

Chapter III

THE POLITICAL STRUCTURE OF PLYMOUTH COLONY SHOWING THE TERRITORY ORIGINALLY GOVERNED AND A CHANGE IN BOUNDARY LINES

INTRODUCTORY

It is not my purpose to write a history of the Pilgrims or a history of the Town of Plymouth, but insofar as these Mayflower passengers settled in the section around Narragansett Bay or insofar as during their lifetimes their descendants settled in this district, their influence concerns us because their sturdy character influenced the character of their descendants. Our territory was settled by innumerable descendants of the Pilgrims. For instance, the writer is descended from twenty-five percent of those of the Mayflower passengers who had survived the first winter and also from a very substantial percentage of those who came in the other two ships. After a lapse of seven generations that influence can hardly control the activities of those who are now living.

The Pilgrim Settlement and Relations with Indians

As was true of other colonial settlements in New England, the Pilgrims had left their English homes because of religious differences, and on account of the religious intolerance of their neighbors. They had sought to read and study their Bible in the privacy of their homes rather than while it was chained to a church altar. They desired to apply its teaching to their own lives according to their own interpretation of its doctrine. When this was denied they became "separatists" from the English Church and through many vicissitudes finally fled to Leyden in Holland. Carver, Bradford and Brewster were among their leaders. The word "Pilgrim" was not an applied word but one chosen by themselves. Bradford says, referring to the time when they left Leyden for the new world, "they knew they were 'pilgrims', and looked not so much on beauteous things but lifted their eyes to the heavens and quieted their spirits". Though in voluntary exile the Pilgrims still claimed to be Englishmen. Their departure from Leyden was very largely due to the fact that they were gradually becoming Dutchmen, and they preferred the hardships of the voyage and of colonization and sought rather to worship without supervision than to enjoy and be merged in the easier life of Holland.

On the trip over the "Mayflower" was blown northward from the intended course and the voyage had been so difficult and the health of the passengers was so much impaired, that they abandoned their intended course to Virginia and landed at Plymouth by force of circumstances. They had some charter rights for their Virginia settlement, but as they were forced to land in a strange country where no municipal law was binding upon them, they entered into a "compact" as to their form of government before they left their ship. This is America's first "declaration of rights".

Plymouth was settled within the limits of the territory patented in 1606 by James I of England to the Plymouth Company. During the next year (1621) the colony secured a "sub-patent" from this Plymouth Company, but it was gotten in the name of their agent, John Peirce, of London. The Peirce patent did not specify their exact colonial limits and it provided for the payment of rent. In 1622 Peirce dishonestly procured an exchange of this patent for a deed to himself and his heirs, thus making himself proprietor and owner of the lands on which the colony had settled. He demanded surrender by the colony of its assets and when his demands were refused he took ship to America to enforce his ownership, but he met with two ominous marine casualties which finally forced him back to England, and then he compromised his claims and assigned his patent to the "Adventurers", who were a body of men who had originally financed the "Mayflower" voyage. Peirce had paid fifty pounds for his patent and had demanded five hundred pounds for it. Still Plymouth Colony had no boundary limits and it was not until January 13, 1630 when a new and definite patent, known as the "Warwick" patent, was granted by the "Council for New England" to William Bradford, his heirs and associates and assigns, that the Pilgrims really owned their colony. Bradford had fifty-seven associates in this purchase, and their names are listed in the Plymouth Colony Records, on the last page of Volume II. These Associates made transfer of their patent to Plymouth Colony December 1, 1640, but they made reservations of certain portions of the colony lands to themselves as individuals to compensate them for their costs and for an expense of five hundred pounds, spent in their previous attempts to secure a royal charter.

We are somewhat interested in the land which was "reserved" for the private ownership of Bradford and his associates, because it included "Warren and the adjacent lands; and all the land between the Warren and Providence Rivers extending eight miles into the land".

In November 1636 by order of the "Crown" a committee of the "whole body of the Commonwealth of Plymouth" met. They enacted basic laws at great length. They established by surveys the boundaries of their colony. These laws were the first operative laws adopted by the white men which were binding upon the Indians and other inhabitants of the entire territory of the colony. In a later part of this work I shall discuss the question of "great ponds" as applied to the Watuppa Ponds in Fall River. As this law codification of 1636 was the basic law of the colony I will here quote a clause which has an important bearing upon the Watuppa Ponds. It is as follows: "Fishing, fowling, hawking, hunting be freely allowed", but "if any damage comes to any particular by the prosecution of such game, restitution be made or the case actionable". There had been an older Plymouth law or rule upon this subject, passed in 1623, which read that "fishing, fowling and hunting be free"; "every man be allowed a convenient way to the water". (Vol. XI, pp 5 and 16).

The Warwick patent fixed the limit of Plymouth Colony "from Cohasset to the utmost bounds of Pokonoket and southward to the southern ocean".

The Pokonoket Indians are those with whom the Pilgrims came in contact at the landing of the "Mayflower" and it is to be noted that the Warwick patent had the same limitation of territory as that occupied by these Pokonokets. Included in this patent were the towns which were afterwards included in the counties of Plymouth, Barnstable and Bristol, now in Massachusetts, and the towns of Bristol, Barrington, Tiverton and Little Compton, which are now in Rhode Island. The Island of Rhode Island was disputed territory and Plymouth never exercised any control over it. Bristol County in Plymouth Colony, then included Taunton, Rehoboth, Dartmouth, Somerset, Swansea, Freetown and Attleboro which are now in Massachusetts, and Bristol, Tiverton and Little Compton, which are now in Rhode Island.

The Pilgrims, apart from two or three elderly advisers, were either youths or young men. One hundred and two passengers left England and one hundred and two reached Provincetown. The hardships of the voyage brought disease, and when the next spring arrived just half of them had died. Those who survived had been through every hardship that was known. They were the hardest set of pioneers who ever came to America. They were not extremists in belief or action; their punishments were mild

compared with those meted in the old world which they had left. As a colony they were fair in all their dealings with the natives and their neighbors. From the first they safe-guarded the land ownership rights of the Indians. In some colonies the settlers claimed to own all they had discovered; in others they recognized the ownership of the Indians, but placed no restrictions upon its purchase, so that many sales were procured by fraud, or for little or no consideration. In Plymouth Colony a colonist was allowed to enter into negotiations with an Indian with reference to purchase of his land, but he was not allowed to conclude the negotiations but had to engage the colonial officers to complete the sale for him. The terms of sale were always carefully scrutinized. A few colonists disobeyed the law in this respect, but they were severely punished. One fine of a thousand pounds, accompanied by a jail sentence, was meted upon a Tiverton man for accepting a gift of land from his Indian friend.

Edward Winslow in the same publication writes (in 1621), "There is now great peace among the Indians themselves, which was not formerly, nor would have been but for us. We walk as safely and peaceably in the woods as in the highways in England, entertain them familiarly in our houses, and they as friendly bestow their venison on us".

Winslow himself was largely responsible for this condition since he represented the Pilgrims in many of their dealings with Massasoit; he was the first to greet Massasoit when Massasoit first came to Plymouth (Wednesday, March 22nd, 1621. See "Journal of Pilgrims", p. 61). With Hopkins he made the first trip to Sowams (July 1621) to cement their treaty, and in 1623 when Massasoit was ill, Winslow brought to him the remedies for his ailment. So ill that he could not see and so perturbed, at the taunts of the chieftains because (as they claimed) his English allies had deserted him in this emergency, that his mind was wandering, his greeting "is it really you Winslow" showed marked devotion. Finally, Massasoit's complete recovery due to Winslow's treatment so cemented the friendship that to him the Pilgrims were "Winslow's men" throughout his life.

While this thought is not new I have not before seen as complete verification of it as I find in a letter addressed by Roger Williams to Governor Winthrop of Massachusetts Bay Colony under date of August 14, 1638.¹ It seems that an Indian (one Penowyanquis) had been slain by

¹ 4 Mass. Hist. VI, p. 249.

some Englishmen and Williams writes that Massasoit told him that four men were equally guilty, but that the one who inflicted the wound must not die for that he was "Mr. Winslow's man" and further because the deceased was by birth a Nipmuck and so it was not worthy that any man should die for him.²

As soon as Massasoit's son (Mooanam or Wamsutta, later Alexander) was old enough to participate with him in his tribal duties, Massasoit brought him to Plymouth (September 25, 1639) and desired that his "Ancient league and confederacy" be confirmed; so it was again solemnly agreed that Massasoit "would not needlessly or unjustly raise any quarrels or do any wrong to any other natives or provoke them to war and would not give away or sell any of his lands without colonial assent, and that the colony would defend him and his against all such as should rise up against them to wrong or oppress them unjustly."³

Massasoit's alliance with Plymouth Colony was based upon the necessity of protecting his nation from further encroachment upon its territorial integrity and also of protecting himself in his tribal supremacy within the nation; he grasped at it not knowing whether it was a "straw" or a "plank", but when its worth had been proved not only by Winslow's devotion but also by the support accorded him in the common war against the Pequots and in his troubles with the Narragansetts, which troubles were both external due to the encroachments of the Narragansetts and also internal on account of the support rendered by that tribe to Corbitant in his attempts to circumvent Massasoit's power within the nation, his sincerity in the alliance was proved. When (in 1621) Squanto circulated damaging stories with reference to Massasoit's connection with Corbitant, and when the colony refused to surrender Squanto for punishment, this cordial relationship was seriously strained, only to be cemented for Massasoit's lifetime upon the occasion of Winslow's visit to Sowams in March 1623. It seems impossible otherwise to account for the fact that Massasoit withheld information of the conspiracy of the Massachusetts chieftains until Winslow was leaving Sowams for Plymouth, and that he then disclosed it secretly to Hobbamock. (Goodwin, p. 221-2). It would seem that otherwise Massasoit would have at the beginning declined to enter into the conspiracy, rather than allow himself to be "repeatedly urged".

² For this offence three men Arthur Peach, Thomas Jackson and Richard Ster were hung in Plymouth on September 4, 1638. (Peach was "Winslow's man"). (Goodwin pp 406-7).

³ Pl. Col. Book 1, p. 133.

Four months later (in July 1623) Massasoit's confidence in the Plymouth men was further increased, because, after a seven weeks drought had parched all the crops and forest fires were threatening, their prayers and supplications (during a fast day which was set apart for that special purpose) seemed to bring immediate relief.