

Transcript of Lecture Delivered By  
Landon Wright, PhD.  
April 11, 1998  
The Origins of Government in East Hampton

"For the ordering of the affaires of the Towne":  
The Origins of Government in East Hampton"

Langdon G. Wright

Just as East Hampton residents carefully parceled out their land, the organizers of this ambitious lecture series have divided the topics. My assignment is to talk about the origins, development, and functions of East Hampton's government in the first fifty years or so of its existence.

In June, 1653, William Edwards sued Benjamin Price and his wife for defamation, claiming that Mrs. Price had called Mrs. Edwards a "base lying woman." This, Edwards lamented, was "a deep wound that is laid upon his wife. . . . Hereafter it may be spoken here go the brats of a base liar." But the case quickly turned against Edwards, as witnesses testified that Goody Edwards had kicked the Constable and threatened to kill him; that when a man went to the constable's aid, she kicked him and broke his shins; and that when her husband told her to take her punishment patiently, she threatened to kill him as well. "It was also affirmed that Goodwife Edwards said that her husband had brought her to a place where there was neither magistrates nor ministers. Also she said that he had brought her to live among a company of heathen and that she would hang him when she came home."

Was East Hampton really that bad? Probably not. But we have had a tendency to romanticize the communities Englishmen sought to establish. It's hard not to, when you read John Winthrop's hopes for Boston as a City on a Hill in his "Model of Christian Charity":

"We must be knit together in this work as one man. We must entertain each other in brotherly affection. We must be willing to abridge ourselves of our superfluities for the supply of others' necessities. We must uphold a familiar commerce together in all meekness, gentleness, patience, and liberality. We must 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. . . ."

It's hard not to romanticize the communities when you read some of their covenants, a document which all adults male residents were supposed to sign. It usually stated the ideals of the settlers and outlined key policies. In "Artickells of Agreement" drawn up in Eastchester in 1665, for example, the settlers pledged to "endeavor to keep and maintain Christian love and civil honesty;" to "faithfully console what may be of infirmity in any one of us;" and "plainly to deal with one another in Christian love." They all agreed to pay for the support of a minister; stipulated that no man was to receive more than 15 acres of land until all men had that quantity; required men who wished to sell land to tender it to the town or to a man approved

by the town; required that men attempt to settle disputes by arbitration; that all men make and maintain good fences; that they cooperate in building bridges and roads, guarding cattle, educating their children, and--in a later addendum--improve one day each spring in hunting rattlesnakes.

No wonder, then, that Kenneth Lockridge has described Dedham, Massachusetts as a "Christian utopian closed corporate community."

Early East Hampton probably lies somewhere between utopia and Goody Edwards's version. Where can we locate it? These are the questions I would like to address: What was the structure of government in East Hampton? What did it attempt to do? How well did it succeed? Who participated in it, and who did not? Given the opportunity presented by being a new town in a "new" world, how did they proceed? Did they innovate, or did they try to reproduce forms which were familiar to them? And, lastly, what social values did they express?

As I read the records, certain themes emerge.

First, I find no evidence that East Hampton residents had any grand social vision--no covenant. no expressed desire to create a city on a hill. Instead, they worked out the frame of their government in a series of ad hoc decisions made over the years; voluntarily borrowed from Connecticut, and less voluntarily from the Duke's Laws established in New York in 1665; and showed indecision about the responsibilities of the town and its elected officials, and even about the titles of those officials.

Second, they were sometimes torn between what T. H. Breen has called "persistent localism," the jealous protection of what they felt was theirs--their land, their rights--and the inescapable and sometimes necessary fact that they had to be part of a larger whole, whether Connecticut or New York.

Third, they often experienced tensions between participation and exclusion, between communalism and individualism. And by the end of the period I have studied, around 1710, there is evidence that individualism was gaining the upper hand.

Let me develop these themes.

It was no great surprise to me that East Hampton never drew up a covenant. Of the English towns in New York I have studied, only Southampton (in its "Abstract of the Laws of Judgment as given by Moses to the Commonwealth of Israel" and the "Disposall of the Vessell" in 1647) and Eastchester (in its "Articles of Agreement" in 1665) produced covenants or similar documents. And in the 63 New England towns John Martin examined in his book *Profits in the Wilderness*, only about half ever had one.

It was something of a surprise to me that the town government developed in an ad hoc fashion over time. Many towns were careful to specify what elected officials could do, and what powers were reserved to the town meeting. East Hampton did not. The decisions of the

magistrates and the town meetings are intermingled, and it is often difficult to tell whether an order was made by the town as a whole or by its elected officials. Many begin with "It is ordered" or a similar phrase--a passive construction that obscures who made the order (and a grammatical construction that is still the bane of teachers today).

There even seems to have been some indecision about what to call the elected officials. The "constable" appears early on and regularly. But the others were referred to in the early years as "the men that are in authority" or the men chosen "for the ordering of the town's affairs" or the men elected "to make orders for the good of the town." Only in the 1650s does the more standard title "townsmen" begin to appear. And thereafter, titles change in accordance with dictates from higher authority: the "townsmen" become "constables" in accordance with the Duke's Laws; "selectmen" in 1684; and "trustees" in 1686 with the charter granted by Governor Thomas Dongan.

#### Borrowing:

The form of government and even some of the nomenclature they borrowed from Massachusetts and New England. They called their town meetings "General Courts" or "Courts of Election", terms which appear in both the charter of the Massachusetts Bay Company (1629) and the Fundamental Orders of Connecticut (1639).

In April, 1651, the town directed Robert Bond to go to Connecticut not only to secure evidence of their title to the land, but also to procure a copy of that colony's "body of laws." Two years later, they agreed that Connecticut's laws "shall stand in force among us." Subsequently, they adopted "the order in Connecticut laws for paying of rates" and copied into the town's records the colony's definition of freemen; regulations concerning the appointment of packers of meat and inn keepers; and punishments for those who took up abode with Indians. The records of court cases used the English terms "trespass upon the case" or "action of the case" to describe tort claims.

#### Framework of government:

Whatever their name and number--which varied from three to four to seven to twelve--the men in authority/townsmen/constable/selectmen combined legislative and judicial functions. In the first recorded "Court of Election" held in October, 1650, the settlers decided that the four men chosen "for ordering the affairs of the town" plus the constable were to constitute a court to try cases under forty shillings. (Cases above that amount were to be heard by a seven-man jury). Any two of the officers could issue a warrant for arrest. Any citizen could "purchase a court" by paying 1s 6d to each person employed and 2s for entering an action. A "General Court" held a year later, elected three men "for the execution of those orders committed to their trust" and in addition to trying cases, empowered them "to consider of those things that may concern the public good of this place." In 1652, the General Court voted that any one "aggrieved" by an action of "the men that are in authority" could appeal to the next General Court "or when the freemen are assembled together for their public occasions." Not until 1653 does there appear some indication of the relative power and responsibilities of the magistrates and the people. In that year, the seven men (four had been added, in reaction to a perceived threat from

Indians) were instructed "to make all orders and do what they see to be good for the town, only giving out of lots excepted." In 1661, three men were elected "to make orders for the good of the town." Those orders included levying taxes "and doing or cause do be done any public work that they or the major part of them apprehend to be for the good of the whole." And that is as far as the records go in indicating the powers and responsibilities of elected officials.

What about the town meeting itself? Who participated? How frequently were they held? What did they do? How well did they work?

I can't really tell who "belonged." Some towns distinguished between "freemen" (those who owned a certain amount of property or were entitled to a share of the common lands, and who, therefore, were entitled to vote) and those who merely lived in the community. Other towns made full membership in the church a prerequisite for membership. East Hampton records contain no such distinctions. In 1662, Connecticut's laws regarding freemen were copied into the records. These required a person who wished to be admitted to present a certificate signed by a majority of their townsmen attesting that they were "of a civil, peaceable, and honest conversation"; that they were 21 years old or older; and that they had an estate of £20. Any freeman who committed a "scandalous offense" could be disfranchised by a civil court. I'm not sure whether these rules were intended to apply to East Hampton's town meetings, or to remind them who was qualified to vote in Connecticut elections. There is no evidence that the town excluded any Englishman from a town meeting (women and Indians, of course, could not participate), and if they had a property requirement, it was easily met: in a 1675 tax list, all but one of the 57 people enumerated had an estate valued at more than £20. In 1683, all 71 people rated were worth more than that amount. Nor is there evidence that church membership was a prerequisite--certainly not by 1698, when Nathaniel Hunting's list of all who were communicants when he was ordained contained the names of only 6 men, in addition to 22 women.

Indeed, the emphasis was on participation, rather than exclusion. If East Hampton had no particular utopian vision of itself, it, like other contemporary towns, at least recognized that consensus and cooperation were essential--in maintaining fences in the common fields, in defending the town, in watching for whales--and that men who participated in making decisions were more apt to abide by them. So one of the orders made during that first Court of Elections in 1650 was that failure to attend a town meeting would bring a 12-shilling fine. In May, 1651, they actually levied fines ranging from 6 pence to 1 shilling against "the delinquents who did not appear at the town meeting according to warning." Later that year, they agreed to fine anyone who left a meeting early.

Adult males not only had to attend the town meetings; they had to vote. In November, 1652, the town decreed that every man shall vote by holding up his hands "either with or against in all matters, upon penalty of paying 6d, the thing being before deliberately debated."

How frequently did they meet?

Town rules required only two meetings a year: a General Court to be held in April (later changed to March), and a Court of Elections in October. But the men in authority could call for additional meetings when the need arose. The wording of the records, as I said, makes it difficult to tell what was a town meeting and what was not, and there are some evident omissions. (There is no evidence of any meeting between November 5, 1689 and February 13, 1691, during Leisler's Rebellion, for example.) So trying to count the meetings is an uncertain, and perhaps futile proposition. But it appears that the town actually met as seldom as once a year for elections only, and at least as much as seven times. The pattern seems to have been to meet in the early Spring before planting, and in the late Fall after harvest, though meetings could be called at any favorable time. In 1651, for example, the General Court adjourned itself "for three weeks or else the first wet day and all to appear at the beat of the drum."

What did they do?

Certainly "foreign relations" and protection of the town's lands were top priorities. Any perceived threat to their title was always the occasion for a special meeting, as Robert Ritchie has already described. Early on, in January, 1651, they deputized three men "for the settling of a firm peace" with Southampton by agreeing to provisions concerning trespass and damages caused by livestock. (One article of the agreement was that no one from either town was to place hogs or cattle within a half mile of the boundary unless he attended them daily.) Negotiations with Southampton continued on occasion for the rest of the century.

East Hampton adopted the common field system of agriculture, in which inhabitants had a home lot, plus parcels of land in scattered locations. For example, when Benjamin Hand sold a portion of his land to John Kerle in 1668, the sale included: six acres in a "second home lot" north of the town; four acres in the two-mile hollow by the Plains; two and a half acres in the eastern plains; four acres in the Indian well plains; three acres in the meadow at Nepeague; and two and a half acres in the meadow at Accoboneck great neck.

With each freeholder owing seven or more parcels of land, and with the need to keep livestock out of planting fields, it should not be surprising that more town meeting decisions regarded land and fences than any other subject. Next, perhaps, was laying out roads and paths to reach those fields, a subject that was handled both by the town as a whole and by its elected officials.

The town was also responsible for hiring and paying a minister and building a meeting house. Because of the longevity of Thomas James, the minister they hired in 1651, this wasn't a frequent item on the agenda, though it took two meetings that year to agree to pay him a £50 salary, to build a meeting house (the location of which was to be determined by a committee of three), and to pay Thomas Backer 18 pence for every Lords Day the meeting was held in his house. In 1678, the town proactively agreed to reserve land for a new minister when Mr. James should die. James did not die for another 16 years, in 1696, but in 1691 the town began a serious search for an assistant and eventual replacement, inviting Mr. Davenport (and offering him £60, £20 more than James was then making). Three years later, in 1694, it took

three meetings to agree on a salary for another assistant, Mr. Jones; to vote to provide his firewood in addition to his salary; and to appoint Enoch Fithian to go to New Haven to escort him. In 1695, the town agreed to give him the same salary if he would stay another year, but we find them in the following year directing the trustees to search for another minister, a search which didn't end until 1699 when both the town and the trustees reached agreements with Nathaniel Huntting.

There is only one other entry in the records during the period concerning the actual practice of religion: In 1688 the constable and overseers expressed their concern about "the great disorder that is at the meeting house" on the Sabbath "by many persons staying abroad in time of public worship and spending their time in sleeping or talking, not being able to profit by the word preached." (Was this a criticism of the people, or of the declining faculties of the Rev. James?) The officials resolved to present the offenders at the next town meeting, and in the meantime demanded that masters of families supervise their children and servants to they didn't play during the service.

More frequent than religious matters were the variety of decisions dealing with the town's economy. Regulating livestock and protecting them from predators was a major activity. In 1652, for example, the town required every man who owned six cows to keep a bull as well, and set a 6-penny stud fee to be paid for every cow belonging to others which the bulls served. In 1668, in an attempt to improve the breed, the constable and overseers decreed that no bulls were to be kept unless they approved of them, and reduced the stud fee to 4 pence for every calf. The second recorded General Court, in March 1651, permitted any man to set a gun to kill wolves, but not within a half mile of the town. The guns had to be set at night and picked up by sunrise, but any cattle killed by the guns were to be paid for by the town as a whole. On January 13, 1654, in one of the examples of communal activity, a meeting agreed that every man was to go to the swamp tomorrow and see if wolves could be killed. Failure to participate in the hunt earned a 4-shilling fine.

Raising sheep became a major economic activity. The 1683 tax list recorded 1,044 sheep owned by 53 of the 71 people rated, with 39 owning ten or more. Along with the sheep came numerous regulations concerning herding and fencing, and an ingenious way to raise money. In 1678, the constable and overseers directed that individuals could have them herded into their yards or enclosures at night "for the benefit of the dung" if they paid the shepherd 2 shillings 6 pence for his efforts and agreed to compensate the owners for any sheep lost or damaged. In 1689, the trustees decided to rent the flock to the highest bidder twice a week, and to apply the income for public purposes.

Like other English towns, East Hampton sought to attract millers and other artisans. In November, 1653, the town agreed with Vinson Meigs that if he would build a mill, they would pay him £50, give him 40 acres of land, and transport lumber and millstones for him. In 1654, the town invited Goodman Mechem of Southold to come and weave for the town, promising him a £5 bonus and two acres of plowed land. In 1670, the town granted "Abraham the Dutchman" some land, providing that he agree to live on it for three years and follow his trade of weaving.

Finding a smith proved troublesome. In 1668, the town voted to give Edward Avery a three-acre home lot and ten other acres of land providing he stay in town for three years. That agreement apparently fell through, because in February, 1669, the town promised Thomas Skidmore, a smith from Huntington, a home lot, house and fence, and 20 acres of upland for six years service. That agreement apparently fell through: A year later, the town offered a similar deal to Jeremyah Velle, Jr. provided he serve for six years "upon reasonable terms." That deal, too, apparently fell through. In 1671, we find an offer to Thomas Smith, who stayed for only a little more than a year. (An entry in the records dated September 24, 1672 notes Smith's intention to leave). In addition to millers and smiths, agreements were sought with a cooper, Andrew Miller, and a shoemaker, James Loper.

The town also regulated dealings with Indians, and at times assumed sovereignty over them. That first recorded Court of Elections, in October 1650, established a £5 fine for selling powder, lead, shot, or sword to Indians, and a £10 fine and the censure of the court for selling them guns or pistols. In 1653, a meeting agreed that no Indian was to come into town, except on a "special occasion," and none were to come armed, "because the Dutch hath hired Indians against the English and we not knowing Indians by face." Three years later, the town forbade any Englishman from renting land to Indians, and prohibited Indians from setting traps or erecting wigwams within the town bounds without permission. Nor were Native Americans to travel up and down or carry any burdens in or through town on the Sabbath. An intriguing but unamplified entry from a town court in 1673 notes that "The Meantacut Indians having declared who was their sachem, we do approve of him." And, lastly, a decade later, the town meeting ordered all Indians to kill their dogs, "unless one to a wigwam." If this were not done within a fortnight, it would be legal for any Englishman to kill any Indian dog they encountered.

The town dealt with a variety of other matters, too. Fire prevention was an early concern. In October, 1651, the General Court ruled that within six weeks, every house owner was to procure a ladder sufficient to reach the roof, and that anyone carrying fire must keep it closely covered. In February, 1657 the town appointed Mr. Gardiner and Goodman Concline to view chimneys once a month, levying a 2s fine if any hadn't been daubed or swept.

How well did government work?

There is only a little evidence of disagreement in meetings or disrespect for men in authority. In February, 1652, perhaps in a prelude to the defamation suit, Goody Edwards was ordered to pay a £3 fine or have her tongue put in a cleft stick for expressing her contempt for a warrant and desiring that the warrant be burned. In 1655 William Simons was fined "for his provoking speeches to the three men in authority being a disturbance to them in their proceedings." The fine, ominously, was to be used to make a pair of stocks.

Opposition sometimes forced the town meeting to reverse itself. In April, 1655, the General Court voted to send two men to Connecticut "concerning coming under their government." But a month later, "after long debate by the town at several times. . .it is at last determined to repeal the foregoing order." (The union with Connecticut wasn't achieved for another three years).

Two meetings in 1698 document another disagreement and also show the town's inability to cope with dissent. In the first, perhaps sensing they were broaching a contentious subject, the town "unanimously agreed that they would lay themselves down and rest satisfied with what the major part of said town would agree upon" in the matter of whether to build a new meeting house or repair the old one. The majority voted to build a new one, but Richard Stretton and John Hoppin protested, vowing not to pay taxes for a new meeting house as long as the old one could be made serviceable. In this instance, a small but persistent minority was able to triumph: in June, the town meeting reversed itself and decided to repair the old one.

And sometimes, the town needed to resort to higher authority to resolve an issue it couldn't settle. In 1679, for example, a meeting failed to reach a consensus on how to pay a schoolmaster, and could only agree to refer the matter to the Governor and Court of Assizes for their determination "which way is the most just and equallest to be carried on."

The scanty evidence of disagreement is to be expected, given the purpose for which the records were created. They were intended to be a permanent record of decisions that had been made, not the arguments advanced or the process by which the agreements were reached. But there are several indications that meetings could be disorderly or inefficient. In 1654, for the "comfortable and speedy dispatch of public business" the town decided that anyone uttering "provoking speeches" would pay a fine of 5s or more. In 1657, "for the prevention of disorder in courts or meetings of the town by propounding many things which may tend to confusion" the town decided that no man could bring up any matter himself, but had to get the townsmen to put it on the agenda. There are a few other references to "long debate" and in 1652, the recorder (Benjamin Price) wrote in exasperation that "upon serious consideration and tedious debate, it is at last agreed" that John and Stephen Osburne will be paid £8 for keeping the two old hounds for a year." (The town kept the hounds, it appears, for use in hunting.)

It is not surprising, then, that the town was often content to let elected officials manage most of their routine affairs.

What were their social values?

Order and harmony were probably their primary values. Division of land was done with an eye to preventing controversy. When three men were appointed to lay out Occaboneck Meadow in July, 1651, they were urged to use "their best light and discretion." In the same year, an order for adding to house lots provided that land was to be laid out so that "every man may go from his house lot to his other division without trespassing upon any other." Assignment of plots to individuals was done by drawing lots, in an effort to eliminate any hint of favoritism.

In 1657, the town meeting enacted rules against bearing false witness and striking a neighbor. The offender, if he wounded a person, had to pay for the cure and for the time the victim was disabled. Also in 1657, the townsmen, "for preventing contention about grinding" directed that it was to be done on a first-come first-served basis and that a person could have no more than three bushels ground if others were waiting. Exceptions to the rules were later granted to Rev.

James and to people who lived at a considerable distance from the mill.

Working together was another way of affirming communal values. The first town meeting divided the town into two parts, each half to take turns cutting whales. Anyone who didn't take his turn was to be fined 5 shillings. All men fit to bear arms were also expected to participate in the militia. Each was to provide himself, or be provided with, a gun, two pounds of powder, and four pounds of shot. In June, 1653, it was ordered that a pond was to be dug for watering cows. Ralph Daiton and Thomas Baker were chosen to supervise the work, and all men who owned cows were to bring sufficient tools and do the digging.

Exclusion:

Town or town officials reserved the right to determine who could settle and who must leave, though they exercised that right sparingly and occasionally ignored their own decisions. The first such instance came in October, 1651, when the general court gave Daniel Turner two weeks to join a family, become a servant, or leave town. In 1656, after Daniel Fairfield, a servant to Goodwife Mulford, became involved in a scuffle at school and was convicted in a suit brought by the minister "for acting filthiness with his maid and attempting a dalliance with his daughter," the town ordered that whoever hired Fairfield was to post a £20 bond for his good behavior. This order was canceled a month later, though, "for a trial of his behavior and with respect for Goody Mulford's necessity of help." I have found only four more instances of warning out in the records, and the warning out was not always carried out. In 1697, for example, a town meeting instructed the trustees not to accept one Sarah Whitehair as an inhabitant. Yet in 1694, we find the trustees making provisions to take her to Oyster Bay for medical treatment, and in 1699 agreeing that the town would pay her bills.

In 1665, the constable and overseers directed that "no man shall presume to make sale of his accommodation or give entertainment to any scandalous person or persons or any that may prove prejudicial to the town without the town's consent." A decade later, they ruled that no one was to entertain any English "stranger" for more than a week, unless the stranger could produce a certificate from the place he came from attesting to his good character; or unless his host posted bond for him or obtained the consent of a Justice of the Peace, constable, or overseer. They added in an aside "that word Englishman encludeth any nation except Indians." This was not the last such order, indicating that they may not always have been duly followed. In May, 1670, a town meeting agreed "that no more land shall be given or granted by the town to any stranger," but the records show that they did, in fact, continue to accept new inhabitants.

The town also acted to protect its resources. In March, 1670, part of an agreement with the cooper Andrew Miller was that if he made more casks than the town could use, he couldn't use the town's timber for ones he sold to "strangers." In June, 1676, the town got the Court of Sessions to make laws preventing non-residents from cutting wood without the permission of the constable or overseers, and preventing residents from selling wood to outsiders. In April, 1697, the town agreed to support the trustees in suing people who had not been granted land but who were enclosing and plowing lands belonging to the town.

There are indications that communal values were in conflict with, and were to some degree

replaced by, individualistic values. One such indication is the refusal to serve when elected to office. In 1676, the town elected Stephen Hedges as Constable. Rather than serve, he appointed John Osborne "in his room." In 1678 and 1679, Samuel Parsons was twice elected overseer, and twice refused the office. In 1684, when James Dyament was elected constable, he hired John Parsons to serve in his stead, with the explicit approval of the town. In 1679, Benjamin Conckling struck a deal: in return from being excused from muster and watch and ward, he bought a set of colors for the militia.

Another indication of individualistic values is the evidence that some people demarcated their portions of the common land as private property. In 1668, a meeting reached a "general agreement" that every man would maintain his share of the common fence, even though he had already fenced his portion of the common field. In June, 1682, the constable and overseers learned that "sundry persons" had laid claim to, and had staked out the cow pasture. They appointed two men to pluck up the stakes.

In 1678, 25 inhabitants of the south part of town agreed to build a horse mill to grind corn for their own families, but for no one else. This may have resulted from the town's problems in attracting and keeping a miller, but it is also, I think, evidence of a growing sense of separation.

And in March, 1683, the inhabitants explicitly recognized that communal values had eroded: "there being not a full meeting as was desired" those in attendance felt obliged to appoint a committee to deal with a controversy over land, and pledged to abide by the committee's decision. They complained they were forced to this expedient, "seeing it is so hard a matter to get the town together."

In 1699, renting sheep for the benefit of their dung, which must have seemed like a good idea initially, became the center of a controversy which pointed out a growing sense of difference between the proprietors and other residents.. In the preceding year, the trustees had decided that money received from the dung would go to the proprietors. Apparently hearing some dissatisfaction, they decided to put the matter to a vote, and the town chose to use the income to pay the shepherds and general expenses. But Benjamin Osborne and Thomas Hopping protested this decision, "saying they did expect to have their parts of the said money according to their propriety in common pasturing." The issue--whether this income was to be applied for the general good of the town as a whole, or for the benefit for a portion of the town--continued. In 1706, the trustees began using it to pay the town's quitrent, a practice which appears to have continued for several years.

But I don't want to preach another sermon on the decline of community. Such lamentations began with William Bradford's chronicle *Of Plymouth Plantation*, written in the 1640s, and have been kept up by Cotton Mather and other, more recent, historians. Indeed, Charles Adams, in *The Language of Cities*, (1971) was driven to define "community" as "that mythical state of social wholeness" which has had "brief and intermittent flowerings through history, but always seems to be in decline at any given historical present," that is, vanishing in the moment the historian chooses to examine.

I do want to suggest that balancing the public good with private interests was becoming something more of a problem in East Hampton as the seventeenth century wore on, and that perhaps it is still a problem today.