

Dorchester Historical Society

Dorchester, Massachusetts

Forming an Orderly Society in Dorchester, Massachusetts, 1630-1650:
the Effect of Town Government on Daily Life

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An examination of the town records of one town, Dorchester, reveals many of the aspects of daily life in a rural village society in the first twenty years of the Massachusetts Bay Colony, exposing the issues of importance to the town's inhabitants and the effects town government exerted on the lives of the town's inhabitants. These issues include form of government, land allotment, use of common lands, control of livestock, education, taxes, and more. In its first twenty years the Massachusetts Bay Colony saw the settlement of 31 towns within its borders. The subject of New England town government has been treated in general by several authors, mostly from the perspective of determining how they were formed. In contrast this paper explores the issues that were so important to the inhabitants of Dorchester that they discussed them in town meeting. They discussed them because a communal acceptance of the decisions assured the people that they could work in harmony with their neighbors. The work already done in the field of early town government does not focus solely on local ordinances. Ann Bush MacLear discusses the settlement of the earliest towns in the Massachusetts Bay Colony: Salem, Dorchester, Watertown, Roxbury and Cambridge, concentrating on land ownership, title to land, the method of assigning land, use of common fields, and commonage of wood. John Fairfield Sly provides a review of the published work on the origins of New England government but glosses over the earliest years of settlement. He provides valuable information on the powers of the early town governments and the duties of various town officials. Edward Channing believes that local government in the colonies derived from precedents in England and compares town officials in colonial America with contemporary officials in England. He offers definitions for plantation, village, township, district, precinct and parish. Charles Francis Adams with three other authors including Channing refutes earlier attempts to find precedents for New England town government in English local government and in early German towns. He determines that the Massachusetts town was of secular origin and had no relation to the church. He posited a new theory that Massachusetts towns were purely economic entities like mini-chartered governments or sub-corporations within the Massachusetts Bay Colony. Roy Hidemichi Akagi discusses the common lands out of which early settlers received their private landholdings. In general newcomers after a certain date could buy land only from those who held it privately. The common lands were held for the benefit of the proprietors. William Haller, Jr., discusses the formation of new towns out of the earliest towns and shows how the colonial government regularized the guidelines as time progressed.¹

¹ A version of this paper was presented in Watertown, MA, as part of the Charter Day events put on by the Partnership of the Historic Bostons in 2009. Anne Bush MacLear, *Early New England Towns: a Comparative Study of Their Development* (New York: AMS Press, 1967); John Fairfield Sly, *Town Government in Massachusetts, 1620-1930* (Hamden, CT: Archon Books, 1967); Edward Channing, *Town and Country Government in the English Colonies of North America* (Baltimore, 1884); Charles Francis Adams et al., *The Genesis of the Massachusetts Town, and the Development of Town-Meeting Government*. (Cambridge: John Wilson and Son, 1892); Roy Hidemichi Akagi, *The Town Proprietors of the New England Colonies: A Study of Their Development*,

In the twentieth century four of the towns were the subject of more in-depth research: Watertown, Dedham, Sudbury and Andover. Each of these studies, however, takes a different approach, one from another, and as a group they do not directly place attention on the acts of town government. John Frederick Martin concentrates on economic issues, while Sumner Chilton Powell discusses how experience from old England influenced activities in New England. Roger Thompson also explores the transfer of attitudes and practices from the Old World to the New. Kenneth Lockridge tries to relate the early history of Dedham through his view of its founders' intentions. Philip Greven discusses the first hundred years of life in Andover and explains the transference of habits from England and the inter-relations of citizens of the town.²

The settlers of Dorchester gathered in Plymouth, England, in the county of Devon on March 19th, 1630, twenty days before the sailing of the Winthrop Fleet out of Yarmouth. Fully 140 people from the West Country of England embarked on the ship Mary and John to settle a community in the Massachusetts Bay Colony. Many of the travelers were from Dorset, a neighboring county on the edge of the midlands that includes the town of Dorchester. This group came together on the eve of their sailing to gather a church, a church whose descendant is today the First Parish of Dorchester, Massachusetts. The Mary & John anchored off Nantasket on May 30th, and the main group of passengers proceeded overland to find a likely spot for settlement. Capt. Southcote, Roger Clap and eight others took a small boat to explore the coast, stopping at Charlestown and going up the Charles River to the place that is now Watertown, where they learned that three hundred Indians were camped nearby. Roger wrote in his memoirs that "in the morning, some of the Indians came and stood at a distance off, looking at us, but came not near us. But when they had been a while in view, some of them came and held out a great bass towards us; so we sent a man with a biscuit, and changed the cake for the bass. Afterwards, they supplied us with bass, exchanging a bass for a biscuit cake, and were very friendly unto us." After a few days, a message was received that the others in the company had found a convenient place with pasture at Mattapan (later to be renamed Dorchester).³ After the first few years of severe hardship, the town was described in 1633 by visitor William Wood: "to the north lieth Dorchester; which is the greatest Towne in New England ... The inhabitants of this towne, were the first that set upon the trade of fishing in the Bay, who received so much fruite of their labours that they encouraged others to the same undertakings."⁴

Dorchester besides being one of the oldest of the Massachusetts towns, has a set of records, for both church and town, that are "complete and unusually full and instructive; indeed it may fairly be questioned whether there is any Massachusetts town in the history of which the gradual develop-

Organization, Activities and Controversies, 1620-1770 (Gloucester, MA: Peter Smith, 1963); William Haller, *The Puritan Frontier: Town-Planting in New England Colonial Development, 1630-1660* (New York, 1951).

² John Frederick Martin, *Profits in the Wilderness: Entrepreneurship and the Founding of New England Towns in the Seventeenth Century* (Chapel Hill: University of North Carolina Press, 1991); Sumner Chilton Powell, *Puritan Village: the Formation of a New England Town* (Middletown: Wesleyan University Press, 1963); Roger Thompson, *Mobility and Migration: East Anglican Founders of New England, 1629-1640* (Amherst: University of Massachusetts Press, 1994); Roger Thompson, *Divided We Stand: Watertown, Massachusetts, 1630-1680* (Amherst: University of Massachusetts Press, 2001); Kenneth A. Lockridge, *A New England Town: The First Hundred Years* (New York: W.W. Norton, 1970).

³ Roger Clap, "Memoirs of Capt. Roger Clap," in Alexander Young, *Chronicles of the First Planters of the Colony of Massachusetts Bay, from 1623 to 1636* (Boston: Little, Brown, 1846), 349-351.

⁴ William Wood, *New England's Prospect* (Amherst: University of Massachusetts Press, 1977), 58.

ment of New England town government can be more advantageously studied than in that of Dorchester.”⁵

Although the settlement of Dorchester dates from the early days of June, 1630, the town records do not begin until 1633. “The affairs of the plantation were at first controlled by the clergymen, aided by the advice of the Magistrates Ludlow and Rosseter,”⁶ who had been chosen by the stockholders of the company in London and who had travelled to America on the *Mary & John*. In the spring of 1631 after a considerable number had achieved the franchise through the General Court, it was the freemen who voted on every order of business, and no special town government was organized.⁷ Until 1634 the only legally constituted governmental authority was the General Court of the colony, whose only attempt to oversee town affairs was the appointment of constables for each of the towns.⁸ On September 28, 1630 the General Court appointed Thomas Stoughton as the constable for Dorchester.⁹

Soon after the town began entering its decisions in written form, an agreement was recorded to meet every week and to select representatives to handle town matters on behalf of the inhabitants. The order, which is recorded as having been made “by the whole consent and vote of the Plantation,” reads “It is ordered that for the general good and well ordering of the affayres of the Plantation there shall be every Mooneday ... a generall meeting of the inhabitants ... to settle (and sett downe) such orders as may tend to the generall good as aforesayd; ... It is also agreed that there shall be twelve men selected out of the Company, that may or the greatest part of them, meet ... to determine” the affairs of the town.¹⁰

So, the concept of ‘selectmen’ was born when Dorchester established a representative town government.¹¹ Dorchester’s establishment of a system of town government by selectmen is the documentable instant showing that the early towns of Massachusetts Bay had begun to question how they

⁵Adams, *Genesis*, 8.

⁶*History of the Town of Dorchester, Massachusetts*. By a Committee of the Dorchester Antiquarian and Historical Society (Boston: E. Clapp, Jr., 1859), 29-3; Sly, *Town Government*, 30-32. Sly also mentions Cambridge Feb. 1634 Watertown Aug. 1634; Kenneth A. Lockridge & Alan Kreider, “The Evolution of Massachusetts Town Government, 1640 to 1740,” *The William and Mary Quarterly*, Third ser., 23, no. 4 (October 1966): 550; Melville Egleston, *The Land System of the New England Colonies* (New York: Evening Post Print, 1880), 29. Egleston says “... leading members of the [colonial] Government were leaders also in their respective towns.”

⁷MacLear, 106-107; Timothy H. Breen, “Who Governs: The Town Franchise in Seventeenth-Century Massachusetts,” *The William and Mary Quarterly*, Third Series 27, no. 3, (July 1970): 462; William Dana Orcutt, *Good old Dorchester. A Narrative History of the Town, 1630-1893* (Cambridge, 1893), 39; James Truslow Adams, *The Founding of New England*, (Boston: Atlantic Monthly, 1922), 450.

⁸Roger Thompson, “Enough of Thorough: Watertown as a Case Study of Early Massachusetts Town Government,” *The New England Quarterly* 73, no. 4 (December 2000): 562.

⁹Nathaniel B. Shurtleff, editor. *Records of The Governor and Company of the Massachusetts Bay in New England*. (Boston: Commonwealth of Massachusetts, 1853), I: 76.

¹⁰*Dorchester Town Records. Fourth Report of the Record Commissioners of the City of Boston*. 1880. 2nd edition, 1883. (Boston: Rockwell and Churchill, 1883), 3, hereafter referred to as DTR.

¹¹Sly, *Town Government*, 30. Sly says this is “probably the earliest ‘home rule’ document in American institutional history.”; Lockridge & Kreider, *Evolution*, 551. Lockridge & Kreider imply that Dedham’s creation of a group of selectmen on August 23, 1634, had no precedent, but clearly Dorchester was earlier; Adams, *et al.*, *Genesis*, 7-8, discusses the origins of the New England town, concluding that although elements of town government derived from earlier precedents, the form of government in New England grew out of New England as a new institution.

would live in a community and arrange their affairs in common. Other towns were soon to establish the same method of running town affairs through a select number of representatives out of the body of the town. Undoubtedly this more efficient method of handling affairs derived from the experience of the settlers in their former towns in England. Yet the citizens of the towns of Massachusetts Bay did not copy the English models of which they had direct experience. The English system was based on class and rank in society, whereas the towns of Massachusetts Bay treated every inhabitant equally.¹²

As in other towns Dorchester's citizens elected the selectmen and maintained control over them. The order establishing the institution of selectmen continued "it is likewise ordered that all things concluded as aforesaid shall stand in force and be obeyed vntil the next monethly meeteing and afterwards if it be not contradicted [by the townsmen]." The number of selectmen varied, and they were sometimes elected for a year and sometimes for six-month periods. When the town voters selected ten men in January, 1636, they set the condition that decisions made by the representative body must be read at the next Lecture Day after the usual Lecture-Day program. "And then all acts and conclusions as shall not be contradicted by the major p'te of the free men present, shall stand for orders and bind the Plantation and euey inhabitant thereof."¹³

In 1641 the Massachusetts General Court recognized the institution of selectmen in the various towns and delegated "... to the selectmen of each town numerous duties, among them the power to lay out highways, supervise education, judge certain cases, and to exercise social control."¹⁴ On October 18, 1642, the Dorchester selectmen determined that they needed to create an agenda ahead of the meetings. "Whereas it hath been observed diuers times, in our general town meeting, that some, confusion and disorder hath happened ... by reason that men have used their liberty to propound their matters to the plantation without any' fore knowledge of the [select] men, ... it is therefore ordered that all matters and questions ... shall first be brought to the [select] men or to some two or more of them, and by them considered and orderly presented to the plantation."¹⁵

Three years later the records include what is practically a "written constitution, or framework of town government, and are accordingly one of the earliest efforts in that direction. As such they are interesting in themselves, besides indicating clearly the way in which the New England town-meeting was then developing upon original lines, following no precedents set in the old country." This constitution, which was called the Directory and was approved by the Freemen of the town, gave the selectmen "full power and liberty of orderinge all our predentiall affaires" as long as the selectmen would not interfere with the disposition of town land and would not alter any parcel of land without the consent of the proprietors.¹⁶

¹² Adams, *et al.*, *Genesis*, 9. Adams defines an inhabitant of a place as a man who "had his house there or somewhere else, when he had land in occupation in that place and was interested in the management and well being thereof." There has been much discussion about the difference between inhabitant and freeman and the fact that inhabitants were allowed to participate in town affairs; Shurtleff, *Records*, 161. The General Court ordered in September, 1635, that "none but freemen shall have any vote in any towne"; Breen, "Who Governs," 462. Breen discusses in detail the literature about who had the franchise in the seventeenth century.

¹³ *DTR*, 21; Lockridge & Kreider, "Evolution," 552 discusses the relative power of the town body as opposed to the board of selectmen, suggesting that a ruling elite developed with a disparity in power between the town and its board favoring the board; Thompson, "Enough of Thorough," 561. Thompson discusses the conclusions made by town historians of the 1960s and 1970s that early Massachusetts were run by their elites.

¹⁴ Lockridge & Kreider, "Evolution," 551.

¹⁵ *DTR*, 50.

¹⁶ Adams, *et al.*, *Genesis*, 13; *DTR*, 289-294.

To effect their orders the selectmen needed town officers to serve in various capacities. The constable was an appointee of the colonial government, but the town paid his expenses and approved his accounts.¹⁷ The town also paid the captain of the local militia to train the town's able men to be ready for defense.¹⁸ Town officers included fence viewers to determine whether the pale was kept in good condition¹⁹ and surveyors to lay out the various grants of land to individuals.²⁰ The bailiff was appointed for a year with the responsibility of levying fines and tax rates with the right to detain goods and impound cattle for payment.²¹ When an expense was added to the town's budget, several men were given the responsibility of setting the tax rate.²² In October, 1634, it was "agreed that whosoever is chosen in to any office for the good of the Plantation, he shall abide by it, or submit to a fine as the company shall thinke meete to impose."²³

The first years of English colonial life in Dorchester were years of hardship. The settlers' immediate needs were to cultivate land for the production of food crops and to build homes for their shelter. The allocation of land occurred as soon as the settlers arrived. They could not wait for the colonial government to form methods and regulations when their livelihood depended on early establishment of gardens.²⁴ Each family received a home lot of about four acres,²⁵ large enough for a house, outbuildings, and gardens including enough to overwinter cattle. Each family also received various lots in all the different types of useful land—an acre in the marsh, two acres of fresh meadow, and so on, plus a lot of about sixteen acres in a large cultivated area that was fenced in common.²⁶ The town maintained the view that timber was a resource to be regulated even after it was cut as evidenced in the order of Dec. 2nd, 1633 "all trees that are now felled out of the lotts or shall be hereafter and not used within three moneths all men who have occasion to use them may take them."²⁷

In contrast to the English villages of their backgrounds, the settlers now participated in land ownership both in severalty and in common. They owned their own home lots, parcels in other types of land and their great lots. They owned pasturage and timber land in common. This dichotomy seems to

¹⁷ *DTR*, 35.

¹⁸ *DTR*, 9.

¹⁹ *DTR*, 3 August 1633.

²⁰ *DTR*, 12 November 1635.

²¹ *DTR*, 8 October 1634.

²² *DTR*, 6-7. The concept became permanent, *DTR*, 35.

²³ *DTR*, 8.

²⁴ Akagi, *Town Proprietors*, 16; Clap, *Memoirs*, 349-351.

²⁵ *DTR*, 2, 10 Mentions measuring the great lots.

²⁶ *DTR*, 1, 14, 15; J.Z. Titow, "Medieval England the Open-Field System," *Past and Present*, no. 32 (December 1965): 86. Titow discusses possible origins and growth of the open-field system of common planting and quotes Joan Thirsk in providing a definition of the system; Donald S. Pitkin, "Partible Inheritance and the Open Fields," *Agricultural History* 35, no. 2 (April 1961): 65. Pitkin discusses the extensive literature that posits the open-field system as a precursor of democracy and as the descendant of German origins. He attributes the rapid demise of the open-field system in America to the introduction of partible inheritance under the law of intestacy in place of primogeniture; Akagi, *Town Proprietors*, 110; Herbert L. Osgood, *The American Colonies in the Seventeenth Century* (Gloucester, MA: Peter Smith, 1957), I: 117-118; Eggleston, *Land System*, 41-42; MacLear, *Early New England Towns*, 87-94.

²⁷ *DTR*, 5.

have worked acceptably for them. In England, land in most areas was copyhold, i.e, leased with the right to continue to lease year after year, even passing down the right to lease through inheritance.²⁸

Their use of the planting fields in the great lots was a usage in common, although the lots were owned privately. Common planting, a practice brought from the England midlands, derived from the need to share oxen for efficient plowing.²⁹ Pasturage owned in common and used in common allowed the inhabitants of the town to place their cattle in good feeding grounds each day during the planting months, i.e., April 15th to November 15th.³⁰

The most numerous entries in the town records are land transfers. Land transfers from the town property into private hands were quite common in the first twenty or thirty years after settlement. Transfers from individual owners to other individual owners were regulated. An order from November 3, 1634, prescribed that no man “within the Plantation shall sell his house or lot to any man without the Plantation whom they shall dislike of.”³¹ Therefore prior approval was required for land transfers to anyone from another town. This rule may have derived as a defensive measure by the town due to the desire among some of the inhabitants to move to Connecticut, with the anticipation that properties would come up for sale when these people might move on.³² The Massachusetts General Court confirmed the right of the towns to dispose of the lands within their own boundaries and to make orders for the ordering of their own affairs on March 3, 1635/6, as long as their orders were not “repugnant to the lawes & orders here established by the Generall Court.”³³

The early settlers were concerned about their rights of ownership to the common lands, and on Jan. 18, 1635, we see that it was “ordered that all the home lots within Dorchester Plantation which have been granted before this present day shall have right to the Commons and no other lots that are granted hereafter to be commoners.”³⁴ However, the records of land ownership may not have been kept very well, for in 1636 we see that, “It is ordered that every particular inhabitant shall take a view of his house and garden and home lots how they lie bounded (towards other men or towards the commons) according to the points of the compass, and so of their great lots and meadow ground as they lay bounded every way, and the number of acres of all such lands, a note of which to be brought into the 12 men to be

²⁸ Howard Levi Gray, *English Field Systems* (Cambridge: Harvard University Press, 1915), 23; Powell, *Puritan Village*, 8-11.

²⁹ Pitkin, “Partible Inheritance,” 65-69.

³⁰ *DTR*, 11; William B. Weedon, *Economic and Social History of New England, 1620-1789* (New York: Hillary House, 1963), 58-59.

³¹ *DTR*, 8.

³² *History of the Town of Dorchester*, 148.

³³ Shurtleff, *Records*, 172; Breen, “Who Governs,” 461; Lockridge & Kreider, “Evolution,” 551.

³⁴ *DTR*, 14; Egleston, *Land System*, 36-38. Egleston discusses the commoners of New England towns, later called proprietors, and how they were a quasi-corporation distinct from the town government although often there were no separate meetings. There was an understanding that commoners would vote on issues concerning common lands, and the Freeman would vote on town affairs. In many instances the composition of the two bodies was substantially the same.; Akagi, *Town Proprietors*, 19, 69, 71; Martin, *Profits*, 273. Martin says that the proprietors of Dorchester held their own meetings as of the 1650s, but he gives no reference, and the town records do not support his statement. It seems more likely that they brought their concerns to town meeting, and only proprietors could vote on those concerns; *DTR*, 40. The town does not seem to have been absolute in this for Robert Pierce was designated a commoner in 1639.

judged of ... to see it recorded on a book."³⁵ It was not until 1713 that the commoners were incorporated into a body distinct from the town as The Proprietors of the Undivided Lands.³⁶

After their election on Oct. 8, 1633, the first board of selectmen at their first meeting issued an order that the maintenance of the fence around the common cultivated area was to be the responsibility of the land-owners next to which the fence passed.³⁷ Negligence in keeping the fence in good repair would incur a fine of 3 shillings for every expanse approximately equal to a rod in length. Prior to this time the Massachusetts General Court had issued orders for recovery of damages caused by trespassing livestock (May, 1631); "evy pson shall satisfie for the damages his swine shall doe in the corne of another," (October, 1632); "it shalbe lawfull for any man to kill any swine that comes into his corne" (July, 1633). In May of 1634, the Massachusetts General Court repealed all colony-wide orders concerning swine and agreed that every town would have the responsibility for management of trespass.³⁸

The records are replete with issues concerning livestock and the repair of fences to keep the domesticated animals out of the planting fields. An order from spring of 1634 states that all pig sties were to be removed from inside the fenced areas with a fine of 20 shillings per day for failing to follow the order. Any land-owner who did not maintain his fence would be subject to a fine of 10 shillings per day, and owners of trespassing pigs would have to pay for the damage caused.³⁹ Later in the same year the town selectmen decided to erect a public animal pound.⁴⁰ Then a month later it was ordered that for hogs committing any "trespasse in any of the corne fields within the Plantation," the owner of the land responsible for the fence would pay half of the damage and the owner of the animals would pay half.⁴¹

The use of the common pastures, the Cow Pasture and the Calf Pasture, were controlled by town government. In 1633 the selectmen ordered that "every man for future tyme that put any Cattle in the necke be of what condition soever shall p'sently pay Two shillings an head." In early 1635 it was "... ordered that fower bulls, shall constantly goe with the drift of milch cows." On April 17, 1635, it was "agreed with Thomas Thornton and Thomas Sanford to under take the keeping of cows for the space of 7 months, to begin the 15th of April, for which they are to have 5s 3d" per cow.⁴²

³⁵ *DTR*, 20 .

³⁶ *History of the Town of Dorchester*, 286; *Historical Data Relating to Counties, Cities and Towns in Massachusetts* (Boston: New England Historic and Genealogical Society, 1997). It was these common lands out of which many of later communities were formed: Stoughton, Walpole, Norton, Wrentham, Foxborough, Sharon, Canton, Avon, and part of Bridgewater.

³⁷ *DTR*, 44-45. Owners of lots inside the area where no fence passed became responsible for sharing the expense of fencing in 1641.

³⁸ Shurtleff, *Records*, 86, 101, 106, 119.

³⁹ *DTR*, 6.

⁴⁰ *DTR*, 8.

⁴¹ *DTR*, 9; Peter Karsten, "Cows in the Corn, Pigs in the Garden, and 'The Problem of Social Costs': 'High' and 'Low' Legal Cultures of the British Diaspora Lands in the 17th, 18th, and 19th Centuries," *Law & Society Review* 32, no. 1 (1998): 66-67. Karsten states that by 1600 the developed English agricultural world placed the burden of keeping animals out planting fields onto the owner of the animals, but because New Englanders favored animal husbandry in the early years of settlement, they returned to a practice from the past in which the planter became responsible for fencing animals out. The Dorchester records show that the burden was shared; MacLear, *Early New England Towns*, 89. MacLear draws attention to the fencing of common fields.

⁴² *DTR*, 3, 10, 11.

Another issue of concern to the inhabitants of Dorchester was education. In May of 1639 the town appropriated public money for a school. This is believed to be the first use of funds from a public treasury for the establishment of a free school anywhere in the world.⁴³ In 1644, the town established the positions of three Wardens or Overseers of the School who had full supervision of the school, including the responsibility to see that the school master fulfilled his duty, teaching from seven in the morning till five in the afternoon during the months of March to September and from eight in the morning till four in the afternoon from October through February. "Every second day in the week, he shall call his scholars together between 12 and one o'clock to examine them what they have learned on the Sabbath day preceding and take notice of any misdemeanor or disorder that any of his scholars have committed on the Sabbath ... due admonition and correction may be administered," and "every 6th day of the week at 2 o'clock, he shall catechize his scholars in the principles of Christian religion."⁴⁴

The citizens were collectively responsible for their own defense in the early years of the colony. Accordingly they settled in a nucleated community, where they could call upon their neighbors. Men trained in the local community each year under the supervision of a local captain.⁴⁵ There was some sympathy for those drafted by the colonial government, for we see an order on May 9, 1636, allowing those who have business at home to specify a friend to care for it at the same wages given to the soldiers, and the local officials could press men into service for this purpose under threat of fines. The captain of the local militia was paid out of the town tax rate.⁴⁶ On January 6, 1633/4, it was "ordered that there shall be a fort made upon the rock, above Mr. Johnson's and that the charge thereof shall arise out of the part of the public rate now made in the Plantation and to that end the said rate is to be doubled."⁴⁷

Roads were of concern to the inhabitants. On November 3, 1634, it was "ordered that there shall be a sufficient cartway be made to the mill at Neponset at the common charge;" on February 10, 1634/5, it was "ordered that there shall be a sufficient cart way made betwixt the rocke and Mr. Richards house"⁴⁸ There are many entries in the records about roads, and in 1640, we see that "for as much as former neglects of looking to high ways hath been prejudicial to the Plantation in diverse respects, it is therefore ordered that henceforth there shall be yearly chosen 2 officers by the name of supervisors of highways who shall oversee and procure the making or amending such highways as are defective within the plantation ... They shall have power to take any mans team or servants ... and whosoever shall refuse to afford such help ... shall be liable to the penalty of 3s 6d for a man's work a day so refusing and 6s 8d for refusing to help with a team."⁴⁹

The records include references to commercial enterprise to be encouraged for the good of the town. On June 27, 1636, it was ordered that "Nicholas Upsall shall keepe an house of entertainment for strangers."⁵⁰ Earlier in 1633 the town approved the construction of the first water mill to grind corn in the

⁴³ DTR, 39; Orcutt, *Good Old Dorchester*, 289-290. Orcutt examines some of the claims by other towns for the first public school; George Emery Littlefield, *Early Schools and School-Books of New England* (New York: Russell & Russell, 1965), 64-70. Littlefield discusses the claims of Boston and Dorchester for the first school.

⁴⁴ DTR, 54-57.

⁴⁵ Oliver Ayer Roberts. *History of the Military Company of the Massachusetts now called The Ancient and Honorable Artillery Company of Massachusetts. 1637-1888* (Boston, 1895), I: 2, 7; Shurtleff, *Records*, 124. In September 1634 the General Court ordered the captains to train their bands once every month.

⁴⁶ DTR, 9.

⁴⁷ DTR, 5.

⁴⁸ DTR, 8, 10.

⁴⁹ DTR, 42.

⁵⁰ DTR, 16.

Massachusetts Bay Colony at the Neponset River at a site later to be named Lower Mills. The Dorchester Town Records contain an entry for Monday, November 3, 1633, “It is generally agreed that Mr. Israel Stoughton shall build a water mill, if he see cause.”⁵¹ By the following January, the mill and a bridge over the Neponset River were completed, and the town voted to allow Stoughton the privilege of erecting a fish weir provided he would sell alewives to the town at five shillings per thousand or a lesser price. The Massachusetts General Court confirmed these proceedings in September, 1634.⁵² However, the town required a promise from Stoughton that he would not “sell away the said mill without the consent of the plantation.”⁵³ On Dec. 17, 1645, Edward Breck received “smelt brook creeke on the condicion that he doe sett a mill there.”⁵⁴ This mill was set where a little inlet could be dammed up and tide gates could be closed up when the tide was in, so that when the tide receded, the water in the pond would power the mill.⁵⁵

The meeting house and the cemetery were also of concern. At that time, the meeting house was not only the place of worship but also the home to the civil government. On Dec. 2, 1633, it was ordered when a person died who owned a seat in the meeting house, “the officers of the church in their discretion to order who shall succeed in those seates and to be sould and the money expended for the reparations of the sayde meeteing house.”⁵⁶ On Nov. 3, 1634, it was “also ordered that there shall be a post stayrs made to the meeteing house on the outside. And the loft to be layd and windowe in the loft.”⁵⁷ The necessity of burying the dead led the town to establish one of the earliest cemeteries in the colony that is still identifiable. On Nov. 3, 1633, it was “agreed that there shall be a decent burying place bounden in upon the knapp by Goodman Greenwaye’s and that shall be done by the Raters aforesayde, and also a bare [bier] to carry the dead on.”⁵⁸

The Dorchester records reveal the concerns of the town’s inhabitants in managing their civil relationships and affairs. The issues are practical ones—how to make decisions, delegation of authority, land ownership, trespass, defense, education, roads and the encouragement of commercial ventures that might benefit the whole community. The records, on the other hand, do not reveal many aspects of life in the town such as family life, culture, intellectual life and religion. Other than the construction and repair of the meeting house (which was the seat of civil government as well as a church) and the creation of a cemetery, the only mention of religion in the town records is in the duties of the schoolmaster who examined his students on what they had learned at church on the previous Sabbath. The town records therefore reveal certain practical aspects of life in the town that add to our understanding of early English settlements in New England. At the same time it seems that without any intention of doing so, Dorchester, in incrementally satisfying the secular needs of the town inhabitants⁵⁹ created a town-meeting government and a school supported by public taxes, contributing to the formation of two institutions of untold influence to American political life.⁶⁰

⁵¹ *DTR*, 4.

⁵² Shurtleff, *Records*, 127-128.

⁵³ *DTR*, 5.

⁵⁴ *DTR*, 57.

⁵⁵ Henry N. Blake, “Memoirs of a Many-Sided Man: The Personal Record of a Civil War Veteran, Montana Territorial Editor, Attorney, Jurist.” *Montana, the Magazine of Western History*, (Autumn 1964): 31. Written in 1916, edited by Vivian A. Paladin for publication in 1964.

⁵⁶ *DTR*, 4.

⁵⁷ *DTR*, 8.

⁵⁸ *DTR*, 4.

⁵⁹ Adams, *et al.*, *Genesis*, 16-17.

⁶⁰ Adams, *Founding of New England*, 396.

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