Almost twenty years before the settlement of Ipswich, Captain John Smith saw great potential in Angoam, the Indian name for Ipswich, describing it as having “many rising hilles, and on their tops and descents many corne fields, and delightfull groves.” There was much marsh grass for pasture “with many faire high groves of mulberrie trees and gardens; and there is also Okes, Pines, and other woods to make this place an excellent habitation.” Edward Johnson referred to it some years later as “a very good Haven Towne” as well as having “very good Land for Husbandry, where Rocks hinder not the course of the Plow.” The Plymouth Company considered planting their colony at Angoam before permanently settling further south.

This contemporary publicity, John Winthrop’s own praise of the region (and the firsthand confirmation of it by John Winthrop, Jr.), and the success of the enterprising men who helped found the community in the early to mid-1630s helped to lure others there, and the town became, as a resident later described it, a place filled with great numbers of “both planters and other artificers.” The influx of large numbers of settlers, particularly the “artificers,” led to economic differentiation and produced a highly stratified social structure. It was within this context that leadership patterns in Ipswich came to resemble those of the English boroughs that had been part of the English experience of leading Ipswich men. In the English boroughs and in Ipswich, Massachusetts, leadership was tied to wealth. In addition, and perhaps more important, Ipswich was a society well aware of its commercial capacities and promise.

Unlike other Massachusetts communities, Ipswich promoted business and commercial activities from the beginning and consciously fostered the town economy. In the first recorded town meeting, held in November 1634, well before most other towns looked into such matters, two men were given permission to build both a mill and a fishing weir. Several years later a “committee for furthering Trade among us” was established by Simon Bradstreet, Robert Paine, Daniel Denison, John Tuttle, Matthew and John Whipple, and Richard Saltonstall, who were in charge of “the putting up [of] Be[ac]ons, and [the] providing of Salt[,] Cotton, sewing of hempe-seed [and] flax seed, and Cards wyer canes,” which aided both commerce and “industrial” activity in the cloth trade. It was also agreed upon that a committee be appointed “with full power to dispose [of] the little Neck for the
advancing of Fishing.” This group, as it turned out, was composed of many of the same men as the “trade” committee. Later, Daniel Hovey was granted liberty “to Builde a wharfe against his ground he Bought of William Knowlton and also such Buililding as may tend to improvement thereof.”

The town was widely diversified in occupations outside of agriculture. Ipswich had over a dozen carpenters, at least as many leather workers engaged in every activity from tanning to saddlery and shoemaking, and half a dozen weavers. Many crafts and trades were represented in the town, ranging from coopers, butchers, and bakers to wheelwrights, blacksmiths, and tallow candlemakers. The town offered encouragement to other enterprises, for example when it granted liberty “to the Inhabitants with such others as shall joynge with them to set up a Bloomary for to make iron at Chebacco River,” or when it allowed Samuel Appleton freedom to cut wood to operate the kiln of his malthouse.” None of the other four towns studied here left a record quite so filled with discussion and encouragement of crafts, trade, and commercial activities.

Some Ipswich merchants had direct business connections with England, most notably John Cogswell, but William Hubbard, Jonathan Wade, William Paine, and Jeremy Belcher, for instance, also traded with the British Isles, and some of the documentation of that activity is preserved in the local records. William Paine and William Bartholomew were often in Essex County court on matters pertaining to their commercial interests. Paine was involved in numerous cases: actions for debt over the ownership of ships; suits involving such products as wooden bolts and pipe staves, or a supply of fish for the London market; charges against him for the illegal sale of goods from Barbados; and even an action concerning the failure to deliver a parcel of moose skins. Paine’s widespread New England enterprises ranged from sawmills in New Hampshire to ironworks in Lynn and Braintree.

A society with wide extremes in wealth soon emerged in Ipswich. A small group of men controlled a very high proportion of the town’s resources, as compared to the other towns studied here. A select 10 percent of the settlers who arrived before 1640 controlled almost half of the total wealth in the community, as measured by estate inventories. The bottom 50 percent of the community shared only 12 percent of the total wealth. Inventories ranged in value from those of merchants such as Jonathan Wade and Thomas Bishop, whose estates amounted to £7,326 10s. 8d. and £4,038 3s. 10d., respectively, to a few with a net indebtedness of 30 to 40 pounds. In Ipswich the richest eight men held almost half of the town wealth, whereas in Rowley and Newbury this group’s share, the top decile, amounted to only a third, and in Hingham and Watertown it was about a fourth. The top quartile in Ipswich held over two-thirds of the community’s resources, whereas in most of the other towns the figure was 10 to 15 percent less. The Ipswich figures might have shown even greater disparities in wealth if such affluent and influential individuals as John Winthrop, Jr.,

Given this marked interest in furthering the commercial importance of the town, it is not surprising that Ipswich chose its selectmen from among the “principal inhabitants.” One of these men, Samuel Symonds, described town society in Ipswich as one of a “more mixt condition” than in England, in which “the richer sort,” though they owned less outward estate, had “the liberty of good government in their hands” and “the poorer sort (held under in England)” had “inlargement” of their property. While Symonds and other prominent Ipswich men exaggerated the leveling tendencies in their town, they were perfectly correct about who ruled. Sixteen men served as selectmen for from six to nineteen years (terms) between 1636 and 1687. As a group their median inventory was £888 and it averaged £1,861 per selectman. Both of these figures were over three times higher than the town’s as a whole.” With the exception of open-field Rowley, wealth played some part in the leadership selection of other towns studied here. In Newbury and Hingham, however, the disparity in economic position between the rulers and the ruled was never so great as it was in Ipswich, and in the Norfolk town considerations like family ties played a more important role in determining who became the leading town officers.

Although family was not the basis of a “proprietary” right to office in Ipswich, the length of time that men served in a position apparently was. Many men served in the same offices a great number of times, compiling a wealth of experience. Service for the most active Ipswich Selectmen usually began shortly after settlement and lasted until their deaths, or in some cases began later and often extended into the late seventeenth century. With the exception of the first several years, there were always men with long experience among the governing selectmen. During the 1660s the average number of years experience in office was 5.4 and this figure increased to 6.2 during the following decade.”

Frequent long terms in office and a restricted number of positions to be filled meant that a comparatively few men dominated officeholding. Only sixty-five men were elected to the position of selectman between 1636 and 1687, and seven of them, or one-tenth, controlled 108 out of 283 possible positions on the board, almost 40 percent of the total. Sixteen men, or a quarter of all Selectmen, held 176, or 62 percent of the positions open over the fifty-year period. There was similar monopolization of other offices. On May 2, 1642, the position of “town treasurer,” an office that seems only to have existed in Ipswich, was filled by Robert Paine, the wealthiest man in town. In addition to the position he apparently held throughout his life, he served as county treasurer from 1665 to 1683. He was also the chief patron and founder of the Ipswich grammar school, whose high-sounding board of “feoffees,” another unique town institution, included other wealthy men, such as Paine’s brother William, merchants William Bartholomew and William Hubbard, Major-General Daniel
Denison, and Judge Samuel Symonds.” Unlike most communities, which merely appointed a master and approved his salary—if any school was established at all—the form that this institution took in Ipswich clearly shows again how leadership and public responsibility were left to a relatively small, economically and socially select group of townsmen.

As distinct from other towns, Ipswich employed several men who regularly took part in the administration of town affairs and whose functions set them apart as a class of “civil servants.” Town constable Theophilus Wilson, who served from 1648 until shortly before his death in the 1680s, was one of them. He died with only a modest estate of £233 11s. 3d., considerably less than was typical of the wealth of the selectmen. Another such civil servant was Robert Lord, who served in a variety of capacities. Lord was town clerk from 1646 until his death in 1682, and was appointed as selectman over a dozen times. He was regularly chosen town marshal and was often in county court representing the town’s interests as chief counsel. In 1652 he was appointed clerk of court for the county and two years later was made clerk of the writs for Ipswich. On February 23, 1644, Lord was “from this time forward” made responsible for recording the proceedings of the general town meeting as well as the freemen’s and selectmen’s deliberations. He was also appointed to record information about the personal estates of all inhabitants, which would be used for drawing up a new town rate, to “keepe the streets cleare of wood and timber,” to sue various individuals for not paying their rates, to prosecute the constables for neglecting to bring in their accounts, to levy fines for absence from the yearly general town meeting, and to collect fines for acts committed contrary to town order.” For former borough men like Robert Lord of Sudbury, Suffolk, the performance of administrative duties in New England was merely a continuation of responsibilities exercised in old England where men “were expected to give life-long service to the government of the borough.”

Depending upon their special traditions of government and other local factors, the administration of seventeenth-century English boroughs varied in nature from tightly held organizations ruled by a close body to those in which the voice of the town’s freemen was the determining factor. In much the same way, parish organization in East Anglian towns included a variety of forms, ranging from control by oligarchical groups to open town meetings. For Ipswich selectmen such as Robert Day and George Giddings, who came from or had experience in the borough of St. Albans, Hertfordshire, their ideas about local government were shaped by their knowledge of this English borough.”

In St. Albans, government was run by a small self-perpetuating body, the mayor and aldermen. Exclusive control of government by this oligarchy began with the dissolution of the St. Albans abbey and the subsequent royal incorporation of the borough. The charter of 1553 established a governing body consisting of a mayor and eleven aldermen, and this body
met regularly with the “Twenty-four,” or assistants, to conduct borough business as the common council. The assistants were selected from the four craft guilds, representing forty-two separate trades and crafts, in St. Albans. Wardens from the guilds policed the borough and saw to it that none but freemen of the town were engaged in a trade and that those permitted to were carrying it on in a proper manner. Knowledge of infractions was brought to the mayor’s court, composed of the mayor and aldermen. In addition to assistants and wardens, the charter provided for other officers, such as a steward, a recorder, two bailiffs, viewers of the market, constables, and viewers of each town ward.

With the declining power and influence of the medieval town guilds, the mayor and eleven principal burgesses, or aldermen, acquired even greater power. As long-standing members of the common council, their experience surpassed that of the assistants, though many of the latter had often been on the council for many terms, representing their company or trade. After 1633 the town received a new charter that went so far as to allow the mayor and principal burgesses to regulate the election of the guild members to the council. The highest position in borough government, the office of mayor, was filled on a strict rotation basis among the aldermen, which meant that each man served as mayor every twelfth year, unless the death of one of them intervened. Thus nearly every alderman between 1597 and 1643 served at least two terms in the position, and some, such as John Oxton, Thomas Rockett, and John Sanders, were elected three or four times. Deaths did interrupt this pattern occasionally, of course, but the aldermen formed a remarkably stable as well as powerful group throughout the early seventeenth century. In addition to serving a long tenure in office, mayors and aldermen were of necessity expected to be wealthy men. As the mayor’s court observed in 1639, mayors ordinarily “sustained verie great charges” due to their expenses during their terms in office. Wealth, increasing power, and long tenure were the characteristic features of the ruling group in St. Albans that men such as Robert Day and George Giddings helped transfer to the New World.

By far the greatest share of power in the borough was vested in the mayor and aldermen (or burgesses) sitting as the mayor’s court. Our knowledge of this body’s activities during the early seventeenth century is limited to the court book, some draft minutes, and mayors’ accounts that still survive, but from them an outline of the scope and function of the court can be drawn. The court met four times a year, once with the council and townspeople in a session where the aldermen submitted two names from which they selected one for mayor. On other occasions the meetings were held in secret. Regulation of public nuisances preoccupied much of the business of the court. The various ward inspectors of the four town districts regularly reported disturbances that had taken place in the streets, and presentations were usually made on the offending parties. The mayor and aldermen were also in charge of education, that is, the appointment of new masters to the school. They handled town financial matters such as the leasing of tenements or stalls in the market. Above all,
However, was their interest in the control and regulation of town trade. The mayor was by right of office allowed to fix the price of goods, and the mayor and burgesses prohibited trading by nonfreemen in the market and fined those who attempted to do so. In the process of regulating borough enterprise, the mayor and aldermen were not averse to furthering their own interests at the expense of lesser men. In 1606, for instance, various reports mentioned the existence of many unlicensed ale and tippling houses that provided “the cause of much drunkenness and looseness.” Fearing a rise in the cost of fuel due to the increased consumption of wood for brewing, the mayor and aldermen ordered that in future only four beer brewers and two ale brewers should operate premises in the town. Four of those six were principal burgesses, and long explanations were given for the selection of the two others, both of whom received personal recommendations from court members.

As in St. Albans, in the town of Ipswich, Massachusetts, men held varying degrees of political status. In the English borough, status ranged from the mayor, to the aldermen, assistants, wardens, and freemen, to nonfreemen. While not as complex as St. Albans, Ipswich men could be residents (or townsmen), commoners, freemen, leaders such as the selectmen, or a combination of several of these. Unlike the practice in Newbury and to a great extent that in Rowley, political rights in Ipswich were not necessarily tied to claims of common land. On the other hand, residence alone did not usually ensure the enjoyment of political and civil rights in town meeting, as it seems to have done in Hingham.

Beyond the lowliest status—inhabitant or townsman—a man could become a commoner or perhaps a freeman. Achieving the rank of commoner appears to have been relatively simple in early Ipswich. Many of the first inhabitants were made commoners; others became such when they purchased land containing common rights; and some directly applied for the right. However, the latter two procedures were only occasionally followed, and buying and selling of proprietors’ rights never occurred as it did in Newbury. Still, the town was lax about declaring who was a commoner and who was not. It was not until March 15, 1660, that the use of commonage became severely restricted because of the increasing threat of overcrowding in the town. At that time it was ordered that “no house henceforth erected shall have any right to the comon land of this towne nor any person inhabiting such houses make use of any pasture timber or wood growing uppon any the said Common Lands” without the “Express leave and allowance of the towne first had and obtained.”

Initially, freemanship in the colony depended upon membership in the town church, but throughout the early period requirements for freemanship changed, and at the same time, certain privileges associated with this status were taken away. What is significant about Ipswich is that there were fewer freemen in the town than commoners and inhabitants, and that the freemen regarded themselves as different from the general population and participated in their own distinctive town meeting. Freemanship in Ipswich entailed special
functions and distinct status in town government. Of the over 250 men in the town in 1642, 111 were commoners and only about 80 were freemen. The freemen usually met several times during the year, while the general or town meeting was held annually. The gulf in political rights between town and freemen’s meetings was so wide that 33 Ipswich nonfreemen petitioned the General Court in 1658 asking for the privileges of serving as jurymen, voting for selectmen, and voting on rate assessments. Possibly the division between freeman and nonfreeman was artificial in other towns, but in Ipswich nonfree status was a real barrier to effective participation in town affairs.

Business at the town meetings usually involved several general matters. At the December 1648 meeting, for example, the topics under discussion included construction of a rail fence between the town and neighboring Rowley, selection of two men to supervise land exchanges, fencing of land, and payment for damage done by the town to personal property. As a great number of commoners attended this annual meeting, much of the business normally concerned various types of land regulations. The freemen met more regularly, and in cooperation with the selectmen handled most of the important town affairs. Although in theory the preponderance of power was held by the freemen, much of the actual authority was passed on to the selectmen. Restrictions were occasionally imposed on the selectmen by the body of freemen, but it was recognized at an early stage that more effective administration could be obtained by granting initiative to the smaller group “to doe therein, whatsoever the major part of the freemen might doe to bind the rest of the Towne.” To simplify their own affairs the freemen appointed committees, such as the one “chosen to consider what is the best way to despatch Towne business, [and] whether the quarter meetings may not be shortened,” or another chosen “to prepare for the next meeting of the freemen, what they shall think meet for yearly maintenance and for the way of raysing of it.” Much of their responsibility, however, was delegated to the selectmen.

The selectmen of Ipswich were usually referred to as the “7 men.” Although no specific number was ever mentioned in any Massachusetts law, and the number of aldermen varied from one English borough to another, this figure is suggestive of the selectmen’s role and stature in Ipswich town affairs. “Wherefore, brethren,” admonished Acts 6: 3, “look ye out among you seven men of honest report, full of the Holy Ghost and wisdom, whom we may appoint over this business.” On nearly every matter of local business, it was the selectmen who took charge, and conflict with town inhabitants over their power, such as was common in Hingham and Newbury, rarely occurred in Ipswich. Although governance of town land was not specifically within the selectmen’s jurisdiction, they were allowed to make grants, which they were frequently called upon to do in the late 1630s. Later they were also allowed to sell land. The selectmen issued countless bylaws, ranging from the implementation of a new order on wolves to agricultural regulations. On March 11, 1648, for instance, the selectmen put into effect orders regulating cattle, building a gate, creating a passage at both
ends of a bridge, making chimneys safe, appointing cow keepers, and establishing fines for owners of animals left on the common. The selectmen also appointed a number of town officers, for example to help settle land disputes, and minor officials such as cattle reeves, fence viewers, and pig keepers. The selectmen also had control over many of the town’s financial affairs, including the power to set town and county rates. They occasionally used their authority to collect taxes and impose fines. These men met regularly and often, and very few areas of town life were left unaffected by their actions.

Unlike Rowley and Newbury, Ipswich as an incorporated body often brought suit in Essex County court against its own inhabitants over issues in which the town felt it had a vital interest or a principle to protect. Actions were usually brought by the selectmen in the name of the “Town of Ipswich.” The cases involved such matters as highway obstruction, nonpayment of taxes, failure to complete the construction of public facilities like the local prison house, felling of trees on the common, and refusal to pay rates for the maintenance of the ministry. As was typical of East Anglian towns, Ipswich was also sensitive to the immigration of the poor into the township, and the selectmen brought individuals to court in order to prevent them from settling in the community. The “selectmen of Ipswich gave notice,” their representative told the court, “to Daniel Grasier and John Morill, Irishmen, that they were not willing to receive them as inhabitants, and they not removing, complaint was made to this court.”

The cases brought before the county court often concerned the fundamental relationship between the governed and the governors. Questions of social disorder or land controversies in Newbury, for instance, never seemed to have attracted the interest and concern that basic governmental relationships created in Ipswich. One of the most significant of these cases, Giddings v. Brown, came before the Essex County court in 1657. The incident was touched off when George Giddings, who frequently served as an Ipswich selectman, and other residents refused to pay a special tax, the proceeds of which were to be used for building or buying a house worth one hundred pounds for the minister, Thomas Cobbett. Cobbett seems to have been a well-respected person with scholarly accomplishments. He succeeded John Norton, who had left two years before, and there is no evidence that the opposition pushed its case because of religious disagreements or personality differences. The lengthy and highly significant opinion of Judge Samuel Symonds, an East Anglian who lived in Ipswich himself, held that the town’s order violated “a fundamental law” that prevented using public funds to acquire property for private use. “If noe kinge or parliament can justly enact and cause that one mans estate, in whole or in part, may be taken from him and given to another without his owne consent,” Symonds declared, “then surely the major part of a towne or other inferior powers cannot doe it.” The town complied with the order, and the following year it established a rate of one hundred pounds “to provide a Conveniant towne house to Remaine to posterity for the use of the ministery and being put and Delivered in
sufficient and good Condition to be kept in Repaire by the present Inhabitant.” In a related matter some time later, a town inhabitant refused to pay rates for military service, arguing that even “if a majority voted for it” he could not be held responsible “since the military officers were not chosen by the towns.” Clearly, the East Anglians’ long familiarity with local government at the borough and town level encouraged this sort of questioning, which men from the open fields of Yorkshire or the mixed traditions of western England rarely bothered to formulate.

Like Ipswich, East Anglian Watertown elected men to long terms in office and allowed them broad, discretionary powers. Certainly the most striking feature about the records of public officeholding in Watertown is their evidence concerning the duration of tenure. In the course of fifty elections between 1634 and 1686, only 76 men filled the 379 available positions on the board of selectmen. Thus the average length of tenure was almost five years. Power was even more narrowly distributed, however, than these facts would indicate. The top 10 percent of the most frequently elected selectmen controlled 143 of the 379 positions; in other words, 8 men held almost 38 percent of the total positions available. The top 25 percent, or 10 men, controlled not just a majority, but almost two-thirds of all the positions, 62 percent of the total. In addition, certain key men were repeatedly elected to the board. Hugh Mason served for twenty-nine years, John Sherman for twenty-three, Thomas Hastings for twenty, Ephraim Child for sixteen, and at least sixteen other men served for seven years or more throughout this period. Invariably these men came from Suffolk and Essex, or counties near them. Among the twenty most frequently elected selectmen, three out of every four came from those two counties and nine out of every ten were from eastern England. Watertown did not foster commercial enterprise like Ipswich did, nor was its social structure as stratified, but its board of selectmen was dominated by wealthy townsmen. Hugh Mason, who served twenty-nine terms, had the fifth largest estate in total value among the eighty-three surviving Watertown inventories from this period. Mason’s estate was worth £692 13s. 9d. Thomas Hastings, who served twenty terms, had the fourth largest; Ephraim Child, who was elected sixteen times, the third; William Bond, who served twelve terms, had the eleventh largest; Henry Bright, who had ten years’ experience on the board, had the sixth largest; and John Briscoe, whose estate was rated eighth among the inventories, served as selectman nine times. There were a number of cases in which the relationship between service as selectmen and wealth was not so closely tied, but rarely did the top quarter of the most frequently chosen selectmen have inventories valued below the median wealth of the community.

Watertown’s government was similar in its political and social structure to Ipswich’s, and yet the former community did not have the same commercial orientation as Ipswich. This suggests that it was not simply the desire to replicate borough government that encouraged the characteristic leadership patterns of these towns. Government by oligarchy in local East
Anglian parishes was becoming a common practice by the start of the seventeenth century. The movement was accelerated by Tudor and Stuart social legislation at the national level as well as by locals who wanted to take matters into their own hands as a result of the acute social dislocation experienced at this time in the region. Ministers and vestries frequently applied to ecclesiastical authorities for permission to create close vestries, or parish governments run by the minister and “the better sort of the parishioners,” as one such request from Chigwell, Essex, phrased it. The petition, dated June 16, 1620, and drafted by the vicar, Emman Uty, and the vestry, complained that by the admitting of the parishioners of all sorts to their church meetings concerning the affairs of the church and parish there hath been much confusion and disorder at their said church meetings and by reason that some are ignorant or weak in judgment and others not so ready to yield to that which the better sort of the parishioners would determine and agree upon as . . . [what] should be the business could not be dispatched without much difficulty and trouble.

The petitioners asked the bishop of London to grant local authority to fourteen men of the vestry as well as to the minister and churchwardens. Any eleven of them and the vicar or his curate were to be considered “a full vestry to order dispose and manage all and single the affairs belonging to their church and parish which are to be done by their parish.”

Two years later in Orsett, Essex, the parish curate, Abraham Arc, the churchwardens, and “other[s] of the ancientest and better sort of the parish” sent a similar request to the bishop, stating that there was “great confusion and disorder in their said parish at their church meetings by reason of the ignorance and weakness in judgment about matters of that nature of some of the parishioners that resort thither and by the dissent of the inferior and meaner sort of them there hath fallen out some disquietness and hinderance to the good proceedings which they desire should be in their said parish.” They petitioned that “a certain number namely 10,” in addition to the minister and churchwardens, should constitute a vestry “for the ordering and directing of such things belonging to their church as are to be done by the parish.” “Named for the present” to be members of this body were “the most sufficient parishioners, two of whom are Churchwardens.”

Consolidation of local government in the hands of a few and in offices of importance besides the vestry was evident in other Suffolk and Essex parishes. In Polstead, Suffolk, for instance, an English town in the center of the area of greatest Suffolk emigration, the overseers of the poor and particularly the churchwardens were repeatedly selected from the same group of men. In the years prior to emigration, men such as William Allen and William Gage often served as churchwardens. In neighboring Nayland, Suffolk, from where Watertown men John Firman, Thomas Parish, Isaac Stearns, and John Warren came, lands
controlled by the parish for the benefit of the poor were in the hands of a select few. Thomas Blythe, Edward Garrard, William Gladwyn, and James Marett repeatedly signed parish accounts involving these feoffments, and town business usually was left to “the churchwardens and overseers of the poor and the cheife of the inhabitants of Nayland.” Certainly a man like John Warren, who as town feoffee handled indentures of lease for town lands and was responsible also for the disbursing of the proceeds to the town poor, was aware of the role that principal men were to play in local government when he settled in Watertown in 1630.

In nearby cloth towns, where the parish was also the center of local government, the affairs of the community were often controlled by a small self-perpetuating oligarchy. Such was the case in Braintree, Essex, which was ruled by “The Company of Four and Twenty,” “a curious body,” as the Webbs described it, “half-way between a gild and a municipal Court of Aldermen” as well as being a select vestry. The origins of this group, which was occasionally also referred to as the “24 Headboroughs,” the “Town Magistrates,” or the “governors of the Town,” are obscure, but date back at least to the 1560s, seventy years before the departure to New England of so many from this Essex cloth town. By 1611 the “Four and Twenty” felt compelled to augment their already large role in the superintendance of town affairs by appealing to the bishop of London along the same lines as the vestries of Chigwell and Orsett, Essex, had. They explained that

through the generall admittance of all sorts of Parishioners into their Vestries and Meetings for the public good of the saide Parish, there falleth out great disquietness and hindrance to the good proceedings which they desire should be in their saide Parish, by the Dissent of some evell disposed, and others of the inferiour and meanest sort of the parishioners and inhabitants of the Parish, being greater in number, and thereby more readie to crosse the good proceedings for the benefit of their Church and Parish, then liable to further by counsell or otherwise the good thereof.

The petition thereafter suggested that “there might be a certain number, namely Twentie, besides the Vicar, Curate, or Minister, and the Church-wardens there for the time being, which might be appointed continually to be Vestrie-men, for the ordering and directinge of such thinges belonging to their Church, as are to be done by the Parish.” Most of this number were to be “Parishioners and Inhabitants . . . who are reputed to be the most sufficient of the said Parish, and of whom diverse of them have borne Office in the same Parish” and “Parishioners of like place, sufficiencie, or estimation, may succeede them, to be chosen by the greater number of the said Vestrie-men.” In September 1612, in a “faculty” (or formal instrument) the bishop appointed the men recommended in the petition and warned others not to “intermeddle” with “such matters and business as doe belong to the said
All of this concentration of power was established at the expense of the only other local authority in the town, the manorial court leet. The court leet gave the lord of the manor criminal and, to some extent, civil jurisdiction, with the power to enforce bylaws in most matters, including public health, property, agriculture, and highways. The manor lord also had some authority over poor law regulations. In Braintree, the court leet jury, which sought out and punished infractions, functioned in the early seventeenth century but it consisted mainly of men from the “Four and Twenty.” The court leet did appoint some minor manorial officers, such as ale and flesh tasters, or Sealers of leather, but the town’s constables were appointed by them only after prior selection by the Four and Twenty. In fact, the Company of Four and Twenty agreed in their April 1629 meeting that all constables, churchwardens, and overseers of the poor would henceforth be “yearly elected out of the company,” and five years later the town surveyors were chosen in that fashion, “being one of the company, every year as it falls to every one by turn.” These officials—churchwardens, overseers, constables, and surveyors—also served as executive officers for the governing council, the Four and Twenty, so they not only absorbed the court leet in terms of personnel but also in the services it provided to the Essex town.

The decline of the manorial court leet and the rise of the civil parish were brought about by various factors. One of the most important was Tudor and Stuart legislation that transformed the role of the parish in local affairs. When the “statute for mending of highways” was enacted in 1555, for instance, the Marian parliament did not turn to the local manor to administer it, even though this institution had often supervised local roads through the court leet. The manor had become increasingly inadequate to handle this responsibility, and the parliament bypassed it for the better-defined and often territorially larger organ of government, the parish. From the standpoint of simple efficiency, the parish served better. This was particularly true in eastern England where the manor was rarely coterminous with the parish and where court leet jurisdictions spread haphazardly over the territory within the parish boundaries. In Babergh hundred, Suffolk, for instance, there were ten manors in the parish of Stoke Nayland, six in Bures St. Mary, and eleven in Little Waldingfield, while in the hundreds nearby, the parishes of Hawkedon and Rattlesden, Suffolk, contained four and five manors respectively.

The highway act required parish constables, churchwardens, and “a number of the parishioners” to elect annually two men of the parish as surveyors. These men were to be in charge of “the works for amendment of the highways in their parish leading to any market-town.” The constables and churchwardens were then required to set aside four days out of the year for road work and to announce them “openly in the church the next Sunday after Easter,” after which time the parishioners themselves were to go about “amending of the said ways” according to their economic status in the community. The court leet still had a role in the new arrangement: it was to inquire into infractions and defaults committed by the
parishioners. But the fines collected by the court leet were to be handed over to the churchwardens for use in the maintenance of the highways, and the churchwardens could rely upon the justices of the peace, if necessary, to have manorial officials account for the fines.

The Elizabethan Poor Law of 1601 offers another example of the shift of authority to the parish. Because of its traditional concern with the poor, it was logical that the parish should assume the new secular charitable functions embodied in the poor law. According to this statute, from two to four “substantial householders” were to be nominated in the parish and appointed by two or more of the local justices of the peace to serve as overseers of the poor. The overseers were charged with finding work for children whose parents were unable to maintain them and for others who had no means of support. This task was implemented first through “taxation of every inhabitant, parson, vicar and other, and of every occupier of lands, houses, tithes impropriate, propriations of tithes, coal-mines, or saleable underwoods in the said parish”; this income was to be used for the relief of the lame, the impotent, the old, the blind, and others, as well as for funding the apprenticeship of children. The statute empowered the churchwardens and overseers to punish parish defaulters of the tax with the distress and sale of the offenders’ goods; the overseers could also punish the poor who refused to work by imprisoning them.

The overseers and churchwardens were granted further powers. With the assent of local justices they had authority to bind children as apprentices, to use any waste or common in their parish to establish houses for the “impotent poor,” provided they had the consent of the manor lord, and to place families (often more than one family together) in cottages or houses especially constructed for the parish poor. Whereas at one time the ecclesiastical parish had been the sole agency of local charity for the poor and unfortunate, the civil parish now had the power to assess a sizable parish poor rate and was largely responsible for social welfare. In a matter of decades voluntary offerings had been transformed into compulsory rates.

In East Anglia at least, the decline of the court leet can be associated in large measure with the decreasing importance of the manor as a whole. Although many manors still operated in the region with the same vitality as those in the Wiltshire-Hampshire area or in the region around Rowley and Holme-on-Spalding Moor in Yorkshire, they were generally not located in those areas from which most settlers to New England came. In the extreme northwest corner of Essex, for instance, some manors continued to depend on communal regulation of agricultural matters. But by and large the manor did not play a large role in regulating farming activities in Essex and Suffolk, and this absence of superintendence was perpetuated by the town government of Watertown, Massachusetts.
Most East Anglian landholders, whether of free, lease, or copyhold lands, possessed closes of land, not open-field strips. They were therefore free to organize their own farming arrangements. Of course, some activities were still regarded as undesirable by the courts leet and offenses were entered on court rolls, but by the seventeenth century the number and variety of infractions had diminished. In Polstead, Suffolk, in the heart of the area of heavy emigration, a number of manorial estreats for the decade of the 1630s have survived. In October 1634, forty-seven of the fifty-four fines exacted were for nonattendance at the court leet. Of the remaining seven offenses, three involved obstruction of the highway “within the jurisdiction of this leet,” one concerned the repair of a common footbridge, and three related to the failure to clear out watercourse ditches.

The decline of the court leet, even in these ancillary areas, was indicative of widespread change throughout the region. A survey of the court rolls from twelve Essex manors between 1560 and 1640 shows a major decrease in the number of entries for the court leet. Excluding less significant entries such as lists of essoins (excuses for nonattendance), capital pledges, and payments of common fines, in 1560 approximately 215 entries were listed in the sessions court records for the twelve manors. By 1575 only 106 entries were listed, which was still the case in 1600. A quarter of a century later, though, the number had decreased to 39, where it remained in 1640. Thus over a period of eighty years the level of regulatory activity in these Essex manors had decreased by 80 percent, and, significantly, the variety of matters before the court had also declined.”

Even where the manor had been the center of jurisdiction and political authority as late as the sixteenth century, by the early Stuart years many of its wider administrative powers had been lost through inactivity. A statement in the court rolls and survey of Aveley, Essex, in about 1623 summed up the transformation that had taken place there: “You shall fynde in the antient Roll fower tymes more presentmentes concerning the leet than in the later Rolls.”  In other Essex localities the manorial court simply dropped important functions or ceased operation. In Boxted, the English home of some Watertown settlers, no manorial bailiff was appointed in 1624 to regulate common grazing land, while in Great Yeldham, the former residence of other New England settlers, eleven inhabitants petitioned the quarter sessions for the appointment of new constables as the court leet had not met in years to elect them.

As a result of the early enclosure of land in the Suffolk-Essex area, the manor became little more than a rent-collecting machine. The landholder was exceptionally free from manorial interference in economic affairs, and administratively the institution imposed few regulations. Although some courts leet survived with varying success, the upheaval of the Civil War and the Interregnum did near-fatal damage to the institution. Even before that time, many courts leet survived only by assuming the functions of a parish vestry, or by an
unwitting fusion between the latter and its own functions, which was only possible in certain urban areas where the court leet and parish were coterminous.

In the last half of the sixteenth century a national system of justice developed, based upon the ascendancy of the local justice of the peace, the establishment of petty sessions, and the creation and increasing significance of the officers of the civil parish. All these changes were made at the expense of manorial personnel. In addition to the rise of these new or expanded institutions, the economic upheaval that followed the suppression of the monasteries earlier in the century disturbed the traditional basis of many Suffolk and Essex manors, undermining both custom and privilege. In place of the manor the civil parish emerged, a nation-wide organization of voluntary officers responsible to the county government. These institutional changes had their sharpest test in the years immediately before the puritan migration and provided the model for local government that East Anglians brought with them when they settled in Watertown, Massachusetts.”

One does not find evidence for any Massachusetts town government of such sweeping powers and authority as were held by the select vestries in England. However, as we noted earlier, the “Town Act” of 1635, which formally established local authority in the Bay Colony, permitted considerably more variation at the community level than has been previously assumed. The act allowed town governments throughout the colony to grant lands and woods, to “make such orders as may concern the well ordering of their townes,” provided they were not repugnant to those of the General Court, to lay fines and penalties for the breach of local orders, and to choose various officers. It was the prerogative of the community to decide how and by whom these various duties and responsibilities would be handled best.

Theoretically, the town meeting was the predominant body for administering town business and could have taken all local power to itself, except that which was statutorily given to the selectmen. On the other hand, there was nothing to stop the town meeting from delegating nearly all of its power to the selectmen. Year after year in Watertown the meeting elected the same experienced Selectmen and relinquished authority to them, for instance giving “full power to the Seaven men to Consider in what way to give all men Satisfaction” concerning grants in the “Remote medowes,” or agreeing that “the Select men shall Consider what is meete to be done about repayring and Inlarging of the Meeting howse,” or settling a land controversy by allowing the Selectmen to do “what the[y] shall in ther Judment think meet.”

In most cases, important matters of policy and judgment were referred to the Watertown selectmen. The town as a whole concerned itself only with the regular course of business, such as election of officers, approval of the annual rates, and confirmation of older bylaws
that often had been made by the Selectmen. What the East Anglian select vestries and the Watertown Selectmen shared was the power of initiative in handling local governmental business. The English vestry was more secure since its authority derived from a bishop’s faculty or from local custom, but the board of Selectmen operated in much the same way through the consent of the inhabitants and freemen at large.

When Watertown was first established, freemen’s meetings were the occasion for the election of freemen as Selectmen. By December of 1637, however, this meeting had evolved into a “general town meeting,” where “inhabitants” as well as freemen seemed to have mingled. The difference in spheres of authority and power between the town meeting and the selectmen in Watertown was never finely drawn, and it was easy, consequently, for the Selectmen to assert themselves in many situations. The records for the first five decades of settlement contain many examples of the selectmen’s power. The town meeting “allowed” the Selectmen to make decisions about such things as the repair and enlargement of the meetinghouse or the sale of town land. In other cases the town confirmed or “approved” bylaws drawn up by the Selectmen, and on many occasions the Selectmen called town meetings on their own initiative in order to inform townsmen of decisions they had made or of problems that had been dealt with.

The Watertown Selectmen were expected to deal with a wide gamut of problems. During a ten or twelve-year period in the mid-seventeenth century these town officials directed work on the repair of a town bridge and of the town pound, settled various land claims, granted land, inspected the town’s boundaries, disposed of a personal estate and paid the deceased’s debts, hired a keeper for the town herd, and settled a boundary dispute with neighboring Concord. The range of duties expected of Watertown Selectmen was actually wider and infinitely more detailed than these examples indicate. It is easy to understand how the strain might have compelled Hugh Mason to resign from the body in 1647, “burdened with the servis of the Towne,” but the following year he was elected again by the town and nearly every other year afterwards for the next thirty. Aside from the intrinsic rewards for the long hours devoted to town business, the stature of the selectmen was recognized in concrete ways, too. In the seating plan for the meetinghouse (which was occasionally an important source of contention and jealousy in other towns), office came first, followed by age, estate, and “gifts.”

By contrast, the town meeting was rather routine, often brief, and rarely eventful. The meetings had become so cut-and-dried by mid-century that at one session in 1663 the townsmen outlined all the business that could be expected to come before the body at any time. According to that statement, the town meeting would normally be held annually on the first Monday in November, at which time the minister’s salary, the town rate, and the schoolmaster’s pay were to be agreed upon. At that time, too, the selectmen, constables,
surveyors of the highway, and other officers would be chosen. The order of business also included “what els may be presented of publique Concernment,” and although it was likely that several such issues might come before a typical meeting, they were usually handled with routine dispatch.”

During the decades before 1680 the town meeting convened two or possibly three times a year on the average, while the selectmen usually met about five to seven times annually; and as we have already noted, in their meetings the selectmen generally handled a greater volume of business concerning more significant and vital matters than the town meeting did. In addition, the experience accumulated by these boards during the early decades averaged six to eight years apiece for each selectman. It is not surprising then that the selectmen at one time or another affected nearly every aspect of life in the “East Anglian” towns of Massachusetts.

As an institution of local government, the selectmen performed several specific services for the town. Besides the various examples of lawmaking described above, the selectmen often found that in exercising local legislative power it became necessary for them to appoint minor officials to carry out their own enactments. This was often done without the permission of the meeting, but in other cases the town specifically delegated the power of appointment to the Selectmen. In March 1651, without any order from the meeting, the Selectmen made “articles of agreement” in the name of the town with Solomon Johnson, appointing him keeper of the town herd of dry cattle. In other cases, they appointed bylaw men in January 1652 and in February 1654, when it appeared the meeting had neglected to do so, and they named men to posts that had been created from bylaws of their own making. Richard Beers, for example, was chosen “in the Townes Behalfe” to prosecute John Toll of Sudbury for felling trees on the town’s land, while several years later three men were chosen to “veiwe the Watercourse . . . and to Determin what is to be done in the case.” That Same year other men were appointed by the selectmen to take care of the town’s ammunition, which was stored in the meetinghouse.

The meeting’s lack of initiative and vitality was also evident in its use of power over the purse. Watertown was well known throughout the colony for the small rebellion it instigated in the early 1630s over the issue of taxation and representation in the colony government. At the local level such items as town, ministerial, school, and special rates or assessments occupied town business. The guiding direction of the Selectmen was evident throughout all the debates concerning rates, lists of town “charges,” and other fiscal matters. When complaints were made that “wrongs have benn done to men in Rateinge,” it was the “7 men” who sought to rectify the situation by ordering that an “Invoyce,” an assessment of the town’s wealth, be made so that a new rate for each townsman based on his changing estate in the town could be compiled. The Selectmen were also responsible for establishing the value of
items assessed in townsmen’s estates. In one instance the meeting attempted to tax town tradesmen, but when, as usual, it tried to turn the matter over to the Selectmen they refused to initiate such a tax.

The town rarely tried to interfere, declaring as it did in 1655 that the “7 men shall rate by rules in Lawe [i.e., their own and the colony’s] and acording to theer Discretion.” Occasionally the Selectmen went a step further and took matters more fully into their own hands, as they did in their meeting of January 3, 1660, when they “allowed” the rate of the minister’s maintenance that had been passed on by the town three months earlier. A month later, on February 14, the selectmen “apon the apearance of more debts and other charges . . . saw cause to grant a [town] rate of fifty pounds,” instead of the forty pounds agreed upon a short while earlier by the town. As with lawmaking and appointive powers, the town and selectmen shared the power of the purse, but just as with other functions, the “7 men” were able to use this authority more effectively and creatively.”

Another important indicator of the selectmen’s role in Watertown government was their handling of judicially related matters. Like East Anglian parish officers, town selectmen were often appointed by their peers to “use there discretion in words to the moderating” of conflicts between townsmen. Selectmen also allowed townsmen “to present what they had to object” to when fines were exacted for town offenses; “thir respective pleas” were heard by the board, decided upon, and sometimes the fines were altered. The selectmen also held authority over minor town officers such as the constables, who were responsible for collecting and turning over the various town rates to the selectmen. In one instance, when Roger Willington gave “great dis[satis]faction” to the selectmen, two of their body were appointed “to deal with him to bring him to a more tollavable account or else to present him to the gradjury.”

Selectmen played their most conspicuous judicial role in dealing with fines for infractions of bylaws and rates. One townsman was fined £1 6s. by the selectmen for not yoking and ringing his twenty-six hogs, and in February 1664 the hogreeves reported a total of £8 13s. 4d. in fines to their superiors, the board of selectmen, for violations of the hog, fence, and cattle bylaws. Perhaps most significant were the numerous fines exacted on townsmen by the selectmen for contempt of their authority. Although occasion for this was rare, the selectmen were not sparing in this use of their authority to the random few who refused to pay their rates, disobeyed a bylaw, or did not comply with a special request of the selectmen. John Livermore, for example, was fined 5s., a large sum by town “court” standards, for failure to appear before the seven men “apon warrant.” In another case the selectmen chose two of their members to “take out the Exicution against the house and land” of john Brabrook “for payinge the debt due to the towne.” The property was appraised and sold, and the accomplished act was accordingly “allowed and Confirmed by the Select-men.” Whatever the
infraction a townsman violated in early Watertown, if he obstructed settlement of the matter in any way, he could be quite certain of vigorous prosecution by the selectmen or their subordinates, the bylaw men.”

A final institutional function of the Watertown selectmen was the constant administrative attention they devoted to various local matters. These experienced men felt obliged to handle a vast number of activities. Besides dividing the ungranted town lands and establishing and enforcing agrarian bylaws, the selectmen engaged in a wide variety of administrative matters ranging from regulating ordinaries, establishing a town school, providing a house and land for the common herdsman, taking charge of the construction of a new meetinghouse, and countless other duties. Selectmen performed many of these tasks on their own initiative and often based on their own notion of what was best for the “town.”

Only infrequently were they required to perform administrative duties at the “order” of the town meeting. As in England the parish or “town” was responsible for the maintenance of roads within its boundaries. Although the surveyors of the highways were usually appointed by the town meeting, they were, like other minor officers, occasionally chosen by the selectmen. In either case they were under the direction of that body. Unlike other towns where the selectmen’s role was less conspicuous, in Watertown the surveyors could do very little on their own authority. The selectmen reminded townsmen from time to time that they were obligated to work on road repairs annually and that refusal to comply with the surveyors would result in the imposition of a fine. Selectmen even interfered with decisions made by the surveyors concerning the location and extension of roads through the town.”

Another sign of the effect of the administrative background of the East Anglian parish on Watertown selectmen was their preoccupation with such issues as settlement, apprenticeship, and related matters. The earliest page of the town records leaves no doubt as to how strong the English experience had been on town settlers and how significantly they would respond to old and familiar conditions on the edge of a new continent. The men of Watertown agreed on January 3, 1635, that “no man being foreigner . . . coming out of England, or some other Plantation, shall have liberty to sett downe amongst us, unles he first have the Consent of the Freemen of the Towne.” Seven months later they were more explicit: “Whosoever being an Inhabitant in the Towne shall receive any person, or family upon their propriety that may prove chargeable to . . . the Towne shall maintaine the said persons at their owne charges, or to save the Towne harmeles.” As we shall see in chapter 7, growing concern with these and similar problems in the decades after 1660 signaled important changes in the towns of Massachusetts and initiated a shift from extreme local control to growing centralization of colony and provincial institutions.

Ipswich and Watertown both developed town governments that were remarkably similar, despite the urban character of life in the former and the agrarian features of the latter. Both
towns had strong local leadership by men of long experience. In Ipswich the selectmen made a considerable effort to build up the commercial potential of the town. They encouraged industry and tried to attract outstanding individuals to settle there and recreate the kind of shire town that the English Ipswich represented to them. Watertown’s efforts along this line were somewhat modest; it succeeded only in attracting one brickmaker, who was lured by the offer of town land. Nevertheless, the Watertown selectmen maintained the same grip on the community that we found in the select vestries of the East Anglian villages. Like in those English communities, the selectmen removed strangers, reprimanded idlers, cared for the old, and found work for the poor. Like those vestries the selectmen took surveys of their town, such as the one in 1660 to determine “the wants of some pore families, as likewise of there improvement of there times both concerning there soules, as of there bodies.” At the same time, the leadership in both New England towns actively encouraged economic individualism in the community by relinquishing control over the division of lands, by acting as a sort of land-transfer agent between buyers and sellers in Ipswich, and by visibly promoting land development and accurate surveying in Watertown. Such procedures were characteristic of East Anglian communities, where a heritage of enclosed-field farming traditionally had discouraged outside interference and encouraged land exchange.