forever. To a few who had purchased the land² for the town, the privilege was given to pasture three cows.

1. Vid supra p 97
2. Dedham, 217

Salem reserved the Neck for feeding of the cattle on the Sabbath. Individuals were forbidden to feed their goats there on week days, but were required to drive them to one of the larger Commons so that the "grass upon the Neck land might have a chance to grow for pasture on the Lords Day."¹

"Common" property included also the timber on the towne land.² If taken without the consent of the town it had to be forfeited³ or a fine paid.⁴ Firewood could be taken from the Commons, only from such trees as by reason of the "Rottennes, crookedness or other defect ar unfitt for Timber"⁵, and, "considering the present deepe smowe if any man shall lend Timber neer the same shall have as much layd upon his Lott by the Town afterward when they shall require the same"⁶.

As the settlements grew and relations became more complex it was found necessary to divide the land. In 1624 Plymouth tillage lands were divided, one acre to each person, as Bradford says: "That they might therefore increase their tillage to better advantage, they made suit

1. H. Adams in Essex Hist. Coll. XX:60
2. Salem 1636 "reserved for the Commons of the town to secure it for wood and timber."
Essex Hist. Coll. XX:55
3. Ipswich, April 20, 1635
4. Cambridge, 131 Dedham III: 25
5. Ibid III:15
6. Ibid III:38

to the governor to have some portion of land given them for continuance and not by yearly lot, for by that means that which the more industrious had brought into good culture (by such pains one year, came to leave it the next and often another might enjoy it; so the dressing of their lands were the more slighted over and to less profit; which being well considered, their request was granted.¹ Other divisions were made in 1627 of twenty acre lots and in 1651 varying from five to one hundred acres.² This did not interfere with their sheep commons which remained town property until 1784.³

It is interesting to follow the working out of the scheme of Dedham. In their petition to the General Court for a charter, article I stated "May it please this Honour- ed Court to Ratifie onto your humble petitioners your grant formerly made of a Plantacion above the Falls that we may possess all the land which is left out of all former grants upon that side of the Charles River, and upon the other side five miles square. To have and enjoy all those Lands Mead- ows Woods and other grounds together with all the Waters

1. Quoted in Plymouth Town Rec. Intro. XIII
2. Plymouth Town Rec. XIV
3. Ibid 314. "Inhabitants of said town have subscribed to an agreement to have their sheepe kept in a general flock on the said perpetuall comons and to build a house for the shepard to dwell in."

and other benefits what so ever now being on that may be within the Compasse of the before said Limits to and with our asociats and our assignes for ever.

"3. That such distribution of Allments of Land Meadows wood, etc. within our said limits as ar done and pformed by the grantees their successors or such as shall be deputed there unto: Shall and may stand for good assureance with the severall possessors thereof and their assignes for ever."¹

In accordance with the petition granted by the General Court, the first meeting of the town granted "Lotts for sevrall men" each containing twelve acres.² And further "every man that hath an whole Lott shall have acres of meadowe as he hath of upland in his first grant an house Lott, and pli of such meadowe as adjoyneth such Lot shalbe possessed by ye same man & what falls shorte³ is to be supplied els where."

The measuring of the lots seems to have been de-⁴layed and at a town meeting in 1639 it was "concluded as Followeth viz: That those whose names are hereunder writ- ten by ye Free Choyce of Ye whole Towne shall appoint and

1. Dedham Town Rec. III:1 Similarly, Dorchester Rec. I.
2. Dedham Town Rec. III:20
3. Ibid 21. Similarly, Watertown, 4
4. Dedham Town Rec. III:36

order unto every man his parcell of Meadowe which is yet unlayed out, unto whose order the Townsmen generally professe that they will firmly stand fully satisfied without complayning or disquiet howsoever the seyd men shall order their sayd parcells of Meadowe.¹"

Not only was the original grant made by the town but no sale could be made except upon such conditions.² This was a check upon promiscuous immigration particularly of those who might be a financial burden to the town. Yet they "refused not men for their poverty".³

Their management of land is an excellent example of new development from an old suggestion; in maintaining the highways they transported almost completely the method and officers with which they were familiar, omitting only the Justice of the Peace who was usually supervisory in theory only as we have seen.⁴ The General Court maintained the privelege of giving permission or sometimes requesting a bridge to be built.⁵ Usually each town took the complete charge of both bridges and highways.⁶⁷

1. Dedham III:54
2. Boston Town Records, 34, 37 Richard Wright hath sold 130 acres without consent of Town allotters...and he is therefore to pay a fyne to the Townes Stocke...sum of 6 l."
- Also Cambridge, 24, Braintree, 2
3. Weeden, Vol 1, p 54
4. Vid supra p.81
5. M C R. 100
6. 3 Episodes Mass Hist.
7. Cambridge, 113
Dedham, 71, 73, et seq
Cambridge paid for a ferry - Town Records p 65l.

Road making was a more complicated matter in the woods of New England than had been the maintaining the highways in old England. Yet necessity for communication between the colonies, "comfortable egress & regress" for foot forced each town to at least keep an Indian trail cleared,¹ and Plymouth boasted a "Kinges Highway". Even this was layed out "ffrom our Towne to a heape of stones att our New street and on the westward side of the old way; from thence to a heape of stones at the first broke on the southwest side and a Rocke on the northwest syde and an heape of stones on the southwest syde to strawberry hill...to a sapling marked..."²

The work was given over to an individual or small group. The Surveyor of the Highways who called out all "Male Inhabitants capable of workeng"³ to give certain days work. Even conscientious New Englanders seemed to have neglected this⁴ "trust comitted to them", "to the damage of the Town the discouragement of the surveyors and evill example to others". It is therefore ordered that such of the said inhabitants as ar at this present time behind

1. Plymouth Records 153. Braintree Rec. 2, 3, Dedham III:36 Watertown, 5.
2. Plymouth Records, 177
3. Plymouth Records, 152
Dedham, 147 & 149, three days work.
4. Dedham, 155 "names of such as are behind in the high ()
(22 names)

in their high waye worke aforesd. shall paye for those
thair neglects for every day 2s. unto the Constable for the
use of the town in Merchantible Corne at the currant price
except the sd persons can compound with the surveyors for the
time being to thair satisfaction who shall not accept less
than 8 hours for one days work...and for the neglect of
teams they are allso hereby enioyned to paye to the Con-
stable for every days neglect of 4 bullocks, one man and
a cart 6s. For the days neglect of 2 bullocks one man: &
a cart 4s.¹

Anyone obstructing a highway by felling any tree
or trees crosse or into any such waye either by the body
or Toppance doe not forthwith before he or they depart from
the same fully & sufficiently take the same away and cleere
the way, he shall paye and sattisfie for every tree so fell-
ed...the sume of Two shillings."²

All land abutting on a high way had to be fenced
to the satisfaction of a committee chosen for that purpose
by the town which made careful regulations as to height and
material.³ Residents were also expected to fence in their

1. Dedham III:122

2. Ibid : 14

3. Ibid : 37 M C R. 106. Plym Ct Orders 59.

"...four feet except such fences as ar or shall be
made of stones...which shall be allowed sufficient at
the hight of Three foote and one half."

Watertown, 28. "Agreed that 4 rayles or something
equivalent to 4 rayles shall be accompted a sufficient
fence."

lots, " and if any shall refuse or neglect to make their fence about their gardens betwixt his neighbor and himself wherby any loss or detriment doth accrue to his neighbor upon warning thereof given hee that hath the damage shall cause the said fence to be made and thother to pay him what he shall disburse about it and if he refuse to pay it, then his goods to be distrayned for it." ¹ On the other hand, if any should enclose any part of the Commons, their fences must be immediately removed. ²

Watch and ward was a much more serious matter in New England than in the old world for as Captain Johnson wrote home "the inhuman and barbarous Indians would be continually quarelling and contending...and withal that... providence had cast them unto four several colonies. ³ However, it seems to me the settlers were more successful, perhaps because they realized the seriousness of laxity on their part.

Whenever there was danger the General Court suggested to the towns the number of men and the hours they should watch, for example, at one time they voted that there

1. Plymouth, 5
2. Ibid 271
3. "Wonder Working Providence", 182

should be a watch of four at Dorchester, and four at Water-
town.¹ Later similar orders were given to Boston, Charlestown
and Roxbury.² Plymouth appointed two men as masters of the
watch, who were to take alternate weeks, but as in the rais-
ing of the hue and cry by the Constable, all were responsible
to help these men.³ If a beacon was fired from a place in
need a group of ten or twenty men were sent from each town.⁴
Dedham had a watchhouse in 1648 but until that time the
meeting house was used for that purpose.⁵

Trained bands were much more carefully organized
than in England. "They are very diligent in trainings of
their souldiers and military exercises and all except Magis-
trates and Ministers bear armes or pray for to bee excused"
wrote Lechford.⁶ Each town had to furnish its own company
whose captain was chosen by the General Court.⁷ Orders were
given in 1631 that trainings were to be held each Saturday.⁸

1. M C R. 86
2. Ibid. 90
3. Plymouth, 15
Watertown, 56
Cambridge, 352. "It is ordered that every Constable shall
present to one of the...magistrates the name of every
person who shall uppon lawfull warning refuse or neglect
to watch and ward..."
4. Plymouth, 18
5. Dedham. 123; Plymouth, 16.
6. "Plaine Dealing", 95
7. M C R. I:190-191
8. Ibid I:84

but the next year this was changed to a monthly meeting;¹
in 1637, three to eight times a year.²

Every person was ordered to be furnished with good and sufficient arms, those that want and are of ability to buy them themselves, "others that are unable to have them provided by the town". All persons were to "Come to public assemblies" with their musketts or other pieces fit for servise furnished with match, powder, bullets upon paine of 12d, for every default, Nor was any person to travell above one mile from his dwelling house except in places where other houses are neare together without some armes."³ In 1637 the order for bringing arms to the meeting house was repealed.⁴

Each town had a training field.⁵ where, reported John Dunston, "being come into the field the Captain called us all into our close order, in order to go to prayer, and then prayed himself. And when our exercise was done, the Captain likewise concluded with prayer. I have read that Gustavus Adolphus...would before the beginning of a battle kneel down devoutly at the head of his army and pray to

1. M C R. I:102
2. Ibid I:210
3. Ibid, 190. See also Plymouth, 6
4. Ibid I:210
5. Dedham
Watertown
Plymouth Town Rec, 179
Boston

God the giver of victory...; and that he was as careful to return thanks to God for the victory. But solemn prayer in the field of training I never knew but in New England, where it seems it is a common custom. About three of the clock both our exercise and prayer being over, we had a very noble dinner to which all the clergy were invited.¹ Perhaps these people had not forgotten, as much as we sometimes² think, of the way to revel as their ancestors before them.

Necessity forced them to train the boys for service which had not been necessary in England. The court ordered "that all youths within this jurisdiction from ten years old to the age of sixteen years shalbe instructed by some one of the officers of the band or some other experienced souldier whom the chief officer shall appoint upon the usuall training dayes in the exercise of arms, as small guns, halfe pikes, bowes and arrows...provided that no child shalbe taken³ to the exercise against their parents minds."

Not only were such matters which are distinctly governmental managed in a marvelously democratic way as we shall see, but the tyranny of the majority is nowhere more

1. Life & Errors in M? H. C. II:107
Quoted in Howard, Local Government, 345.
2. Vid supra p 94
3. M C R. II:99. Quoted in Howard, 349.

visable than in the oversight of small matters.

No hogs were to go unringed,¹ cows were not to be allowed along the highway without a keeper,² nor could a townsman repair his house unless the Townsmen so agreed.³ "And, whereas dreadful experience shews the inevitable danger and great loss not only to partie: persons, but also to the whole town by the careless neglect of keeping chimnye clean from sudd and want of lathers in time of need the select townsmen taking the same into serious consideration doe therefore order that enie person inhabiting within the bounds of this towne before the 10th of the next mo; provide one or more Sufficient lathers at all times in a readiness to reach up to top of his or there house and forth with and at all times here after see that there chimnies be kep clean sevept at least once enie mo. upon the penalty of two shilling sixpenc. for evrie months neglect herein."⁴ The Town kept one in the Meeting House and it proved to be so convenient that Dedham was forced to pass an act forbidding its removal except in "cause of fire upon sume house"⁵

1. Cambridge 128-143, Dedham, 6.
M C R. I:86
2. Watertown, 113, Plymouth, 5.
3. Vid Supra, p 108
4. Cambridge, 88; Watertown, 113; Dedham, 7.
5. Dedham, 19.

It is not surprising to find both the Town¹ and the General Court attempting to control even the wages for this had been done in England and it was entirely in harmony with the functions of the government as there conceived. The first act was in 1630, which ordered "carpenters, joyners, bricklayers, sowers and thatchers shall not take above 2s. a day nor any man shall give more under paine of xs. to taker and giver..." In the following March the court ordered that whereas the "wages.... were by order of the Court restrayned...shall none be like free & all libertie as men shall reasonably agree."² But the order was reŕnacted in 1633.³

Prices of goods were closely watched.⁴ Trade was

1. Mass Col Records I:74
Boston, 5; Dorchester I:51.
2. M C R, 84
3. Ibid, 109
4. Plymouth Court Rec. 137. Cambridge, 114
Thomas Clark for extortions in buying a pair of boots and spurs for xs. and selling them again for xv is fined xxxs.
Ibid. On Stephens upon his presentiment for selling a looking glass for 16d. the like whereof was bought in the Bay for 1xd, is referred to further information.
Mass, Ct. Rec. 223.
Whereas there hath been divers complaints made concerning oppression in wages in prizes of commodities....
Ib. lll. "...no person shall sell...above the rate of 4 pence in a shilling more than the same cost or might be bought in Eng...."

permitted only by permission of the General Court, for instance, no trade was allowed with the Indians¹ and no person shall buy corne or any other provisions or merchantable commodity of any shipp or barke that comes into the bay without leave of the government or some other of the assistants.²

No person could sell cakes or buns "upon paine of xs. fine...unless made for any burial or marriage."³ And that "divers pore people who would willingly content themselves with meane dyot are forced to take such dyot as is tendered them at 12d. the meale or more it is now ordered that every keeper of such inn or comon victualing house shall sell such victuals as they shall call for and not force them to take more or other than they desire....be it never so mean and small in quantitie."⁴

Every town had to provide weights and measures which the Governor sealed.⁵ It was ordered in 1637 that the marshall, taking with him a cowper shall with convenient speed give notice to the constable of every towne to require all

1. M C R. I:83
2. Ibid, 88
3. Ibid, 214
4. Ibid, 214
5. Ibid, 87
Watertown, 9

the inhabitants to bring their measures and weights to a certain place and at a certain day: & there with the assistance of the said cunstable hee shall try all the said measures and weights & make them even and so set a seale upon them & for his paines hee shall have of the owner of the weight or measure two pence for every measure & a penny for every weight or yard that is defective or too great & if any weight or measure bee so defective as hee cannot amend it, hee is to breake or deface it: & whosoever shall sell by any other weight or measure, hee shalbee punished by the discretion of the Court wheance it shalbe complained of."¹
²
 The towns, however, seem to have paid for the sealing.

As in England, the town paid bounties to rid the country of blackbirds, foxes and wolves.³

To summarize: The town like the parish was interested in both secular and religious affairs. Both attended to the building and care of the church and saw to it that members were in their places on Sunday. The difference may briefly stated by saying that the churchwardens were origin-

1. M C R. 224
Plymouth Ct Rec, 1648
2. Cambridge, 198
Plymouth, 285
3. Watertown, 5, 93-97, et seq.
Dedham, 191
Plymouth, 16, 131 et seq.
Winthrop's Diary I:111

ally ecclesiastical officers who took upon themselves governmental duties, while the town was from the beginning an all embracing unit in which the church activities were only a part and whose administrative duties became more and more important.

Both units - town and parish - had to keep the peace, tho as we have said, it was more successfully done in New England. Attending to the roads was managed in much the same way. Military affairs were carried on in New England with greater uniformity, without a Lord Lieutenant, tho the General Court was continually passing orders of a similar nature. Land regulations were vastly more complex in the New World owing, of course, to the economic situation. The parish was never so anxious to regulate the intimate personal affairs as was the town. In the last chapter on the organization of the town will be seen discussed at greater length the town officers and the meeting.

Chapter IX

The Town and the Poor

One would not look for poverty or pauperism in New England Colonies. Indeed Captain Johnson wrote in 1642, "...You have heard in what extream penury these people were in at first planting for want of food: gold, silver, rayment, or whatsoever was precious in their eyes they parted with (when the ships came in) for this their beast that died, some would stick before they were cold and sell their poor putrid flesh for food at 6d. per pound, Indian beans at 16s. per bushel when ships came in, it grieved some master to see the urging of them by people of good rank and quality to sell bread unto them. But now take notice how the right hand of the most high hath altered all, and men of the meaner rank are urging them to buy bread of them and how good white and wheaten bread is no dainty but even ordinary man hath his choice, if gay clothing and a liquerish tooth after such sugar and plums lick not away his head too fast, all which are but ordinary among those that were not able to

bring their owne persons over at their first coming: there
there are not many towns in the County but the poorest per-
son in them hath a house and land of his own, and head of
his own growing, if not some cattle¹."

There is no doubt that after the first few years
of struggle, fur trading, fishing and agriculture started
prosperity on the way. Most of the colonists were ambi-
tious, "noe idle drones bee permitted to live amongst us"
says the general court yet early in the records appear evi-
dences of unfortunates as in any group. Particularly in a
communistic settlement a loafer had a golden opportunity
to be fed at slight personal inconvenience, tho it would be
manifestly unfair to imply that many were of this character.

The following letter from the company in England
for the planting of the Colony on Massachusetts Bay shows
their attitude toward individual effort, tho I doubt if this
was ever carried out:

"The charge wee are at in sending over servants for the
Company is very great the recompense whereof (under God) de-
pends upon their labor & endeavours: & therefore our desire
is that you appoint a careful and dilligent overseer to each

1. Wonder Working Providence. 173-4

familie who is to see each pson employed in the business
hee or they are app't for. And to the end both yourselves
there and wee heere may from tyme in tyme have notice how
they imploy their tyme wee have sant you divers paper books
which we pray you to distribut to the said overseers who are
to keepe a perfect register of the dayly worke done by each
person in each familie.¹

That there were poor is evidenced by the earliest
town records. Yet the problem attained no such proportions
as in England. No rogues or vagabonds or connycatchers
hung around the towns eager to entrap the "gull" by clever
tricks at dice for the towns were only country villages and
the pious New Englander didn't play cards. Cold and hunger
and illness were the arch enemies.

As in the parish, right to relief was established
by legal residence, hence great care was taken to admit
members. The town had a much better opportunity to restrict
newcomers. Townsmen were not even allowed to entertain those
who might be a burden, as the following extract from Water-
town records show: "A writing was sent to the Constable to

Ould Hamond to lett him know that contrary to the order of the Town he had entertained in to his family such a pson as is likely to prove chargeable , doe therefore desire him to rid the town of such an incumbebrance or otherwise bear the burthen thereof himself."¹ The Court had the right to "dispose of all unsettled persons into such townes as they shall judge to bee most fitt for the maintenance of such persons and families and the most ease of the county".²

When a case arose, it was noted in town meeting to make a contribution. In the early days a committee was appointed which went thru the township collecting what they³ could for the individual need, money, food and clothing. In Watertown the village even helped a fellow townsman finish his house.⁴

Very few instances have come to us of bargains between town officers and persons who were to cure their charges of diseases as they did so often in England.⁵ Braintree had one difficult case, a person named Abigail Neale whom they boarded around even paying five pounds to a man in Roxbury "provided he give the town no further trouble

1. Watertown Town Records:66
2. M C R: I:264
3. Plymouth, 11
Watertown, 88, 89-94 et seq.
3 Episodes, Mass History, 724.
Boston, 149
4. Watertown, 88
5. Vis Supra p

about her". But the question was not settled. Seven years the payments continued until finally they bargained with Samuel Bullard of Dedham or Dorchester that he should take her and keep her for 18d. a week if he cured her he should have ten pounds, if he failed to cure her only 20s.¹ The New England Ladies Bountiful did not have to dole out alms to those with a pass.

It is interesting to note the constant references to drunkenness, for these men were surely fond of the cheering cup. A tavern seemed to be most alluring and no doubt conducive to idleness. To prevent this the General Court ordered the town constable to see that no "man shall lodge or remain in any such inn or comon victualling house longer than for their necessary occations upon payne of 20s. for every offence both for the housekeeper and the person abiding there contrary to this order"² It reminds us of the attempts of the early Stuarts to "repress the loathsome sin of drunkenness".

The same plans for the care of children were followed both by parish and town, i.e. by apprenticing which was the easiest way of giving a child a home, of giving help to a

1. Three Episodes Mass. History. 726
2. M C R; I:213-14

family and shunting all further responsibility from the citizens.

An apprentice had to render service to his master in return for clothing, food and shelter. Girls were taught to read and spin, knit and other housewifery. At the expiration of the term, the child received two complete suits of clothing and a good cow or sheep or a sum of money.¹ Boys were taught a trade.

Funds to carry on poor relief were secured (1) from endowments given for that purpose or (2) from rates. When Edward Winslow arrived in Plymouth March, 1623-4, bringing the first cattle into the Colony, he presented a heifer as a gift for the benefit of the poor.² This was the beginning of their poor stock.

In towns where there was no such fund, a rate was levied or it was included in the ordinary rate. The proportion spent for this purpose was dangerously large, for instance, Watertown granted a rate one year of seventy-four pounds of which twenty pounds was for the poor.³

When the matter became thus complicated special

1. Watertown, 87
Proc. Mass Hist Soc. XV; 2-3
Plymouth 12
2. Plymouth, 3 n 2.
3. Watertown,

officers were elected - Overseers of the Poor - whose duties will be discussed in the last chapter.

New England used the same officer to take care of the poor as did the parish, but the problem was of a less pressing nature hence in this case the English organization was more used even if neither of them did much of a constructive nature.

Chapter X

The Town and Education.

It is significant that the first recorded business of the town of Braintree had to do with school land. Before 1640 Massachusetts had public schools, a printing press and a college. In 1647 the Court passed an act that each town of 50 householders should establish a school.¹ Attention to religion and government did not precede that given to education, and it is interesting to find in the 19th century these same traditions being carried by the inheritors of New England ideals forward into the great new west, particularly into Ohio and Illinois.

Various suggestions at once offer themselves as explanations of this interest - first that these sojourners brought with them from England knowledge of a parish school, as we have seen,² however heterogeneous the general educational system may have been. No doubt too, their experiences in Holland had given them a stimulus to work for their children's

1. M C R; III:203

2. Vid Supra p

betterment, for one of the reasons given for their leaving that hospitable country was that the sons and daughters had been forced to work and were forgetting their English customs.¹

Another influence at work was the number of university trained men, mostly from Cambridge. By 1642 says Professor Jernegan, "twenty one towns had been founded in Massachusetts and the population had increased to 9000. Most of them had a church and a settled minister who was a university graduate." By 1650 he estimates that there were nearly 100 such men, one to every 200 emigrants.² It was no accident which gave the name Cambridge to the town, indeed it was only accident that Harvard was not called Cambridge University.

A tract published in London called "New England's First Fruits" says "After God had carried us safe to New England we had builded our houses provided necessaries for our livelihood rear'd convenient places for God's worship and settled the civil government. One of the next things we longe for and looked for after was to advance learning and to perpetuate it to posterity dreading to leave an illiter-

1. School Review XXIII:330
2. Quoted in Ibid

ate ministry to the churches when our present ministry shall
lie in dust."¹

As we noticed occurring in England, so in the New
World the meeting house was the logical place for the first
school to meet.² Indeed Dedham had no building until 1651,³
Plymouth, 1672.⁴ So closely connected was education and re-
ligion one sometimes wonders as they read accounts of the
school exercises whether this was school or church.

School hours were from seven in the morning until
five in the afternoon from the beginning of the first month
until the end of the seventh month "and for the other five
months, he shall begin at 8th of the clocke in the morning
and end at four in the afternoon."⁵

The children were taught to read and write, to
cipher, a little Latin, good manners, catechism every week
at the time and day set by the town.⁶ "And the second day
in the weeke he shall call his schollers together between
12 and one of the clocke to examine them what they have learn-
ed on the Sabath day preceding."⁷

1. 7th of the 11th month, 1650.

It is ordered and agreed that Mr Rich. Norcroffe doth
intend to begin his employment for the teaching of the
young ones...at the meeting house the next second day"

Watertown, 21

2. Dedham, III:182

3. Plymouth, 124

4. Dorchester.

Quoted in Howard, 20

5. Watertown, 21

Plymouth, 140

6. Dorchester, 55.

Quoted in Howard, 70

7. M C R.I:328

Catechising was by far the most important part of an education, even in the General Court in 1641 "desired that the elders would make a Catechisme for the instruction of youth in the grounds of religion."¹ At this time John Cotton wrote his "Spiritual Milk for American Babes", which with the Shorter Catechism² were the usual texts used. Besides the Catechism there were primers and A B Cs and Dialogues whose purport was to inculcate virtue, which were combined in the New England Primer, that famous school book, the only text used for a hundred years and for another hundred frequently reprinted, tho it was often revised.

Watertown seems to have been the first to inaugurate a survey.- an inspection of the results of their educational system-- for the selectmen agreed that they would go "two and two together: to goe throw the towne to examin how children are taught to reade: & instructed in the grounds of religion & the Capitall laws."³

The town kept a careful eye on the school - in all its phases - tho it entrusted the management usually to a group of persons called feoffees in Salem, wardens in Dor-

1. Ford, "New England Primer" 38-41
2. Watertown, 86
3. Vid Supra Ch VI.

chester, an interesting recurrence of a word which was so familiar to them in England.¹ These officers were elected for life or as long as they remained residents of the town.² These men to again quote the Dorchester records "shall have power to dispose of the Schoole stock...: and shall Collect and Receive the Rent...And the sayd rents...shall employ and lay out only for the best behoof and advantage of the sayd Schoole;...and shall give a faythfull and true accounte of there receipts and disbursements so often as they shalbee therunto requested by the Inhabitants or the maior p'te of them".

"...the sayd wardens shall take care and doe there utmost and best endeavour that the sayd Schoole may fro tyme to tyme bee supplied with^{an}able and sufficient Schoolemaster who neethlesse is not to be admitted unto the place of Schoolem^r without the General cosent of the Inhabitants or the maior p'te of them."³

The wardens were also to act as a board of arbitration to settle difficulties between the parents and the Master as the following extract shows;

1. Vid Supra Ch VI
2. Dorchester, I:54
3. Dorchester, 54-6. Quoted in Howard. 69.

"And because the Rodd of Correction is an ordinance of God necessary sometimes to bee dispenced unto children but such as may easily be abused by oumuch seutie and rigour on the one hand or oumuch indulgence & lenintye on the other It is therefore ordered and agreed that the schoolmaster for the tyme being shall have full power to Minister Correction to all or any of his schollers without respect of p'sons according as the nature and qualities of the offence shall require wheteto all his schollers must bee duly subect and no parent or other of the Inhabitants shall hinder or goe about to hinder the master therein. Nevertheless if any parent or other shall think their is iust cause of Complaynt against the master for to mach seiutye such shall have liberty friendly and lovingly to expostulate with the master about the same if they shall not attayne to satisfaction the matter is them to be referred to the wardens who shall unp'tially judge betwixt the master and such Complaynants." ¹

Funds were raised as in England by fees, bequests and rates. In Watertown the fees were 3d. a week for those

1. Dorchester 54-6. Quoted in Howard, 69.

who studied English, "and such as write or Lattin shall
 pay 4d."¹ The agreement at Braintree was that each child
 should give a shilling a quarter and carry into the Schoole-
 master halfe a corde of wood.² The salary of the teacher
 was in addition to this, twenty pounds.³ This was the a-
 mount paid usually,⁴ the Cambridge paid forty pounds.⁵ Per-
 haps this town could do so well because of the endowment,
 for part of the Commons were sold, with this proviso,"it
 shall not prejudice the cow common".⁶ The usual method was,
 however,⁷ to lay a rate.

The school system of New England was uniformly
 carried on thru the town while that of England can hardly
 be called a system so various were the schemes. In both
 places the church supervised the education of the children
 thru qualifications of the master and the contents of the
 curriculum. And New England adopted the same form of gove-
 ernment, i. e. thru feoffees.

1. Watertown, 26. Also Dorchester, 54
2. Three Episoces Mass. Hist. 769-70.
 In case parents could not afford to pay this, arrange-
 ments were made either to remit, as in Brookline, Brain-
 tree and Plymouth or the selectmen paid it as in Salem
 and Watertown. See Jackson, "School support of Mass.
 pp 31-34.
3. Braintree, 9
4. Dedham III:135. Dorchester I:39
5. Cambridge, 106
6. Ibid, 77
7. Boston, 125
 School Review XXIII:361
 Jackson. op. cit. Ch. IV

I have said nothing of the education of women for in this period her intellect was not considered worthy of the attention given to that of her brother. One New England meeting decided to vote whether or not girls be taught in the schools,¹ but there is no evidence that this was decided affirmatively. They were relegated to Dame schools, where they made samplers and wax flowers. It was a century later and in a new and more fertile land that opportunities were given by these pioneers to an equal share in education, which England has never done.

Construction 1

1. Dedham, 1652, p 202.

Chapter XI

Organization of the Town

The business of the town was carried on by all the inhabitants in meeting assembled. The eligibility list was made up of those whom they deigned to admit to the town,¹ the Early Laws of Massachusetts notwithstanding.² Boston admitted William Douglas, "he behaving himselfe as becometh a Christian man",³ and Dedham with equal magnanimity consented unto that libertie shall be allowed him (a petitioner) to hyer or purchase some habitation to dwell in so long as his behaviour and carriage be honest, industrious and

1. Ipswich, 1634. "That theire shall noe farriner amongst us come into our meetinge unless he will subject himself unto the like orders and penalties that we the freemen of the Towne have established for our own peace & comfort in our meeting."
Cambridge 155, "...Townsmen not seeing meete to allow him as an inhabitant in this Towne".
Also Boston, 58...Dedham III:20
2. Mass Hist Soc, 28:218 "Every man whether Inhabitant or foreigner free or not free shall have libertie to come to any publique court, Councel or Town meeting and either by speech or writing to move any lawful, seasonable & material questions or to present any necessary motion complaint, petition Bill or information whereof that meeting hath proper cognizance sh it be done in convenient time due order & respective manner.
3. Boston, 55

peaceable."¹ Whether a purchaser of land was by that act a townsman was discussed in Dedham, the solution being finally left to the Selectmen.² By an act of the General Court (1631) "noe man shall be admitted to the freedom of this body politicke but such as are members of some of the churches within the lymitts of the same".³

Meetings were held at varying intervals. Boston for a time met weekly; Plymouth had five during the year 1642;⁴ two during 1660;⁵ Cambridge voted to have monthly meetings but the plan does not seem to have been carried out.⁶ After the plan of electing townsmen was adopted, annual meetings of the town were held, monthly meetings of the smaller body.⁷ When the town was small, it seems to have been customary to gather in one of the homes, but as the population increased,⁸ the Meeting house was the place.

Summons to the meetings were either public or private.⁹ In the latter case warnings were made from house to house.

1. Dedham, III:129
2. Ibid, 129, 135, 192
3. M C R, I:87
4. Plymouth 11, 12, 13, et seq.
5. Ibid, 44-6
6. Cambridge 4
7. Dedham, III:75 et seq. Among other examples might be given Dorchester I:80.
8. Ibid. III:21
9. Boston, 65, 90.

At the hour appointed, the drum called the men or the bell was rung. Those who delayed more than half an hour were fined one s. in Dedham: if absent for the whole time, 2s.6d.¹ Plymouth fined absentees 12d.²

The chairman was the Moderator elected at the meeting.³ Voting was done by ballot.⁴ The business was indeed enormous because of the detailed nature of its functions - questions of policy were discussed, the erections of buildings, church, school, watch house, admittance of newcomers, apportioning of land, military defense, Indian problems, trade, all this we have seen. Here the officers were elected and reports heard from those leaving office;⁵ nominations made for the Magistrates, County Treasurer and deputies for General Court.⁶

It was soon discovered that it was not altogether advantageous to have so many people discussing affairs as the Dedham reports say: "Nane wasted much tyme to noe small damage and business thereby nothing furthered. It is therefore nowe (1639) agreed by General consent that these 7 men

1. Dedham III:30
2. Plymouth, 20
3. Howard, Local Government p 64. In Boston elected as an annual officer. Acts & Resolves II:30. Quoted in Howard, Ibid, n. 3.
4. Winthrop's Diary, I:143
5. Cambridge, 100
6. Dedham III:53, Similarly Plymouth, 29. Dorchester I:61
- 7.

heerunder named we doe make choice of and give them full
 power to contrive execute and perform all ye business and
 affayres of this our whoel towne. All the towns had a group¹
 called the Townsmen or the Selectmen, or the Seven, tho the²
 number varied. Dorchester chose ten men to hold office six³
 months for "ordering" the affayres of the Plantation and at⁴
 the same meeting elected five men as Raters. The next year⁵
 twenty men were chosen. Cambridge elected seven then⁶
 nine and finally reduced to seven. (Watertown II:p 4) all⁷
 of which goes to show that there was a definite policy in⁸
 the minds of the colonists but that there was constant ex-
 perimentation.

The general town meeting decided the time and place
 the Selectmen should meet usually monthly sessions in or
 near the meeting house.⁹ Persons having business with them
 knew when and where to find them. To these men were first¹⁰
 taken all matters upon which the townmeeting was to vote.

1. Cambridge 112
M C R.I
2. Cambridge II
3. Proc. Mass. Hist XX:7
4. Roxbury II
5. Dorchester I:21
6. Ibid, 25
7. Cambridge 11, 13
8. Ibid, 67
9. Dedham III:78
Cambridge, 12
10. Dorchester, 50.

Cambridge has left us a full report of the powers of this committee drawn up in a general meeting 1652 - which are typical of other towns and worthy of enumeration.

"Imprimis That whichever worke or bussiness is by order of Court assigned to the Townsmen or enjoyned on the Town that the Townsmen shall take care to effect the same so as may best conduce to a publique good and no damage by neglect thereof.

"2 That as often as they shall see needful, they shall give publique notice to the inhabitants to meet together and whatever orders or determinations shalbe passed by a publique vote of the Towne or are already made by the towne or the Selectmen, that the Townsmen take due care to execute fulfill and accomplish the same without respect of any man's person according to your best wisdom.

"3 That whatever damage they shall conceive or apprehend to come to the Towne by any person within or without the Towne by appropriating intruding or damnifying or exceeding their owne due proportion in any wise any of the Comons lands or woodes or other publique stocks, liberties or interests

of the Towne according to their best discution they shall prevent and remove the same;

"4 That they take due care for the maintenanne and reparation and well ordering of all such things wherein the Towne hath a common interest as the meeting house, comon gates and highways comon heards and ye like.

"5 That they make such wholesome orders and impose such penalties and duly publish and execute the same as may best effect the execution of the premises.

"6 That the necessary charges that shalbe expended in ye erection of the premises be yearly discharged by an equal rate made by the Townsmen & levied by the Constable." ¹

The boundaries of the towns were settled by these ² officers, they portioned the swine, ³ granted liberty to cut timber, inquired into the education of children whether or not they were being catechised, ⁴ saw that corn was well ground, investigated weights and measures in mills and shops ⁵ and had certain police duties, i. e. they were "Impowered to call such young men or others as live idely and disorderly to an accompte for their mispending their time in ordinaryes,

1. Cambridge, 99-100
2. Proc. Mass Hist. XX:7
3. Cambridge, 113
4. Dorchester I;73
5. M C R. I:241

or otherwise to take course for their Reformation as shalbe
by them thought meet."¹ In short, they carried on the busi-
ness of the town subject to the approval of the general
meeting.

The resemblance between the function of the Select-
men and Churchwardens is quite apparent. Both were elected
at an annual meeting, handled the funds and presented re-
ports. New England officers did not have to report to a
church court and the constable presented cases to the secu-
lar court. More administrative duties were in the hands
of the Selectmen because the town had more freedom in gov-
ernment.

The constable of New England was infinitely more
important than the officer of the same title in the parish.
He was elected at the annual meeting, and if he refused the
office was fined, another custom brot from England.² He col-
lected all fines and taxes, being held responsible for these
he failed to collect as well as for those he received so
that the office was not one to be sought for.³ Sometimes
he paid the town bills especially those in connection with

1. Plymouth, 138-9
2. Ibid, 31. Cambridge, 10, Dorchester I:49, Ipswich, 1642.
3. Three Episodes Mass Hist. 822

roads and bridges.¹

"In all ordenary publique works of the comon weale the ouerseer of the worke...shall have power to send their warrant to the constable of the nexte plantacons to send soe many labourers and artificers as the warrant shall direct...provided now man be compeeled to worke from home more than a week att a tyme."²

The constable was the tie between the generall Court and the town. To this body cases of a certain type were reported,³ but in minor matters of dispute the townsmen met with the constable and settled them.⁴ When the Court as well as the town began to legislate so minutely on the personal habits of the citizens probably because of the influx of a new class who came for money not for a place to worship God, the office of tithingman was established. This was later, however, a natural outcome of an impossible attempt to inforce strict rules as to travelling, gaming, walking at night, use of tobacco and of attendance at church.⁵

Surveyors of Highways were also annually chosen with the same duties as in England, tho they were even more re-

1. Ipswich, March 7, 1642. Dedham IV:14
2. M C R I:124 cf. 5 Eliz. C 4, XXII
3. Ibid, I:215
4. Cambridge, for instance, p 112
5. Saxon Tithingman in America. J H U, I:7

sponsible to the local unit in America.¹ Sometimes the office of Viewer of Fences was combined with that of Surveyor of the Highways, or with that of Wood Reeves.² These last named officers had supervision of the timber whether used for ladders, repairing buildings and exercised the privilege of imposing fines for the violation of orders in regard to the town trees.³

Some towns had a hog reeve who was to see that "all hogs be sufficiently rung all the Yeare and sufficiently Yoaked. In answer thereto we thinke meete that he shall goe about the towne three times in the yeare first that he may see that all hogs be rung to keep them from rooting, that he shall goe out in the latter end of February and in the month of April for the yoaking and so in September."⁴ All had a cowherd, who was an important person indeed. Their instructions are minutely laid down in Dorchester records: "That the said Hopreges I Nicholas George shall and will keepe the cows and heifers that shall be comyted unto them ... The said keepers one of them to blow their horne at about halfe an hower by sonne in the morning at the meeting house

1. Dedham III:93
Three Episodes Mass Hist. 819
Plymouth 83, 111 et seq
Watertown, 11
2. Dedham III, 9, 5, Salem, 111. Boston, 39
3. Dedham III, 5
4. Watertown, 65

& so along the towne until he come to John Minots & every man on the north side of the towne to bring their coves before the meeting house within half an hour after their horn is blowed and the keeper their is to take them at the same tyme the other keeper at or about the sayd tyme to goe up to the burying place & take the cows (and such other cattel p'hibited) that an their left for them aneywhere about the Common".¹ The wages in Plymouth for the work was fifty bushels of Indian corn.²

The records of the town were kept by an elected officer, the Clerk.³ This required a man of great care because he registered all grants of land. To him were reported births, deaths and marriages as to the Clerk of the parish in England. Unfortunately these last named reports were often neglected in spite of the fact that fines were imposed.⁴ It seems queer that Americans are and apparently always have been irresponsible in the matter of vital statistics.

The Overseer of the Poor we have already referred to in another connection. The following extract from the

1. Dorchester, 60
2. Plymouth, 3
3. Dedham III:93
Cambridge, 177
Plymouth, 11
Ipswich, 1636
4. Boston, for instance, 71.

Boston Town Records gives the instructions to these men, which are typical of all, i.e. to have charge of the poor stock(500 pounds at this time) to procure materials and tools to set and keep the poor people at work, to fit up a house of Correction much as was done in England.¹

Of the minor officers, there was the ringer who, like the Sexton in England sounded the curfew. In Boston the bells were also rung at four in the morning.² There were also sealers of weights and measures, scavengers, chimney sweepers, and a host of others.

Close resemblances are evident between the Townsmen and the churchwardens as we have pointed out. This is also true of the Constable, Overseer of the Poor, Surveyor of the Highways, with the same general qualification, that the officers had less oversight hence more power in New England.

The greatest difference developed in the general meeting, for the townmeeting became more and more important until the 19th century while the parish meeting degenerated into a mere form, or less. This may partially be accounted

1. Mass Record Commission, vol 7, p 241
2. Ipswich, Jan 11, 1646
Boston, 96.

for by the difference in the national government. Stuart policies were centralizing: the general court which can by no means be called a central government could never have carried out any such scheme.

Economic conditions too, forced the members of each colony to unite closely, which was not the case in Virginia, for example.

Further the parish was not interested in legally regulating the personal affairs of those within its bounds. The rulers of New England, the inhabitants in meeting assembled, felt they must there legislate to keep out any suggestions of the Romish or otherwise carnal world which even a Theocracy managed by a Jonathan Edwards, a Cotton Mather or a Winthrop could not prevent.

However these two administrative units differed at the close of the 18th century, the truth still remains that from the parish came the suggestion of political practice and democracy out of which developed the New England Town Meeting.

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