

Boston's Bastion:
The Founding Generation and the Massachusetts Bay Charter

Francis J. Bremer

On August 26, 1629 a group of godly gentlemen and clergy gathered in Cambridge, England. It is not clear where they met, but it was probably at one of the colleges. It might have been Trinity, where at least one of them, John Winthrop, had studied as an undergraduate. But it was more likely to have been Emmanuel, noted for its puritan character. They could have met in a college hall, but I suspect they gathered in a less public area. Among those assembled were twelve members of the Massachusetts Bay Company, a corporation chartered by King Charles I to colonize the heart of New England in the New World. The purpose of the meeting was to discuss a relatively radical idea. Whereas the leaders of most

colonizing ventures sent colonists abroad and remained at home to direct the affairs of their settlement, what was discussed at Cambridge was a proposal that leaders of the Bay Company move to Massachusetts themselves and take the charter with them, thus transferring the corporate headquarters from England to New England. To understand why these men were willing to migrate and why the decision to take the charter with them was so important, it is necessary to talk a little bit about the origins of the Bay Company.

The members of the faction in the company that was prepared to uproot themselves were committed to a puritan experiment – an effort to create godly communities in the New World such as it was becoming more and more difficult to either create or sustain in England itself. Puritanism took many different forms, but in its essence it was a movement to purify the Protestant Church of England from remaining traces of Roman Catholicism. It could be argued that there was a puritan strain in some of the leading bishops in the church, from Thomas Cranmer, through Edmund Grindal, to James Ussher. Certainly those who advocated further reform represented a vital element (though not a majority) of the church from

the mid to the late sixteenth century. There were puritan centers at Oxford and Cambridge universities. Through the reign of Queen Elizabeth, the puritan movement made major strides in some parts of the nation. The Stour Valley borderland of south Suffolk and northern Essex became recognized as a godly kingdom where a coalition of puritan magistrates and ministers promoted Calvinist piety and a social gospel of responsibility towards one's neighbor.

All of this changed during the reign of the first two Stuart monarchs, James I and his son Charles I. Especially troubling to puritans was what they perceived as a drift away from traditional Calvinist beliefs and liturgical simplicity towards Arminian doctrines and practices that smacked of Roman Catholicism. What made this particularly dangerous was the fact that both monarchs placed greater emphasis on local conformity to the disliked policies shaped in the nation's capital and elevated bishops and justices of the peace who would enforce such conformity. Increasingly, those committed to the puritan agenda found themselves under siege. Some left England to establish or join congregations in the Netherlands where they hoped they would be free to follow the path of true religion. Some migrated to the English settlements in Ireland, because the

Protestant Irish Church was seen as purer than its English counterpart. But the centralizing efforts of Charles I would soon threaten those refuges.

It was against this background that some puritans began to think of America as a destination. Separatists, a more extreme group of reformers, had established the Plymouth colony in 1620. Robert Rich, the Earl of Warwick, was one of a number of puritan grandees who supported privateering attacks and colonizing encroachments against the Catholic Spanish empire. The Reverend John White of Dorchester had a history of promoting enterprises that advanced both religious and economic goals. Following a disastrous fire in 1613 that ravaged Dorchester and was seen by many as a sign of God's displeasure, White led a campaign of reformation to purge the poverty, ignorance, and disease that underlay the town's sins. Part of his plan involved the establishment of a municipal brewery which both provided employment and subsidized poor relief and educational efforts. It is likely that a similar combination of the practical and spiritual led him to lend his support to the creation of the Dorchester Company, an enterprise designed to establish fishing stations off the coast of New England. When that enterprise faltered White and

some of his fellow adventurers sought new support that would expand the remnants of the Dorchester settlements into a larger, more explicitly religious refuge.

It was this amalgamation of White and other west country men with new investors from London and East Anglia that, as the New England Company, received a grant of land between the Charles and Merrimac rivers from the chartered Council for New England in 1628. Concern about the viability of this grant soon led the leaders of the new company to seek a more secure basis for their enterprise by obtaining a royal charter. On March 4, 1629 the new, Massachusetts Bay Company received that charter – the document we are focusing on this week.

At this time, charters were granted to corporations and to communities. Corporations received special, monopolistic privileges that made it easier to advance the economic interests of their investors while also providing guarantees that protected their investment against rival interests. Incorporated communities – chartered towns and cities – received special political privileges and protections, including protection against certain types of obligations

that other Englishmen might be called upon to bear. Those who sought the Massachusetts charter were interested in protecting their financial investment against others who might claim title to the same American lands. But some of the investors soon realized the value the document might have for shielding a new community from the types of government initiatives that were suppressing religious reform in England. To realize this potential they met in Cambridge to plan to migrate to America and bring the charter with them.

Following their meeting in Cambridge the signatories of the agreement still needed to persuade a majority of the full group of investors to go along with the plan. This was not an easy task because if it was approved those investors who opted to remain in England – which was the norm for those who put money into colonial enterprises – would lose all influence over the company and the colony since they would be unable to attend meetings of the corporation, which would be in New England. Nevertheless, the Company's General Court did agree at the end of August to allow the charter to be carried to the New World. In the aftermath of that decision, John Winthrop, an investor who had only recently committed himself to the colony but who had signed the Cambridge

Agreement, rose rapidly to a position of importance. Winthrop was elected governor of the Company in October 1629 and assumed responsibility for planning the upcoming migration.

In making his case Winthrop advanced some of the arguments that he was using to attract others to emigrate, and that he would use again in his Christian Charity sermon to frame the goals of the colony for those who were joining him on the voyage to America. “The eyes of all the godly are upon you,” he told the investors staying behind. “What can be more honorable for this city and the Gospel you profess than to deny your own profit [so] that we may say Londoners can be willing to lose that the Gospel” might gain. And he told them that, though separated by the Atlantic, “being assured of each other’s sincerity in our intentions in this work, and duly considering in what relations we stand, we might be knot together in a most firm bond of love and friendship.”

The charter was carried by Winthrop to Massachusetts, presumably on the *Arbella*, in the spring of 1630 and became the basis for the colony’s government. In the process the forms of corporate government were transformed into forms of colony government. Whereas until Winthrop’s arrival there was a distinction

to be made between the company's appointed governor of the colony – John Endicott – and the governor of the corporation which gave him his orders – Matthew Craddock and then John Winthrop – now the two positions merged into one. Whereas freemanship – the right to participate in the governance of the corporation at meetings of its General Court – had belonged to those who made financial investments in the venture, soon it would be expanded to those residents of the colony who met set standards. Like other such grants, the charter legitimized the authority of the government over its subjects and protected it from certain forms of outside interference.

Despite the legend, the ability of Winthrop and the corporation's leaders to move their operations and the charter to the New World does not require conspiracy theories or providential interpretations to explain it. While many charters did stipulate the place of the corporation's headquarters and thus where the charter was to be kept, it was *not* unprecedented for charters to omit such provisions. That being said, the ability of the king and his government to revoke a charter was far easier if the document and the corporation officers were literally within their grasp. By removing the charter to Massachusetts, Winthrop and his fellow leaders made the

government's task of revoking the grant far more difficult. And it was not long before some of King Charles' advisors – most particularly Bishop, later Archbishop William Laud -- had second thoughts about the colony and took steps to revoke its charter. They were joined in these efforts by others who claimed that their prior territorial interest in the region had been trampled by the charter.

Sir Ferdinando Gorges solicited criticisms of the Bay colony and presented them to the King's Privy Council in 1632, leading that body to appoint a special committee to investigate the colony. The efforts of the colony's friends in England were enough to persuade the commission, the Council, and the king that nothing was amiss. But the chorus of complaints was not stilled and in 1633 the king approved the creation of a special Commission for Regulating Plantations to be headed by William Laud. That body quickly ordered that all who sought to emigrate to New England had to take oaths of allegiance and that ship captains must insure that onboard services be conducted according to the prescribed liturgy. Further orders in 1634 required special licenses for anyone wealthy enough to be assessed in a tax subsidy to emigrate, and that anyone below that rank have an affidavit from two justices of the peace and his local

minister attesting to his loyalty to the king and the established church. While these orders proved impossible to enforce they did signal a growing hostility to the puritan colony.

Winthrop and the Bay Colony leaders sought to protect their situation by trying to avoid giving ammunition to their enemies. Thus, they required that the colony oath of allegiance contained a recognition of the king's authority, and they affirmed their membership in the Church of England. When John Endicott cut the red cross of St. George from the royal ensign used by the Salem militia, the magistrates slapped him on the wrist. And they would openly disavow Roger William's criticisms of the king's right to bestow American lands on anyone. But while seeking to avoid a confrontation, they were prepared to defend their rights if need be. In March 1634 the colony's leaders discussed building a sea fort in the harbor and a month later required all freemen and non-freemen in the colony to swear allegiance to the Massachusetts authorities. In July Winthrop met with fellow magistrates on Castle Island to plan the erection of two gun platforms and a small fort.

In July 1634 the Laud Commission demanded that the charter be submitted for its inspection and the value of having taken it across

the Atlantic became apparent. For the first but not the last time, the colonial officials were able to appear cooperative while procrastinating. They knew that the attention span of the king's government could lapse. On this occasion, the Laud Commission instructed Matthew Craddock, still in London, to present the document. He forwarded the message to the colony, where the leaders decided to ignore it since it wasn't officially communicated to them. When Craddock wrote again he was told that the full General Court would have to consider the request when it met in a few months. By the time the Court met in September 1634 an official copy of the Laud Commission's request had been received, along with word that ships and soldiers were being gathered in England for the possible imposition of a royal governor, but the Court took no action on the demand for the charter. Instead they ordered the more aggressive exercise of the colony train bands, or militia, the erection of a beacon on the sentry hill in Boston, and created a commission of eleven magistrates to administer military affairs. Frustrated by the colony's non-compliance with their request, the Laud Commission prevailed upon the Privy Council in May 1635 to initiate legal action to revoke the Bay charter. The English court proceedings, with

representatives of the colony such as Sir Richard Saltonstall doing all they could to delay the proceedings, dragged on until May of 1637, when the Court of King's Bench issued a formal order for the charter to be delivered to the Laud Commission. Gorges, confident that he would be named the royal governor of the region, ordered the construction of a large ship to carry him and the king's orders to Massachusetts. Providentially, as everyone here in New England believed, the ship broke up when launched. And, equally providential, Archbishop Laud and King Charles found their attention distracted by the storm clouds on their northern horizon that erupted into war with Scotland in 1638 and the English Civil Wars shortly thereafter.

The Massachusetts authorities were concerned to use the charter both to protect their City on a Hill from the king's initiatives, but also to protect themselves against colonial appeals beyond their jurisdiction to England. Through the 1640s and 1650s they were relatively untroubled by such threats. Massachusetts supported the English Parliament in its fight against King Charles. In 1643 reference to the king was dropped from the colony's oath of allegiance, and in 1645 the General Court issued an order forbidding

anyone to support the royalist cause in any way. They applauded when Parliament reaffirmed the colony's liberties as granted under the charter and ordered that the judgment the king had secured against the charter be vacated. Yet while Massachusetts in those decades enjoyed a more positive relationship with the mother country than at any other time in her colonial history, the leaders of the Bay strongly asserted that they had the right to control their own affairs. While recognizing an allegiance to England, the General Court asserted in 1646, that "by our Charter we [have] absolute power of Government: for thereby we have power to make laws, to erect all sorts of magistracy, to correct, punish, govern & rule the people absolutely."

Ultimately, the autonomy thus claimed rested on the colony's ability to defend it – and the actions taken in fortifying the harbor indicate that the magistrates were well aware of this. It was the colonists' ability and willingness to defend their freedoms that protected them when the English puritan regime collapsed and the Stuart monarchy was restored in 1660. King Charles II had no reason to be fond of a colony that had supported the overthrow and execution of his father. But seeking to establish his authority over a

country where many were still committed to the good old cause of Puritanism, and strapped for funds, Charles could not even consider forcible action against Massachusetts and her sister New England Bible Commonwealths. What followed for the next decade and more was a delicate dance in which the royal government sought to exert greater control over the colony and Massachusetts authorities such as Governor John Endicott calculated how far they could resist without precipitating a crisis that might force them into armed resistance.

Each of the New England colonies did, of course, recognize the Restoration of the king. But when three of the regicides – puritan rebels exempted from the king's pardon for their role in the Civil Wars – fled to New England they were sheltered by the colonists, who nevertheless went through the motions of aiding the king's agents in hunting them down. In 1661 the king ordered the colony to halt execution of Quakers, and the Bay magistrates, recognizing that their practice was also controversial among their own citizens, acquiesced. The Massachusetts General Court officially condemned the antimonarchical sentiments found in the Reverend John Eliot's *The Christian Commonwealth*, a tract written during the heyday of Oliver

Cromwell's Protectorate but unfortunately published in London on the eve of Charles II's entry into the capital. In 1664 the king sent a royal commission to New England to settle boundary disputes and investigate charges against the colonies. The local authorities bobbed, weaved, appeared to cooperate without providing what the commissioners wanted, and in the process deflected another attack on their autonomy.

All of this began to change in the mid 1670s. And it should be noted that this was more than a grudge that Charles II held against New England. Charles and his brother James Stuart believed in asserting greater power over their subjects at home as well as abroad. The charters of English towns that sent opponents of monarchical policies to parliament came under closer scrutiny. A new Committee of the Privy Council for Foreign Plantations – which came to be known as the Lords of Trade – was created to extend royal dominion over all the colonies. But there is no doubt that New England, and Massachusetts in particular, were targeted for special attention.

Edward Randolph was sent to Boston as a special agent of the crown charged with reporting on New England compliance with the

Navigation Acts. But more importantly, Randolph began to exploit divisions in the colony in order to build a faction that would be willing to accept, if not to work for a revocation of the Massachusetts charter. Briefly put, he sought to exploit the resentment of those who were alienated from the colony's puritan leadership. Some of those he recruited were merchants and others who were not puritans but had migrated to the colony in the 1660s and 70s to take advantage of growing economic opportunities. Excluded from power, such men – and women – found the cultural climate of the region too conservative. But among the alienated were prominent citizens who, though members of the colony's first families and graduates of Harvard, were excluded from political power because they were not born again church members. Holding out to such disaffected individuals the promise that Charles II would recognize and reward their abilities, Randolph slowly built what was in essence a fifth column within the colony's establishment.

Equally harmful to the colony's ability to continue to steer its own course were the effects of King Philip's War. That conflict, the most devastating in our national history in terms of the percentage of the population that were casualties, not only sapped the region's

manpower but also extracted an enormous economic toll. Towns would have to be rebuilt, widows and orphans provided for, and taxes elevated for years to pay the costs of the military campaigns and relief efforts. From the perspective of England, the conflict significantly undercut the ability of Massachusetts to fight to protect its charter.

The final chapters of the charter story were written over the next decade. When Governor John Leverett and the Massachusetts General Court sent agents to meet with the Lords of Trade in 1676 regarding jurisdiction over the region we know as New Hampshire, they were sent back after three years with instructions that the colony send new agents authorized to negotiate changes in the charter. In 1680 New Hampshire was removed from the jurisdiction of Massachusetts and made a separate colony with its own royal governor. For over a year the Bay magistrates and ministers debated whether to send new agents or not, finally doing so in 1681 but with instructions forbidding them from agreeing to any fundamental changes in the charter. Frustrated at this typical delaying tactic, the Lords of Trade instituted court action, seeking a writ of *quo warranto*, which could have resulted in the nullification of the charter. Again,

this represented a specific attack on Massachusetts, but it was part of a broader movement. Riding high from defeating efforts to exclude his Catholic brother from the throne following the Popish Plot hysteria, Charles II and his government had managed to discredit and imprison parliamentary opponents who were also the principal defenders of charter rights. Capitalizing on the advantage he had acquired, the king took action to revoke the charter of the city of London and other municipal corporations in England. The colonial charter of Jamaica was voided. And the sought-after writ against Massachusetts was issued in June 1683. The king, at the suggestion of Randolph, indicated that if the colony surrendered the charter without fighting the writ in court he would make few changes in their system.

To resist or not to resist – this was the choice that faced Massachusetts. On December 5, 1683 the Massachusetts General Court voted to fight the attack on the charter and wrote to England to employ an attorney to argue their case in the courts. But whereas the founders had been unanimous in their determination to defend the charter, that was no longer the case. Peter Bulkeley, speaking of the decision, feared that “by such (ape-like) over fondness, we are

hugging our privileges and franchises to death and prefer the dissolution of our Body politic, rather than to suffer any amputation of its limbs.” But Increase Mather expressed the militant point of view, telling the citizens of Boston gathered in the Town House in January 1684 that “we shall sin against God” if the charter was surrendered. Mather was well aware of the broader campaign being waged by the king, and stated that “we hear from London, that when it came to [the revocation of that city’s charter], the loyal citizens would not make a full submission and entire resignation ... lest, haply, their posterity should curse them. I hope,” he concluded, “there is not one freeman in Boston that will dare to be guilty of so great a sin.”

For a brief moment it appeared that God might yet again intervene to save the charter. The colony’s delay in responding to the write of *quo warranto* meant that the case could not immediately proceed. Thwarted in the common law courts, however, the Lords of Trade secured a write of *scire facias* from the Court of Chancery and on October 23, 1684 that court handed down its judgment, revoking the charter and dissolving the Massachusetts Bay Company. Still, Charles I died in February 1685 and, while his brother was even less trusted by puritans, news of a rebellion by Charles’ illegitimate son

the Duke of Monmouth offered a brief hope that English events might yet again work to the favor of Massachusetts.

Such hopes were short-lived, and the brutal suppression of Monmouth's Rebellion was a stern warning to any who might oppose the king's authority. Lady Lisle, the English mother-in-law of former Harvard president Leonard Hoar, was beheaded for giving shelter to two of the rebels. But the new turmoil in England did leave the future of Massachusetts up in the air. The charter had been revoked, but nothing had been settled as to how the colony was to be governed. And so the old government continued to function and on May 12, 1686 elections as called for under the charter were held and the candidates who represented the old charter cause, headed by Governor Simon Bradstreet, won a resounding victory. But already critics were saying that nothing the General Court did was valid in law. Increase Mather and others might still call for resistance, but the colony was too divided and too weak to consider such a course. And any inclination to do so came to an end within days of the election. The frigate *Rose* docked in Boston harbor and Edward Randolph disembarked, carrying the orders of the Lords of Trade. Shrewdly, while long range plans for the colony were still being debated, interim

authority was given to some of New England's own. Joseph Dudley, son of John Winthrop's first deputy governor and a Harvard graduate, was named acting governor. The councilors named to advise him included James Pynchon and Wait Still Winthrop. On May 21 the General Court met for the last time. Samuel Sewall proposed that the members sing a psalm, verses 17 and 18 from Habbakuk –

“Although the fig tree shall not blossom, neither shall fruit be in the vines; the labor of the olives shall fail, and the fields shall yield no meat: the flock shall be cut off from the fold, and there shall be no herd in the stalls. Yet I will rejoice in the Lord, I will joy in the God of my salvation.” At about five o'clock a twenty-five gun salute to the new regime was fired from Castle Island – which had first been fortified a half century earlier to defend the colony and its charter against the directives of this king's father.

The story I have been reviewing of how the charter came to be here, how it served as a bastion of the colony, and how it was defended is, however, only part of what we should be concerned with as we conduct these celebrations. More important than the fact that the charter provided the colonists a wall of protection is what they

used it to protect. And so I would like to devote the remainder of my time to offering some thoughts about the society that Winthrop and his fellow founders cultivated.

The Massachusetts Bay charter gave the General Court of the company the right to govern its colony in any way they saw fit. Of the freemen who had been admitted to the company and thus possessed the right to vote when the Court last met in England in November 1629, only eight made the journey to New England. They – Governor John Winthrop, Deputy Governor Thomas Dudley, and seven assistants – *were* the General Court and would have been within their rights if they decided that they alone would govern the colony. But they chose not to do so. Meeting in August 1630 as the Court of Assistants – in modern terminology the Board of Directors – they began the task of transforming their corporate charter to a system of government that would be acceptable to those who were sharing their errand into the wilderness.

At the center of this process was John Winthrop. While a relatively insignificant gentleman landowner and justice of the peace in his native Suffolk, Winthrop was nevertheless more experienced in county government and more personally familiar with national

government than any of his colleagues. Like those who joined him on the Great Migration he had decided to uproot his family, abandon his English career, and leave many friends in order to conduct this puritan experiment. What needs to be emphasized is that neither Winthrop nor his fellow leaders had a specific blueprint for the City on a Hill they were committed to erect. But Winthrop did have a broad vision of what the colony should become, a vision rooted in the puritan culture of the Stour Valley in which he had been raised.

At the heart of this vision was a belief in the responsibilities that all members of a community had for one another, and he expressed this in his famous lay sermon on “Christian Charity” delivered to his fellow colonists as they prepared to embark. They were, he told them, “a company professing ourselves fellow members of Christ,” and even though they would in the New England be separated from many miles they must “account ourselves knit together by the bond of love and live in the exercise of it.” The individual colonists were parts of a single social body just as any person’s organs and appendages were part of his or her physical body – each with a role to play in the health and welfare of the whole. The colonists were, in short, “knit together in this work as one man,” and they were to demonstrate

“meekness, gentleness, patience, and liberality” in dealing with one another. They were, he said, to “delight in each other, make others’ conditions our own; rejoice together, mourn together, labor and suffer together – always having before our eyes our commission and community in the work, our community as members of the same body.” Winthrop was by no means a democrat, but his belief in a community of shared and recognized obligations made him determined to shape the Bay’s governance in ways that would gain the colonists acceptance and foster their cooperation. The roles of all would not be equal, but all would have a role.

There are two elements to this story. One involves the ways in which Winthrop and his fellow magistrates incorporated into their rule traditional English practices and the common law tradition to which the colonists were accustomed. At the August 1630 meeting, Winthrop and the Assistants took steps to make the face of colonial government seem familiar by adopting the forms of English county rule. The Court of Assistants designated its members and other specified individuals as Justices of the Peace, “in all things to have the power that Justices of the peace hath in England for reformation of abuses and punishing of offenders. Anyone familiar with the

surviving records of English justices of the peace will easily recognize the great extent to which the Court of Assistants assumed the roles of the Commission of the Peace with which they and the colonists were familiar. In its first years the records of the Court included various judicial acts, included empanelling juries, conducting trials, and sentencing offenders to whippings, fines, appearances in stocks, and physical disfigurement. Each individual magistrate was granted power to issue warrants, summonses and attachments. The Court also bound individuals to appear before it, and took sureties to insure that its orders were carried out. Written pleadings, promissory notes, articles of apprenticeship, wills, conveyances, and other such instruments were drawn up in accord with English legal forms.

Administratively, the Court established prices for labor and goods; appointed militia officers and constables; set dates for musters; required town watch houses to be built and watches to be kept; appointed days of fast and thanksgiving; regulated the sale of ale and liquor; took responsibility for administration of estates and appointed commissioners to further that task; licensed ferry operators; required and regulated town maintenance of stocks, roads and bridges, and scales and weights; set standards for the care of the poor; and

passed orders to regulate what the magistrates conceived as moral behavior, such as prohibitions on the use of tobacco and the wearing of costly apparel.

While the citizens were more likely to consent to forms they were familiar with, Winthrop's understanding of a political community required more than passive involvement by ordinary emigrants. When the first American session of the General Court was scheduled to meet in October the small number of Assistants were the only individuals eligible to participate. But believing that it was important not only for justice to be done but to be seen to be done, Winthrop invited the residents of the various towns to attend the sessions – much as they might have gathered to attend English assizes or quarter sessions. Then, at the meeting, the court, with the people assenting through a show of hands, agreed that in the future freemen should choose the assistants and the assistants in turn choose the governor and deputy governor from their number, and the power to make laws and appoint enforcement officers be transferred from the General Court as a whole to the Assistants. Having thus modified the system of government prescribed in the charter, the Court invited all

who desired to be made freemen to petition for that status. Over a hundred colonists were enfranchised by the May 1631 elections.

A similar effort to use valued English forms while also making the colonists participants in their own rule was evident in the shaping of town government. Writing of the colony's first days, William Pynchon in 1647 reminded Winthrop of how the forms of governance had been modeled after England's, "I remember at our first coming, as soon as ever the people were divided into several plantations, you did presently nominate a constable for each plantation as the most common officers of the kings peace, and gave them their oath in true substance as the constables take it in England." This was only one step in the process whereby the magistrates shaped town governments after the pattern of the civil parishes of England. In 1636 the Town Act constituted town governments so as to "resemble the limited structure of English parochial or manorial administration". The law recognized that "particular towns have many things, which concern only themselves, and the ordering of their own affairs" and "it is therefore ordered that the Freemen of every town, or the major part of them, shall only have power to dispose of their own lands ... and make such orders as may concern the well ordering of their own

towns, not repugnant to the laws and orders here established by the General Court” and “to choose their own particular officers, as constables, surveyors for highways, and the like.”

There is clearly no time to review the full story of the evolution of the colony’s government over the next decades, a history that included the restriction of freemanship to church members, efforts by the freemen to invoke the charter to regain powers that had been transferred to the assistants, provisions for allowing freemen in the growing and distant towns to send deputies to the General Court to represent their interests, and the eventual division of the General Court itself into the two separate legislative bodies of deputies and assistants. But the crucial decision was that decision made in October 1631 to allow ordinary colonists to hold the status of freemen, thus empowering them and making them participants in the evolution of the colony’s government and giving them a stake in its defense.

Matching their efforts to shape a system of participatory political institutions, the colonists likewise worked to craft churches and

schools that reflected their cultural commitments. And like their counterparts in chartered authorities in Old England, they consistently interpreted their charter as a document guaranteeing the colony's legal status, assuring their liberties – providing a wall protecting the garden they were cultivating. Eventually, as we have seen, changing circumstances and new strains of immigration undercut the close sense of community that had sustained the colony and its commitment to its particular forms. The body politic was no longer laboring together, was no longer united in the need to defend the charter, and as a result the bastion was breached, the charter revoked, the colony changed. But by then the founders and their heirs had created a tradition of moral and social concern for others and commitment to the cause of liberty that no longer needed the charter as a defense. And thus, for us, the real significance of the charter is that behind the wall of protection that it had provided the colonists had crafted institutions such as town meetings, churches, and schools that would be the lasting legacy of Winthrop and his peers and the reason why an American revolutionary leader such as John Adams would look back on those men as New England's true founders.