

Historic Texts on William Paine, Ipswich, and the Feoffees: Fulltext Excerpts

Paine Genealogy: Ipswich Branch

By Albert W. Paine, Bangor, ME (1881)

[On Lineage]

And the ages of the parties all concur with the same proposition, William the supposed father being born in 1565, and the sons William and Robert in 1598 and 1601.

The "style," too, of the son goes to confirm the same idea. Of the 150 persons who emigrated in the same company, or about the same time, with William, only some half dozen claimed the title of "gentleman," or had the prefix of "Mr.," one of whom was William now spoken of, a title which he was readily accorded as the son and heir of one who had been "Lord of the Manor." The characteristics of the persons in the line as recorded in the history, goes to show strongly the identity of family. The "generosus" accorded to the character of John (26) agrees well with the similar compliment paid to both William and Robert in America, as will be related in their respective histories. Indeed, that particular and very odd vein, which runs through and characterizes the wills of the different parties on both sides of the Atlantic, lend a strong piece of confirmatory proof of the proposition. The hunting out of charitable objects of bequest [was] characteristic of the will[] of William of Ipswich.

But it was more especially after the death of William, of Nowton, in 1648, that William's career, of Ipswich, as a man of unusual wealth is noticable. Then it was that he became purchaser of the Watertown :Mills, the Lynn and other Iron Works, and the Sturbridge lead mines, and engaged so largely in the work of colonizing Western :Massachusetts, and endowed the Ipswich Free School. It was soon after, that he removed from Ipswich and entered upon his, as it were, new life as a Boston merchant, and exhibited especially his great wealth. All these events, coming so soon after the time of William Paine's death in England, leads to the conclusion that he did, about that time, receive the fruits of a rich heirship, as he would if he were the son of the former.

[On William Paine of Ipswich]

William Paine (42), with whom commences the American history of the family in question, was born in Suffolk County, England, in 1598-9, probably in the Parish of Nowton. He was presumably the son of William Paine (28), Lord of the Manor of that place, as has been already explained, under his name, on a previous page. He came to America in the ship Increase, Robert Lee, Master, which sailed from London in April, 1635, he being then of the age of 37 years. His wife Ann, 40 years of age, and five children accompanied him, the oldest 11 years and the youngest 8 weeks old. They landed at Boston, and at once took up their residence in Watertown, where he formed one of the "earliest list of the inhabitants" "to whom was allotted on July 25, 1636, a grant of the Great Dividends to the freemen and all the townsmen there inhabiting, being 120 in number." To each of them was thus assigned 70 acres. His location was in the neighborhood of the present grounds of Mt. Auburn, on "the road to the Pond," present Washington Street, about one-half mile west of Fresh Pond. In addition to this, his homestead lot, he very soon acquired many other parcels of land in town, and became known as a large land-holder. Although he shortly after exchanged his home for one in another town, yet he never lost his interest in this, his original place of residence, hut continued through life to be a large owner of property there.

Inheriting the blood and character of a true Norman ancestry, with that spirit of energy, enterprise and public zeal which has so universally characterized that race, he began early to exhibit these traits of character in his business life, and to be recognized accordingly as a citizen of value and importance. Having the prestige, not only of good birth, but of inherited wealth, with the additional characteristics of integrity and good judgment, he came soon to be selected for the performance of public duties, and the holding of important trusts. Few men of his day had more to do than he in establishing and advancing various systems of public improvement and matters of public weal.

His ancestors in the old country had been persons of distinction, known as men of rank and station, occupying positions of trust and importance through a succession of generations. His father, as has been already noticed, was

for many years "Lord of the Manor of Nowton." The son, though recorded as a 'husbandman' in the list of emigrants, was yet recognized, in that very list, as a man of honorable distinction, as he was also in the list of persons admitted to the rank of "freeman" shortly after. In both he is designated as "gentleman" by the prefix of "Mr.," a title or designation granted to only some half dozen person, out of about 150 in number in each case. This honor was probably conferred upon him by virtue of his father's position as already described.

Watertown, soon after his settlement there, having become surcharged with inhabitants, removals were found necessary, and among those who sought new homes in other places, :Mr. Paine was one. On July 4, 1639, he, with his brother Robert and a few others, procured a grant from the Legislature of land at Ipswich, "with leave to settle a village there," and thereupon at once removed thither, where he continued to reside for about 16 years, aiding largely in building up the village and town, ever since known by that name. In the mean time, on May 13, 1640, he was admitted freeman and hence endowed with all the privileges of citizenship.

His sterling integrity, good judgment and active business habits soon came to be generally known and acknowledged, as is evidenced by his frequent public employment and Legislative appointments. His name is found all through the Legislative records of the Colony ever after, during his life. In 1640, he was by the Legislature selected as one of the tax commissioners for the appraisal of property; in 1642, he was appointed to establish the limits of Northam(Dover), and also at about the same time to settle the bounds of Hampton and Colchester ; in 1643, to determine the bounds of "Excetter and Hampton;" in 1646, to settle difficulties at Hampton; in 1651, to settle the Hampton line; in 1652, to settle the line of DoYer and Exeter, and in 1655; to settle the line of Hampton and Salisbury. Other matters of public and Legislative importance up to the last year of his life. Will be related in the following pages.

"FREE ADVENTURERS."

Soon after his removal to Ipswich. and the settlement of that town, the Legislature, in 1645, incorporated him and others into a company known as the "Free Adventurers," for the purpose of advancing the settlement of Western Massachusetts. This enterprise was sustained and prosecuted through a long course of years, indeed during the whole remaining term of his life, and after his death by his son John. The frequent mention of this enterprise, made in Legislative acts and the liberality with which it was patronized by the numerous endowments or appropriations of a public character, show the great importance of the work and the care with which it was nurtured. At its beginning. a grant was made to the Company of a township of land "about 50 miles west of Springfield," near Fort Aurania, on the Hudson river, and afterwards during his life and the life of his son John, the attention of the Legislature was often favorably called to the enterprise, as will appear in the following pages.

The Dutch then held possession of the river and fort, and one of the last acts of Paine's life was to petition the Legislature to open negotiations with the Dutch government, with a view to secure the free navigation of the river to New York. The petition was effectual, but death prevented the father from carrying out the scheme, and his son John afterwards was found at New York to accomplish the object. The success which attended the arms of Great Britain at home. just at that time, over the Dutch government, also gave the former possession of New York, and consequently of the river, and made unnecessary all further proceedings in that direction.

OTHER CHARACTERISTICS

A further evidence of the importance with which he was held, as one of the early inhabitants of the Colony, consists in the frequent employment of his skill and services, in matters of public concern, by the governors of the different states of Massachusetts and Connecticut. This was especially true of Gov. Dudley and Govs. Winthrop, father and son, of the two states. The intimacy between Paine and the Winthrops in particular, is evidenced in different ways, but more especially by the correspondence which has been presented and recently published by the Mass. His. Soc. Among the letters are found some nine in number from Mr. Paine, between the years 1640 and 1659, on various subjects of a public and private nature, [Vol. VII. Series 4.] The quaintness of their contents as well as their comprehensive character as bearing upon the facts of contemporaneous history, otherwise developed, make these letters valuable, as well as interesting, to all who take an interest in his life and character. They would

seem to indicate that he was not what we may call an educated man, but one possessed of a sound mind, good judgment, enterprise, integrity and public zeal. The first letter to Gov. Winthrop, Senior, is on a matter of private or family concern as connected with the contemplated marriage of his niece, daughter of his sister Hammond. The exact nature of the point at issue does not appear, but the whole was referred to the Governor, as arbiter, and this letter is addressed to him on the subject.

The several other letters are mainly devoted to business matters usually connected with one or another of the enterprises here detailed.

Rev. John Davenport, one of the "four famous Johns" commemorated by Mather, was also one of Mr. Paine's intimate associates, whom it would seem he greatly esteemed. His letters also speak of Mr. Paine and in one of them written the week after Mr. Paine's death, the Parson announces the event to the Governor.

The intimacy of Mr. Paine with the Governors in question, and more especially with the younger Winthrop, of Conn., is exhibited in his almost constant connection with him in his various works of public improvement and enterprise, of which we are about to speak. When a job of importance was to be done, he seemed to be the Governor's main support and help in doing it.

The most striking characteristic of Mr. Paine was the numerous works of a public character which he either originated or engaged in during almost the entire period of his American life. These were many and varied, a more minute account of which follows.

Watertown Mills

About the time of his first settling in Watertown, as has been already related, or a little before, the first milling enterprise in New England was started in that town by the erection of mills at the head of the tide on Charles river. A stone dam was constructed, and mills built by Edward How and Mathew Cradock. It soon came into the ownership of Gov. Dudley, and at his death, it was purchased principally by Mr. Paine, who continued to carry it on during the remainder of his life, and thus became one of the first manufacturers in the whole country. His portion, as nearly as can be ascertained, was five-sixths of the whole title. The mill was at first a "corn mill" only, but was afterwards enlarged so as to embrace also a "fulling mill" as well. Upon Paine's death, the title passed to his son John, who conveyed it in mortgage to Samuel Appleton, his brother-in-law, which mortgage subsequently passed into an absolute title by foreclosure.

Lynn Iron Works

Very early also, in the history of the Colony, iron ore was found in Lynn, on the Saugus river, and the great want then felt by the inhabitants for various kinds of iron ware, induced some of the leading citizens to undertake the enterprise of erecting Iron Works there. Thomas Dexter and Robert Bridges especially took charge of the business at the beginning, the latter carrying specimens of the ore to England to induce the co-operation of men of capital there. The effort was successful, and a company was formed which advanced £1000 for the purpose, and thus set the enterprise on foot. Gov. Winthrop, the younger, early became interested in it, and in connection with or through him, three-fourths of the whole establishment came into the hands of Mr. Paine. The Legislature recognized the importance of the undertaking, and gave it their approval and encouragement by appropriate legislation, exempting the property from taxation, giving it especial privileges for the prosecution of the business, with leave to export its manufactured products by carrying them abroad for sale, "provided they shall not sell to any person in actual hostility to us." "But they must in all places provide some good means whereby the families may be instructed in the knowledge of God."

They then voted that "all persons might come in and take stock in the enterprise." These Iron Works were the first ever established in America. They were called and known as the "Hammersmith," from the name of the town in England whence many of the workmen came. At first about seven tons of iron per week were worked out, and afterwards eight, and the Works continued to be carried on for a long time. The evidence of their existence

remains to this day in the presence of vast heaps of scoria still existing along the Saugus river, a recent letter writer remarking as a curious fact, that in a neighborhood so well populated for generations, so many tons of these relics should now remain heaped up just as the sooty workmen left them 200 years ago. These are known as "Scoria" or "Cider Banks."

At the time of Paine's death he was owner of three-fourths of the title in common with others, the whole being under the supervision of Oliver Purchess. By his will he gave this interest to his son John, adding the following clause: "And I do hereby earnestly request Mr. Oliver Purchis to be helpful to my son John concerning the Iron Works and the accounts thereof, whose abilities and faithfulness I have had experience of, into whose care I do commit the said accounts." The title subsequently passed from John to Mr. Appleton, though not until after a long lawsuit

Braintree Iron Works

Shortly after the Iron Mine Works were established at Lynn, the success which attended them stimulated other places to seek out similar objects of enterprise. Among these, the first was the town of Braintree, where iron ore was found to exist. In this, as at Lynn, Gov. Winthrop took a deep interest and favored its development. In one of the letters already spoken of, as published by the Mass. His. Society, Paine speaks of his and Mr. Webb's participation in it, and allusion is made to the fact of his purchasing Mr. Webb's interest, and that "he was like to have one-half of the whole works at Lynn and Braintree."

By the inventory of his estate, it seems he died possessed of three-fourths of the title of both. In his "History of New England," Gov. Winthrop gives a pleasant account of the origin and growth of the Works, and the means by which the enterprise was accomplished by Legislative aid, and by assistance from England. "The business," says he, "was well approved by the Court as a thing much conducing the good of the country, but we had not stock in the treasury to give furtherance to it, only some two or three private persons joined in it, and the Court granted the adventurers nearly all their demands, as a monopoly of it for 21 years, freedom from public charges, trainings," etc. A grant of three miles square of land was also made, to help on the enterprise, to John Winthrop, Jr., and his partners, forever, on the Monotocot river.

New Haven Iron Works

John Winthrop, Jr., was subsequently made Governor of Connecticut, and took up his residence at New Haven. About that time iron ore had also been discovered there, when he zealously entered into the plan of developing the mine, as had already been done at Lynn and Braintree. The locality of the mine was in what is now known as East New Haven, on the Lake stream. From the records of the General Court in 1655, we find that the "Iron Works being considered for the publique good, Mr. Goodyear declared that he and Mr. Winston did intend to carry it on," and "divers spoke that they would give some work toward making the dam," and accordingly about 140 days' work was subscribed. Shortly after, the Governor called a meeting, when it was found that some had and some had not performed their subscription, but after consultation it was voted by the town for the work to go on, and proper arrangements were made to carry out the enterprise, including the supply of charcoal necessary for the purpose. On the 14th of Sept., 1657, the Governor reported that Mr. Winthrop had let out his part of the Iron Works to two men in Boston, Capt. Clark and Mr. Paine, as they have agreed." The enterprise having been patronized as a matter of local interest to give employment to their own citizens, this action of the Governor met with very general disapprobation as averse to that end, and also for the reason that it would introduce "a collection of disorderly persons which would corrupt the morals of the neighborhood and cause great trouble in the town." The matter was finally "referred to the Court and John Cooper to consider of it, who made their report." The business, however, did not change, and Mr. Paine and Mr. Webb continued to carry on the works until the former's death, but no interest in the title was ever obtained by him.

In the published letters already referred to, frequent allusion is made to this business, showing Mr. Paine's interest in the work and its progress, as well as Gov. Winthrop's fellowship.

Bradford, in his "History of Massachusetts," bears testimony to the usefulness of these enterprises in the following manner: "The advancing prosperity of the Colony, and the enterprising spirit of the people were witnessed, as by many other improvements, particularly by the introduction of Iron Works which were established at Lynn and Braintree, and by ship-buildings, which had much increased. A ship of 400 tons was built in 1645."

Whether his ship was built by Mr. Paine cannot now be known, but it is an interesting fact as connected with this branch of the subject, that it appears by the inventory of his estate in Probate, that he was part owner of five vessels at the time of his death, and had investments at that time in adventures both in England and Jamaica.

STURBRIDGE BLACK LEAD MINES

Another important enterprise in which Mr. Paine was engaged and took a deep interest, was that of working the lead mines at Sturbridge in company with Thomas Clark. This work was connected with, or rather grew out of the "Free Adventurers" enterprise in the settlement of Western Massachusetts. From what we can glean of its history, he gave to this his very particular attention. He frequently alludes to it in his correspondence with Gov. Winthrop and reports progress in it. The mines, it would seem, were originally discovered by the Indians, who used the products to paint their faces. Gov. Winthrop's attention being called to the matter, he enlisted Mr. Clark's and Mr. Paine's aid in developing the work. They carried it on for several years, and at times with much success. Quantities of the ore were transported to England, and there worked up. The Legislature made a grant of the land to Gov. Winthrop where the mines were located, and gave him liberty to purchase other lands of the Indians, being "the hill at Tautousque." The grant was subsequently extended to embrace four miles square. Though very many men were engaged in the work of conducting the mine, yet Paine and Clark, it would seem, paid all the bills, and were substantially the only owners or operators of it.

OTHER PROPERTY AND BUSINESS.

The extensive ownership of lands, in various other parts of the country, was another marked feature in Mr. Paine's character, as indicating his business habits and enterprising spirit. Among them an interesting instance exists in connection with the island known as *Thompson's Island*, in Boston harbor, the present location of the Farm School, and always a favorite resort of pleasure seekers in boating excursions. The island was originally taken up and occupied in 1623, by George Thompson, a Scotch immigrant, who first settled in Piscataqua, and thence removed to the island in question. After his death, the Legislature granted it to the town of Dorchester, but after his son came of age they rescinded the "unjust act," and gave it to him, giving the town a right to select some other land in its stead. From young Thompson, the title came to Nicholas Davison and Capt. Francis Norton, by whom it was afterwards sold and conveyed to Paine. Subsequently, Paine conveyed it to his son John in consideration of his anticipated marriage with Sarah Parker. The deed is on record in Suffolk Registry.

PISCATAQUA TRADING ESTABLISHMENT.

The deed last spoken of also contains an assignment or sale of £1500 stock in the hands of Briant Pendleton, of Piscataqua, [Portsmouth], and also "all the produce and products of said stock with full right and interest which was in way of copartnership between him, said Pendleton, and me, the said Wm. Paine." On Nov. 14, 1661, Pendleton and John dissolved copartnership, and recorded their dissolution as already stated. From all which it appears that Mr. Paine was also thus largely interested in trade at that place.

PROPERTY IN OTHER TOWNS

As a further marriage gift he gave his son large tracts of land at Ipswich which he then also owned.

The records also show him the owner of many other farms and lots of land in the neighboring towns of Topsfield, Rowley and Salem, a mill privilege in Exeter, and other lands in Boston. This latter, probably his homestead, was bounded by the sea, and included orchards and other improvements. The lands in the other towns seem to be

places of residence as in almost every case mention is made of "the houses thereon," and the large consideration expresses the same idea of valuable improvements.

OTHER CHARACTERISTICS

But it was not solely as an extensive and enterprising owner of property that Mr. Paine was distinguished. There were other important traits of character which tended to make him a valuable member of society, and to be regarded with high esteem in the community. He was not only a sincere professor of religion, but from his conduct, so far as we can read his character in his works, was eminently a man of a high moral standard. He was evidently a generous man, a true descendent of him whose death was recorded with the impressive term of "*generosus*" affixed to his name. Such, indeed, was the record made of him and his brother during their residence in Ipswich. The liberal gifts made as a marriage endowment to his son, shows that he was no niggard in his estate, but had an open heart and hand. His property, evidently large in amount, was ever treated as a means of advancing the public weal, and it would seem that in his investments he had an eye to that use of it that would do the most good. Hence we find all his efforts at wealth were of a character to give employ to others. His Iron Works at Lynn, Braintree and New Haven, his mills at Watertown, Lead mines at Sturbridge, his shipping and probable ship-building, his adventures to England and Jamaica, his "Free Adventurers" enterprise in Western Massachusetts, his extensive farming operations, and his large trading establishments at Boston and Piscataqua, were all of a character to give employment to a great number of laborers and others necessarily connected with the undertakings.

BOSTON MERCHANT

During the last five or six years of his life he was an active merchant of Boston, enjoying a character for wealth, having unmistakably a large credit, and exercising his trade on a very extensive scale. Judging from the inventory of his estate as rendered in Probate after his death, he must have carried an immense stock of goods of all conceivable varieties, that the wants of the new country could possibly demand, a variety which could scarcely be outdone by all the stores on Broadway or Washingtonstreet of the present day, if we exclude all newly invented articles from the list. The inventory alluded to, which may still be seen, as rendered immediately after his death, is of great length, covering several pages of foolscap paper, and embraces every variety of merchandise that the wants of the community could suggest in every branch of business. We find there all kinds and varieties of dry goods and groceries, liquors, books and paper, boots and shoes, hats and caps, all kinds of men's and women's wear, hardware, mechanical and agricultural tools, crockery and glassware, room paper, trunks, grain, fish of all kinds, molasses and sugar, "moose skins," "Sow iron and coles," and all these things in all varieties. Besides these, the schedule of inventory contains parts of five vessels, his Iron Works at Lynn, mills at Watertown, mill privilege at Exeter, land in Ipswich and Braintree, dwelling and furniture in Boston, "an adventure to England, £289," and "to Jamaica, £52," demands due him "certain £ 1500," "accounted of as doubtful, £700," "accounted of as utterly lost and desperate, £836 6s 2d." His whole estate "exclusive of debts due him" "amounted to £4239 11s 5d," and he is reported as "in debt £1500."

A peculiar feature is noticeable with reference to this inventory which goes to confirm what has been written respecting his character for charity and benevolence. The cash system of trade was not with him, evidently, a rule of business. On the contrary, a most liberal system of credit seems to have been adopted, having peculiar reference to the needs of his neighbors and customers. One would naturally infer that he was accustomed to turn away no one, who would buy goods on credit, for the reason that he was poor. The result was, that his credit sheet was so extensive and liberal among the needy classes. We can hardly otherwise account for the excessive amount of bad and doubtful debts due him when he came to die.

EDUCATIONAL

In other ways, too, he shows this same spirit of a public benefactor, and one who was in advance of his age in matters of public improvement and enterprise. One of the first objects of his ambition as a citizen of the "new world," was the advancement of education among the common people. In promotion of this, he and his brother were two of the foremost and most active of a small number of men, who, at that early day, took measures to establish and endow a Free School at Ipswich. This school thus established and endowed by them, has ever since continued to exist, and is to-day doing its work upon the fund which two hundred and twenty or thirty years ago they provided for the purpose, the income actually received during the year (1879) being \$330 ; certainly a most remarkable fact in the history of pecuniary investments.

In his will he made a further bequest to the school of a lot of land known as "Jeffries Neck" at the mouth of the Ipswich river, which he devised to the feoffees of the school, to be held inalienable forever, "not to be sold or wasted." A visitor at Ipswich will find the lot, thus originally given for the purposes of the school, still occupied by an old school-house on "Paine Street," which, with its predecessors on the same lot, has, for the past two centuries and more, been devoted to the cause of the school, established as already described. The land at "Jeffries Neck" he will find covered by cottages occupied as places of summer resort, and annually rented for an income to help support the school. In 1851, its bicentennial anniversary was celebrated by the citizen, by appropriate exercises, consisting, in part, of a history of the institution, and its origin and success. The school has lately been, with its fund, consolidated with another similar charity, recently bequeathed to the town, and a larger and much more convenient house been erected, voicing the combined gifts of the two benefactors.

WILL, ETC.

Mr. Paine died Oct. 10, 1660, leaving a will executed about a week before his death, which was duly probated, and is now on file in the Probate office in Boston. The will was evidently made and by him signed while in a very weak state of body, his signature being scarcely legible.

The document is very long and minute, and evidently drawn by a professional hand. By it he makes a donation of £20 to Harvard College, small donations to the several clergymen, eight in all, settled over churches in Boston, Watertown, Ipswich, Sudbury, Chelmsford and Rowley, £1500 to his daughter Hannah Appleton's children, certain sums to his wife and other relative, and all the remainder to his son John, after prodding "that if my executors shall see just cause for some pious use and necessary work to give £10, they shall have power to take it out of my estate." The will has against his name a seal of wax having the impression of a "wolf rampant," probably in accordance with the custom which prevailed in days of heraldry, to adopt for the devise of one's seal, the crest of his Coat of Arms, which in his case, was a wolf's head. And just here it may be of interest to remark, that his uniform spelling of his name, not only on his will, but in his correspondence, was the same as now used by his family, and in this work, "Paine."

The place of his burial is not known with certainty, but the city records of Boston disclose the fact that "William Paine's" grave is in the Granary Cemetery, and following the indications given, we find it directly under the back window of the Atheneum building, the stone, with the single inscription of "Payne" upon it, forming a part, or being wrought into the basement wall of the building itself. A carved "cherub" and belt are also upon the stone. This is presumably the grave of the original founder in America of the Ipswich Branch of the Paine family.

The foregoing history has been now compiled for the first time by a very great amount of labor and investigation into old Legislative records, early histories of the Colonies, unpublished manuscripts, town and county records, and histories, genealogical and historical collections, biographies, as well as personal investigations, all existing independent of each other, heretofore without identity, and now for the first time brought together after a lapse of more than two centuries. The facts detailed are believed to be a true and reliable account of a man, of whom the country at the time, and all his descendants, may justly feel proud. No one can read his history without the feeling that he was among the foremost of the early inhabitants of the Colony, a man to be honored for his true merits, as one of the most useful and public-spirited men of his clay.

Historic Texts on William Paine, Ipswich, and the Feoffees: Fulltext Excerpts

Abstracts from the Earliest Wills on Record in the County of Suffolk, Mass.

By *New England Historical and Genealogical Register* (1984)

[Prepared by Mr. William B. Trask, of Dorchester.]

WILLIAM PAINE, of Boston, having binn a long time by the hand of God much exercised with infirmity of body, yet in perfect memory, [do] make my will. Vnto *Hanna*, my wife, £200, and my dwelling house, sittuate in Boston, with all the out houses, archard, gardens, &c.; allso, my mill, at Watertowne, with the houses, lands, &c.; also all my houseould stuffe, the vse and Improuement of it for life. Vnto my three grand children, which ware the Children of my dafter, *Hanna Appleton*, deceased, the some of £ 1500, viz. to *Hanna*, £600, to *Samuell*, £500, and to *Judeth*, £400. And if any of my sayd grandchildren depart this life, Leauing noe Issue, Then the sayd Legicie or Legicies shall remaine to them that surviue and their heires for euer. If they depart this life leauing noe Issue, Then my will is, that the sayd £1500, bee repayd back vnto my sonn *John Paine*, to him and his heires. Said Legicies shall bee payd vnto my grandchildren as they shall attaine vnto age, or vpon the day of marridge. I giue to *Hanna Appleto!t*, my said grand child, all the houseould stuff that now standeth in the hall chamber, to remaine to her after my wife depart this life. The rest of my houseould stuffe I giue vnto the other of my grandchildren, after my wifes decease. I giue vnto the Children of *Symond Eyers*, senr. deceased, viz : *Beniamine*, *Mary*, *Rebekah*, *Christian*, *An*, and *Dorothy*, £5 to each. To *Symond Eyes* the sonn of *Symond Eyes Jn.* deceased, £5 to bee payd when of age. Vnto my *Sister Page*, £3. pr yeare dewvreing life. Vnto my kinsman, *John Page*, which now is in his hands the some of £5. and to the other Children of my sayd *Sister Page*, viz. To *Samuell*, *Elizabeth*, *Mary*, *Pheebee*, £5., to each. Vnto the children of my *Sister Hament*, viz : To *John*, *Elizabeth*, and *hanna*, £5., to each. To my kinswoman, *Elizabeth House*, dafter to *Samuell* and *Elizabeth House*, £10. Vnto the two dafters of my Cosan, *John Tall*, 40s. to each, when of age. Vnto my sonn in law, *Samuell Appleton*, £10; to *William Howard*, £15; to *Jerimy Belcher*, 40s.; vnto *Mr Anthony Stodder*, £10; vnto *Christopher Clarke*, £10; vnto *Mr Joseph Tainter*, £10; vnto *Mr Oliuer Puerchis*, £10; vnto *Mary Ingion*, 40s., yearely, dureing life.

I giue unto the free scoole of Ipswich, the little neck of land at Ipswich, commonly knowne by the name of Jeferrys neck. The which is to bee, and remaine, to the benefitt of the said scoole of Ipswich, for ever, as I have formerly Intended, and therefore the sayd land not to bee sould nor wasted.

I giue vnto the Colledg at Cambridge, £20., The which is now payd for that end into the hands of the worshippingfull *Mr Thomas Dauenport*, of Cambridge, and shall remaine in the hands of the Com mittie and president of the Colledge, and by them, for the time beeing, and their suckcessers after them for euer, Imploy sayd Twenty pounds for the benefitt of the said Colledge. But the sayd Twenty pounds not to bee expended But to remaine as A stock to the College for euer. I giue vnto my reuerent freinds, viz : *Mr Norton*, and *Mr Willson*, Paster and teacher of the Church of Boston, 40s. to each. To *Mr Shirman*, Paster of the Church at Watertowne, to *Mr Browne*, paster of the Church at Sudbery, to *Mr Cobbit*, paster of the Church at Ipswich, to *Mr Fisk*, passter of the Church at Chensford, to *Mr Phillops*, teacher of the Church at Rowley, to *Mr. Mayhoo*, paster of the new Church of Boston, 40s. [each.] All the rest of my estate vnto my sonn, *John Paine*. If *John* depart this life, leauing noe Issue, nor Children of sayd Issue, Then my will is that the houses and lands which of right doe beelonge vnto mee, within the bounds of Ipswich, with the privileges, &c. I giue unto the Children of my sayd dafter, *Hanna Appleton*, deceased, namely, *Hannah*, *Judeth*, and *Samuell*, or soe many of them as shall bee then aliue, as Coe heires to the same, to them and their heires for euer, according as there is prvition made in A deede of gift, formerly giuen vnto my sonn, *John Paine*. If *John* depart this life, leauing no issue, nor Children of said Issue, Then my will is, that the Children of my sister *Page*, mentioned aboue, shall haue out of my estate the some of £300, to bee equally deuided between them. If my wife should depart out of this life beefore myselfe, Then my will is, that the Children of *Simond Eyers*, sen., deceased, shall haue £5 apeece, A deed to their former £5; and the Children of my sister *Page* and sister *Hanna*, shall haue £5 apeece, aded to their former £5. I doe heareby earnestly request *Mr Olliur Purches*, to be helpfull to my sonne, *John Paine*, concerning the Iron worke and the accounts thereof, whose Abilities and faithfullness I haue had experience of, vnto whose Ceare I doe Commit the sayd accounts. I make my sonn, *John Paine*, my Sonn in Law, *Samuell Appleton*, and *Mr Anthony Stodder*, my executors. And I doe request *Mr*

Christopher Clarke, Mr Joseph Tainter, and Mr Olliuer Purches, to bee my ouerseers and feofess in trust of this my will. My will is, that if my sayd Ouerseeres with my Executors shall see Just Case for some pyous vse and necessary worke to giue £100., They shall haue power to take it out of my estate. 2 Octr 1660.

Will Paine.

Postscript. – I giue untio *Doctter Clarke*, £5; and I doe give to *Capt. Thomas Clarke Company, to bye them Cullers, the some of five pounds.*

In presence of us,

John Mayo, Christopher Clarke,

Will: Howard.

14 Nov. 1660. *Mr Samuell Appleton* appeared beefore the Court and declared by reason of his remote living and inability to manage such A trust hee did renounce his excetership to the will. Also, *Anthony Stodderd*, on Request of *Mr John Payne*, sonn to the late *Mr. William Paine*, did renounce his executorship to this will, which was done before the probate of the will. Edward Rawson Recorder.

14 Nov. 1660. *Mr John Mayo, C~ristopher Clarke, and William Howard*, deposed.

Inventory of the Estate taken by *Henry Shrimpton, Joshua Scottow, John Richards*, 22 : 8 : 1660. Amt. £4239. 11. 05. Mr John Paine deposed, 14 Novr 1660.

History of Ipswich, Essex, and Hamilton.

By Joseph B. Felt (1834)

EDUCATION.

No doubt but that the primitive settlers of Ipswich had their children taught as soon as they had taken possession of its soil. They were deeply impressed with the importance of having the young well educated, as a main support of the political and religious liberty, for which they had exchanged the joys of their native home, for the perils, uncertainties, and toils of a wilderness. They judged, and correctly so, that of the two, a portion in virtuous knowledge and in wealth, the former was of much greater value.

GRAMMAR SCHOOL.

On the records of this school there is the following note, though it has the appearance of having been copied.

1636. "A Grammar School is set up, but does not succeed."

1651, Jan. 11th. The town give all the "Neck beyond Chebacco River and the rest of the ground up to Gloucester line," to the Grammar School. They choose five Trustees of this donation.

16th. This land is leased to John Cogswell, jr., and his heirs and assigns for ever, for £14 a year; i. e. £4 in butter and cheese, £5 in pork and beef, £5 in corn, at the current price.

1652, Jan. 26th. "For the better aiding of the schoole and the affaires thereof, Mr. Samuel Symonds, Mr. Nathaniel Rogers, Mr. Jonathan Norton, Major Daniel Dennison, Mr. Robert Paine, Mr. William Paine, Mr. Wm. Hubbard, Dea. John Whipple, and Mr. Wm. Bartholomew, weare chosen a committee to receive all such sums of money, as have and shall be given toward the building or maintaining of a Grammar schoole and schoole master, and to disburse and dispose such sums as are given to provide a schoole house and schoole master's house, either in buildings, or purchasing the same house with all convenient speed, and such sums of money, parcels of land, rentes or annuities, as are or shall be given towards the maintenance of a schoole master, they shall receive and dispose of to the schoole master, that they shall call or choose to that office from time to time, towards his maintenance, which they shall have power to enlarge by appointing from yeare to yeare what each scholler shall yearly or quarterly pay or proportionably, who shall allso have full power to regulate all matters concerning the schoole master and schollers, as in their wisdome they thinke meet from time to time, , who shall allso consider the best way to make provision for teaching to write and cast accounts." Mr. Wm. Hubbard gives an acre of land to the school.

1653. Robert Paine gives the use of a dwelling-house and two acres of land to the master. He had built a school-house and given it to the feoffees.

1660. Wm. Paine left by will Little Neck for the same object.

[...]

1761, March 26th. According to a petition of the feoffees, the General Court give them leave to sell about twenty-four acres of land at Brush and Bartholomew bills, Burch Island and Chebacco woods, for the benefit of the school.

Historic Texts on William Paine, Ipswich, and the Feoffees: Fulltext Excerpts

History of Essex County, Massachusetts.

By D. Hamilton Hurd (1888)

IPSWICH: EDUCATIONAL

The Grammar School – According to the records, a grammar school was “set up” in 1636, and Lionel Chute appears to have been the teacher. The record further states that the school did “not succeed.” It began some two years after the incorporation of the town, and the young town doubtless made no appropriation for its support. Its success would have been phenomenal. Mr. Chute died in 1644 or ’45.

The School Endowed. - This attempt of Master Chute was followed by "several overtures and endeavors among the inhabitants for settling a Grammar School," which failed to realize their object, as did he. The spirit of education, however, had taken possession of the public mind, and when about 1649, Robert Paine, the leading spirit in the endeavor, offered to "erect an edifice for the purpose, provided the town or any particular inhabitant of the town would devote, sett apart or give any land or other annuity for the yearly maintenance of such one as should be fitt to keep a Grammar School." The town accordingly, January 11, 1650, granted to Robert Paine, Mr. William Paine, Major Denison and Mr. Bartholomew in trust "for the use of schools all that neck beyond Chebacco River and the rest of the ground (up to Gloucester line) adjoining to it." Soon after this land was leased to John Cogswell, his heirs and assigns, for the space of one thousand years, at an annual rent of fourteen pounds. The tenants begun to build upon the land as early as 1723, and a part of the village of Essex now occupies a large portion of it, and the rent continues to be paid.

The citizens are now fully awake to the occasion, and give body, shape and purpose to the enterprise by ordaining, January 26, 1651, the following:

“The Feoffees. For the better ordering of the school and the affairs thereof, Mr. Simonds, Mr. Roggers, Mr. Norton, Maj. Denison, Mr. Robert Paine, Mr. William Paine, Mr. Hubbard, Dea. Whipple, Mr. Bartholomew were chosen a committee to receive all such sums of money as have or shall be given toward the building or maintaining of a Grammar School and school-master, and to disburse and dispose such sums as are given to provide a school-house and school-master’s house either in building or purchasing the said house with all convenient speed. And such sums of money, parcels of land, rente or annuities as are or shall be given towards to the maintenance of a school-master they shall receive and dispose of to the school-master that they shall call or choose to that office from time to time to his maintenance, which they have power to enlarge by appointing from year to year what each scholar shall yearly or quarterly pay or proportionately; who shall also have full power to regulate all matters concerning the school-master and scholars, as in their wisdom they think meet from time to time; who shall consider the best way to make provisions for teaching to write and cast accounts.”

In 1652 Mr. Robert Paine purchased a house, with two acres of land belonging to it, for the use of the school-master, and in 1653, at his own expense, as per agreement, erected an edifice upon the land for the grammar school, and October 4, 1683, he and his wife gave the house and the land to the town for the school’s use. About the same time Mr. William Hubbard gave about an acre of land adjoining the school-master’s house. In 1650 Mr. John Cross “secured” on his farm near Rowley a perpetual annuity of ten schillings toward a free school in the town. In 1696 the town grants ten acres of marsh at Castle Neck. These gifts were sold by order of the General Court in 1836, and netted the Feoffees about three thousand two hundred dollars. In 1660 Mr. William Paine gave the land near the mouth of the river called Little Neck. In 1661 “the barn erected by Ezekial Cheever and the orchard planted by him were, after his removal to Charlestown, bought by the feoffees,” and as the trustees were then and have since been called, and presented by them for the school-master’s use or for rent.

We can hardly say too much in praise of the exertions, devotion, benefactions and leading spirit of the original donor of this school, *Mr. Robert Paine*. He was timely, efficient, provident, public-spirited, noble, wealthy, generous. Of a hundred and fifty-five subscriptions “to encourage Major Denison in his military helpfulness,” Mr.

Paine's was the largest, to be paid annually. He was a ruling elder in the church, ranking next to the minister. He was representative three years. He was county treasurer from 1665 till his resignation in 1683, the year before he died, at the age of eighty-three years.

William Paine, brother of the above, seems to have been wealthy and active for the public good. He removed to Boston about 1656, where he died October 10, 1660. He was buried in the Granary Cemetery, and his tombstone forms a part of the basement wall of the Athanaeum. Besides his liberal bequest to our Grammar School, he gave twenty pounds to Harvard College.

...

The Board of Feoffees consisted originally of nine members; in 1662 the town voted that the number be "increased to nine." In 1664 the number was ten, but after the death of Robert Paine, Jr., the number never appears greater than nine. The town by vote, April 7, 1687, ordered the selectmen to obtain deeds of all the school lands, that they may know the power the Feoffees have to order the schools; and May 19th, of the same year, voted that the former Feoffees now living (Rev. William Hubbard, Robert Paine and Elder and Captain John Appleton) with the selectmen shall manage the schools till further action by the town. If this vote was inoperative or effective we know not. Vacancies in the board seem to have been filled by the remaining members without reference to any action of the town. Their history for the colonial period seems to have been only the routine work of the school.

...

Made a Free School. – The town and the Feoffees agreed April 8, 1714, to make the Grammar School for the present year "absolutely free to all such scholars belonging to the town." The town appropriated twenty-five pounds and chose a committee, who with the Feoffees, provided a master, who shall attend "constantly in teaching grammar scholars and also English scholars, to perfect them in reading and instruct them in writing and ciphering." Master Rogers is sketched as registrar of probate.

...

Revolution in School. – At this date began the period of contention and revolution in the school. For the encouragement of the school the town voted, May 8, 1718, to make up sixty pounds to the school, if necessary, after the collection of rents and a tuition of twenty shillings per scholar, for that year. The selectmen, it was voted November 5, 1718, shall provide "with all convenient speed" a master for the rest of the present year. The town chose a committee February 9, 1719, to eject the tenants of the *great farm*, leased to John Cogswell, and release it for a period not exceeding twenty-one years. Rev. John Rogers and Rev. Jabez Fitch enter their protests. The dissatisfaction seems to be "especially of the younger sort." The town voted June 6, 1720, to hire a grammar school teacher; and also chose a committee to recover the *great farm*, and re-lease it for twenty-one years. The town thus took control of the school and the school property; the Feoffees entered their protest in their records and retired. The tenants of the *great farm* took advantage of the quarrel and refused to pay the rent till it might be determined who was entitled to receive it. The town January 4, 1720-21 constituted John Wainwright, Ens. George Hart and Thomas Boardman trustees, to eject all persons in possession of school lands, but failed in the Court of Common Pleas March, 1722, to establish their claim. An inadvertence of the clerk failed to enter their appeal to the Superior Court, and Sarah, the widow of John Cogswell, still held possession.

In 1721 the town brought an action at law against the tenants of the school farm, and in 1729 Gifford Cogswell is ordered to pay £100 in adjustment of the claims, which sum was apportioned to the several parts of the town according to their proportion of the Province tax, whence dates the beginning of the district school system.

Reading and Writing School. – The above appropriation of £100 probably lasted three years; but no other is recorded till after the town is required, April 26, 1739, to answer to the Court of General Sessions, for not maintaining a Reading and Writing School according to law. Then, March 4, 1739-40, the town appropriated £150 for both the grammar and the reading and writing schools, put them under one teacher and began the practice of

moving them at the judgment of the selectmen. The appropriations were thus applied while the town had control of the school property.

Incorporation. – In 1749 Jonathan Wade was the only survivor of the Feoffees, and February 10th, of that year, he filled the vacancies by appointments; but in 1756, the General Court incorporated Thomas Berry, Daniel Appleton and Samuel Rogers, Esq., with Mr. Benjamin Crocker, on the part of the private persons who granted lands for the school, together with Francis Wash, Esq., Capt. Nathaniel Treadwell and Mr. John Patch, Jr., three of the board of selectmen of the town, a Joint Committee, or Feoffees in Trust, with full power to grant leases, recover rents and annuities, appoint masters, regulate their salaries, appoint clerk and treasurer and if necessary, impose a tuition. The act was limited to ten years; it was, at the end of the period, continued twenty-one years; and at the end of the period, or February 14, 1787, it was made perpetual, the Feoffees representing private persons filling vacancies in their number, while the three senior members of the successive Boards of Selectmen represent the town.

Present Value of the Fund. - The condition of this trust, March 28, 1887, according to the treasurer's report, was as follows: "26 $\frac{3}{4}$ old rights in Jeffrey's Neck, 2 house-lots in Revere, school-farm in Essex, Little Neck, deposit in savings Bank, town notes, Lynn water-bond and cash valued at \$11,514, and yielding an income of about \$500."

The school has been practically in the control of the town from a very early period, by right, assumption, or agreement, and since 1851 has been popularly called the Ipswich High School. Along near the close of the first century, and again near the close of the second, it was less efficient than at other times; and perhaps, on the whole, has not attained to the very high distinction hoped for by its founders, yet it has been a permanent good always, and most of the time of excellent worth. The trust is now rapidly growing in pecuniary value, and wisely managed, as now, will be in the future a large and efficient educational support.

Descendants of Edward Small of New England

By Lora Altine Woodbury Underhill (1910)

ROBERT ROBERTS of IPSWICH

The first settlement at "Aggawam," incorporated August 5, 1634, as Ipswich, was made in March, 1632-33, at Jeffrey's Neck by John Winthrop, Jr., and twelve associates. The title to the land at the Neck was obtained by William Jeffrey from the Indians; when Winthrop came there, he called Jeffrey "an old planter." It is supposed that the latter was with the Plymouth company, who went there in 1623-24, and that he remained after the Plymouth men withdrew from the enterprise. The limits of the town included what are now the towns of Topsfield, Hamilton, and Essex, and parts of Rowley and Boxford. In 1793, "the Hamlet" of Ipswich was set off as Hamilton; "Chebacco" became Essex, in 1819. Ipswich was named for Ipswich, England, "in acknowledgement of the honor and kindness done to our people who took shipping there." The Colonial records state that Masconnomet sold his fee in Ipswich, for £20, on June 28, 1638, to John Winthrop, Jr.; the deed was witnessed by "John Jolyliffe, James Downing, Thomas Coytimore, and Robert Harding."

[...]

As fishing was the common industry of the town of Ipswich, it is probable that Robert Roberts was more or less engaged in it; but he early became identified with the raising of cattle, an important source of revenue. Johnson wrote, in 1646: "the Lord hath been pleased to increase them in Corne and cattell of late; Insomuch that they have many hundred quarters to spare yearly, and feed, at the latter end of the Summer, the Towne of Boston with good Beeffe."

The lowlands northeast of Town Hill, rich in herbage then as to-day, were retained by the town as a commonage, or pasture, in which citizens had certain defined rights but no equity. These commons comprised the whole of Jeffrey's Neck and a considerable stretch of land to the westward. At first the children were "sett to keep cattle," but as the herds increased, men were given the task. In 1652, the General Court ordered every man to fence his land with palings, five-rail fences, or stone walls, conformable to law; yet the herdsmen were retained to keep cattle and sheep from straying, or being assailed by wolves. Bears, too, were not uncommon.

The connection of Robert Roberts with Little Neck, the southeasterly comer of Jeffrey's Neck, and commonly included in it, began in 1651. On February 12, of that year, the town granted to "Robert Roberts, liberty to mowe 2 loades of Hay upon any part of Jeffrey's neck, which he shall solely enjoy during the pleasure of the town, and for which he shall be ready to serve the towne in taking care that no trespass shall be done upon said neck." Two weeks later it was "Voted and ordered, by the consent of the Towne, that noe Hoggs shall goe at Jeferyes neck vpon the penalty of five shillings for every offence. Robert Roberts when he pounds them, or brings ym to the owner shall have halfe the forfitt." Swine gave the town more trouble than cattle, and the order that they should be allowed to run at large, "yoked and ringed," was repeated year after year in town meetings; later they were herded the same as sheep and cattle. In 1643, the cows were gathered "over against Mr. Robert Paynes house," that is, at the comer of High and North Main Streets. In 1647, all the herdsmen were ordered "to winde a hom before their going out."

Following the sale, February 22, 1658, of his house on High Street, on June 18, Robert Roberts presented a petition to the town, upon which it was "Voted, to leave the consideration of Robert Roberds, his motion about a little pcell of ground at the great neck [Jeffrey's Neck] to the 7 men, and to report it to the Towne." December 24, "Liberty [was] granted to Robert Roberds to fence in half an acre of Land by the Spring near little Neck, and to build a House on it while he hold the Little Neck. The property still to remain the Townes." It was probably about this time that he hired Little Neck from William Paine, of Boston, since according to the following deposition, Roberts had his rent reduced from £7 to £6 a year, in 1660:-

"The deposition of Robert Day.

"This deponent saith that about 2 years Since, being at Mr. William Paines at Boston, Robert Roberts being alsoe there at the same time, the sayd Roberts desired Mr. Paine to hire the little neck lying heere in Ipswich of him. Mr. Paine consented he should have it of him for one hundred years, upon these conditions : for ten years the said Roberts was to paye the sum of six pound a yeare, and then to returne to the former rent, which was seaven pound a year: and further this deponent saith, that Mr. William Paine did give the full rent of this neck unto the scoole here in Ipswich from that time forward: alsoe to the latter part of this testimony, concerning Mr. William Paine's giving the full rent of this necke to the scoole, Robert Roberts above testfieth. dat: April 17 : 1662.

"Sworne in Court held at Ipswich, the 17th of April: 1662.

Robert Lord Cleric."

Robert Roberts remained at Little Neck until his death. To fully understand the conditions of his and his successors' tenure of the land, it is necessary to explain how the rent of Little Neck came to be given for the support of the "scoole."

[...]

Little Neck is now a picturesque and favorite summer resort, yet the land is still held by the town of Ipswich. Each cottager is assessed ten dollars a year for the rent of the land, besides taxes. The report of the "Feoffees of the Grammar School," in 1907, states the value of the land at Little Neck to be \$5,000. The land rents and taxes form a substantial part of the income for the support of that school. The town has also some claim on the common lands; just how much is not known. This question has formed the basis of numerous lawsuits in generations past, and others are still pending. Many such curious ancient customs crept into the early settlements of Massachusetts Bay- perhaps a little more noticeably in Ipswich than elsewhere.

[...]

The setting apart of a portion of the town's land, at Little Neck, to be managed by Feoffees for the support of the Grammar School, was another custom distinctly English in its origin, though varied, it may be, by conditions peculiar to its new environment.

[...]In April, 1655, Robert Roberts was employed by the town to "look out for" the cattle on Jeffrey's Neck. Three years later it was voted "to haue noe cattle goe on the Neck, but such as [illegible] of the Inhabitants haue liberty to putt on." April 5, 1661, the town engaged Robert Roberts to keep the sheep on Jeffrey' s Neck, from "the 8th of this month to the end of October to haue one following them constantly . . . and to haue for his wages thirteen pounds to be payd halfe in merchantable Indian corne, and halfe in English corne at the current price." Two days later, April 7, Roberts signed an agreement in the Town Records to keep the sheep.

At the same town-meeting it was agreed that Robert Whitman should keep another flock on the north side of the river, at ten shillings a week. The next year there were three shepherds, and the commons on the south side were so burdened that one hundred sheep were transferred to the north side ; but Robert Roberts was retained as one of the three shepherds. On March 19, 1662-63, he made a similar agreement to that of the year before, the town stipulating also that he should "be always following them by himselfe or to [illegible] a man constantly."

[...]

He died early in July, 1663, leaving a widow Susanna and several children. The ten acres of land at Chebacco, mentioned in his inventory, were the "6 acres of upland and 4 acres of Marsh" granted him by the town, February 27, 1644. It is notable that while his dwelling-house and barn were valued at £20, there is no mention of the land upon which they stood, for the reason that they were built at Little Neck upon the half acre of land by the spring, leased him by the town in 1658.

[...]

Susanna Roberts, who was left with a young child at the time of her husband's death, appears to have been a thrifty widow. On April 9, 1666, the town "Agreed with Goodwife Roberds to keepe the sheepe at the Neck for the year ensuing and to have for hir wages 6 p weeke." She was to begin on the 16th of that month, and to be paid by the owners of the sheep " at the end of the time," which would be the middle of November. In August, of that year, she bought of John Whipple, of Ipswich, for £12, four and a half acres of marsh at Plum Island. On the "last day of february 1666 [1666-67]," as "Susanna Roberts ... widow," she bought of Richard Jacob, for £4: 10, six acres more of marsh land at Plum Island, adjoining her first purchase; the deed was recorded the same day. Later, on that day, she was married to Thomas Perrin, of Ipswich.

[...]

On June 6, 1667, Thomas Perrin was allowed to keep the sheep, on much the same terms as his predecessors. He signed the agreement "Thomas Perrin." It is probable that he lived at the Neck and cared for the sheep, several years. At a town-meeting, held February 11, 1672, complaints having been made "against Thomas Perin, about the Neck," it was "left to the Selectmen to consider of the complaints and report to the Towne how they find it." On February 27, following, "The Towne declared that the halfe acre of Land, that Robt Roberds had liberty to fence in, and build upon (while he held the little Neck, the Neck being out of their hands, the lease being out) I say the Towne declared the sd halfe acre to be in the Townes hands." At the same time, "The Feoffees and Towne are willing that Thomas Perrin should hold the Land one yeare more, payeing seaven pounds in maner as before, he observeing to keepe within those limits the Towne hath tyed other p'sons unto, with reference to Swine, and any other sort of Cattell." In February, 1673, Robert Starkweather desired liberty to "hould the house of Tho: Perrin and little Neck, for seaven years." His request "was granted he agreeing with Thomas Perrin about his interests."

[...]

In 1691, question arising as to the use of the beach at Little Neck, the following depositions were presented in the County Court held at Ipswich:

"The Deposition of William Hodgkins Senior' aged about 69 years

"This Deponent Testifieth that he with Divers other persons hath occupyed used & Improved, ye beach adjoyneing to the Little neck, In Ipswich, as a Towne priveledg, & Common Land for makeing & curing fish, about fiftye years more or Less & never was demanded, anything for Rent, Either from Mr. William Paine, nor Robert Robards said Pains Tennant, nor from Widow Robards, nor from John Robards, nor from old father Starkweather, nor from John Pengery [Pingree], which persons all did in their day improue both ye plow land & pasture Land, appertaineing to said neck, but none of them, did Either directly, or indirectly, demand any thing for rent, Either of me or any person Else that I know of, for vsing & improueing the aforesaid Beach, but did allwayes owne, it to be a priveledged place to make, & Cure fish upon, nor hinder us, for Erecting & building Stages, and other houses there upon, untill this present year 1691.

"John Robards aged about 45, years Testifieth that to his knowledg what is above written, is Certainly True, for thirty seven years past and further adds, that his father Robards did Tell him this deponant that Mr William Payne, had forbid, him, hindering a fishing Trade upon, ye Little neck beach, because it was, a Towne priveledg & therefore my father, gave me this deponent, the like Charge that I should not intervpt, So beneficiall a designe, which I allways attended

"Sworne IJn Court at Ipswich Sept. ye 29th by both parties as atteste

Thos. Wade. Cler"

Historic Texts on William Paine, Ipswich, and the Feoffees: Fulltext Excerpts

Ipswich Grammar School

Address delivered by Abraham Hammatt, Esq., on the Two-Hundredth Anniversary of the foundation of the Grammar School in Ipswich (Jan 1650-51)

Published in New England Historical and Genealogical Register (1852)

To this deep sense of duty in our forefathers, we owe the distinction and the glory of New England, our free public schools, among the earliest of which was that, the two hundredth anniversary of whose foundation we are now met, to commemorate.

It appears from our records, "that there was a Grammar school set up in Ipswich, in ye year 1636," three years after John Winthrop, the younger, with his twelve companions, commenced a settlement in this place. This school was, probably, not a free school, according to our acceptation of the expression, as there does not appear to have been any public provision made for its support. It was kept by Lionel Chute, who died in 1644; after which event, there does not appear to have been any public school until the establishment of this institution. To the benevolence and personal exertions of Robert Payne, aided by his brother William Payne, William Hubbard, and a few others, we are indebted for the endowment of this establishment.

In the preamble to the deed by which Robert Payne conveys to the Feoffees, the land, on part of which the School-house now stands, and from the product of which most of the income of the institution is now derived, the principal circumstances connected with its foundation, are thus related.

"Whereas, after several overtures, and endeavors among ye inhabitants of said Ipswich, for settling a Grammar School in that place it was proffered by ye said Robert - That he would erect an edifice for such a purpose, Provided it might be put into ye hands of certain discreet and faithful persons of ye said Town, and their successors, which himself should nominate to be ordered and managed by them as Feotfees, in trust for that end, and their successors forever. Provided also that ye Town or any particular inhabitants of ye Town would devote sett apart and give any land or other anuity for ye yearly maintenance of such one as should be fitt to keep a Grammar School. And whereas said Town of Ipswich at a publick meeting of ye inhabitants January 11, 1650, Granted all that Neck beyond Chebacco River, & the rest of the ground (up to Gloucester line) adjoining to it to ye said Robert Payne and William Payne, to whom by ye desire and consent of ye said Town, att ye same time were added Maj.. Denison & William Bartholmew for ye use of a school." " And also ye inhabitants of said Ipswich att a publick meeting, Jan. 26, 1650, did add five more, viz. Mr. Symonds, Mr. Nathaniel Rogers, Mr. John Norton, Mr. William Hubbard and Deacon John Whipple." "And that ye said Robert did in ye year following, viz., 1652, purchase an house with two acres of land belonging to it more or less for the use of ye schoolmaster, and did likewise in ye succeeding year, 1653, att his own proper cost and charge build an edifice for a Grammar School which was erected upon a part of ye land so purchased."

It appears, also, from our records that "Mr. William Hubbard gave about an Acre of Land adjoining to ye said schoolmasters house about ye same time."

William Payne gave the island at the mouth of our river called the "Little Neck."

[...]

Robert Payne, the principal benefactor, and the founder of this school was one of the wealthiest of the early settlers of this town. In a subscription by one hundred and fifty-five of the inhabitants in 1648, by which they enter into an engagement with Major Denison to pay him a certain sum annually " to encourage him in his military helpfulness," the sum subscribed by him is the greatest on the list He was a "ruling elder" of the church, an officer ranking in dignity between the minister and deacon. He was representative of the town three years, 1647, 8-9;

county Treasurer from 1665 to 1683, when he resigned the office. He died in 1684, aged eighty-three years. He left two sons, John and Robert, both of whom were Feoffees of this institution.

William Payne, probably, brother of Robert, seems to have possessed considerable property, and to have been active in enterprises calculated to promote the public welfare. He removed to Boston about 1656, where he died, October 10, 1660. Besides his liberal bequest to this institution, he gave twenty pounds to Harvard College.

[...]

Thus the school continued to flourish and to receive the support of the principal inhabitants until near the close of the first century of our town's history. The fathers had passed away and also the sons who had enjoyed the benefits of their example and instruction. A generation succeeded less deeply Impressed with the Importance of their duties to posterity and the dark age of New England succeeded. This school felt its effect. For twenty-seven years there is no recorded act of the Feoffees.

About this time, 1720, there arose a difficulty between the town and the Feoffees. It was contended by the town that "as respected the school farm, and other lands granted by the town, no power was given by the town to their trustees to appoint successors in that trust for receiving and applying the rents, or of ordaining and directing the affairs of the school." The tenants, also, of the school farm, availing themselves of this quibble, refused to pay the rents, as they have done since in our time.

The town, by their selectmen, assumed the control of the school and its property. The Feoffees, after entering a protest on their records, seem to have retired from the contest.

[...]

The town brought an action at law against the tenants of the school farm, in 1721, which lingered until 1729, when we find – "the town received £100 of Gifford Cogswell, on account of charges at Law abt the School Farm." This sum the town ordered to be distributed to the several parishes "to be used toward the support of reading and writing schools." There was paid, under this order to Henry Spillar, who kept a school in the first parish, fortyone pounds; to the " Chebacco Committee" twenty pounds; to "Hamlet Committee" twenty pounds; to Mark Howe, probably for Line brook, four pounds eight shillings and ninepence; to Moses Davis "for his neighborhood," six pounds, eleven shillings and ten pence; to Deacon Fellows "for his neighborhood," two pounds four shillings. This appears to have been the germ of our districts schools.

[...]

In 1740 the town began the practice of granting the grammar school funds in aid of the district schools, which it continued to do as long as the property was under its control. Since the resumption of the direction of the school and its funds by the Feoffees, the town has continued to appropriate money, raised in the usual way, for the support of free public schools.

[...]

The revenues of the school during the first period of its history, were derived from the School Farm, as the land in Chebacco granted by the Town, was called, which gave fourteen pounds per annum; "the little neck," which was leased to John Pengry, in 1680, for sixty years, at a yearly rent of seven pounds, and the "school orchard," which comprised the three acres of land given by Mr. Robert Payne, and Mr. William Hubbard, which with some other small pieces of property, let for about the same rent as the Little Neck, in all about twenty-eight pounds, equivalent as a means of supporting a family at this time, to about two hundred and fifty dollars.

...

The present income derived from the property of the institution, is about three hundred dollars per annum. Of this amount, about two hundred and twenty dollars, besides the land on which the school-house stands, are derived from the donations of the Messrs Paynes, and Mr. Hubbard; about thirty dollars from the donations of Mr. Cross, Mr. Noyes, and Mr. Judah Goodhue, and about fifty dollars from the Grants of the Town."

Historic Texts on William Paine, Ipswich, and the Feoffees: Fulltext Excerpts

Ezekial Cheever and Some of His Descendants

By John T. Hassam, A.M., of Boston. Published in New England Historical and Genealogical Register (1879)

[Ezekial Cheever was the first schoolmaster at Ipswich.]

He removed shortly after this to Ipswich, Mass. Robert Payne, "after severall overtures and endeavours Among ye Inhabitants of sayd Ipswich for settling a Grammar Schoole in that Place," offered to "erect an edifice for such a Purpose, Provided it might be put into the hands of certain discreet And faithfull Persons of ye said Towne, And their Successors which himself Shoud nominate, to be ordered and managed by them as Feoffees in trust for that end, and their Successors for ever," provided also that the town or any private inhabitants would furnish funds for the maintenance of a schoolmaster. The town at a public meeting held Jan. 11 or 14, 1650, made a grant of land for this purpose. On the 26th of January, 1651, additional feoffees were chosen, and they were empowered " to receive all such sums of money as have and shall be given towards the building or maintaining a Grammar School and Schoolmaster, and to disburse and dispose such sums as are given to provide a Schoolhouse and Schoolmasters house either in building or purchasing the said house with all convenient speed, and such sums of money, parcels of land, rents or annuities as are or shall be given towards the maintenance of a Schoolmaster they shall receive and dispose of to the Schoolmaster that they shall call and choose to that office from time to time, towards his maintenance which they shall have power to enlarge by appointing from year to year what each Scholar shall yearly or quarterly pay or proportionably, who shall also have full power to regulate all matters concerning the Schoolmasters and Scholars as in their wisdom they think meet from time to time who shall also consider the best way to make provision for teaching to write and cast accounts. In fulfilment of his promise, Payne, in 1652, bought of Richard Coy, attorney to Samuel Heyford, a house with two acres of land belonging to it, for a dwelling house for the schoolmaster, and in 1653, at his own cost and charge, built an edifice for a grammar school on part of the land so purchased, which be conveyed to the feoffees "for severall good causes & considerations him thereunto moveing, especially for ye increase of Learning in ye next Generation." Other public-spirited inhabitants gave lands and money. Of this, the Grammar School, or Free School of Ipswich, Ezekiel Cheever was the first master.*

[*Note: The term Free School, or Grammar School, as Mr. Barnard has shown, did not mean the common or public school. The word was used In the English sense to characterize a school, endowed with grants of land and gifts and bequests or individuals in which Latin and Greek were taught, supported in part by the parents by payment or fees or rates. There was usually attached to them a house and land for the use of the master. They were classical schools, the forerunners of the academies which afterward made their appearance. For an account of the Ipswich Grammar School, see REGISTER vl. 64, 159.]

The town records of Ipswich contain but little relating to him. Some of his scholars seem to have come from other towns. On the 18th of November, 1652, he married his second wife, Ellen Lathrop, sister of Captain Thomas Lathrop, of Beverly, his first wife having died in New Haven, January 20, 1649.

Sept. 20, 1660, Richard Coy, attorney to "Samuell Heifer," brought a suit against "Mr. Ezekiell Chever," in an action of trespass upon the case, "for taking and keeping possession of a house which was left in his the said Richards possession by the said Samuell Heifer." This was the house which Robert Payne had given to the school. Among the papers on file in this case is the following:

"Ezekiel Cheever testifieth that he was in possession of the house belonging to the schoole, now in controversy, in the beginning of ye summer, 52, which may be evidenced by the records of his marriage Nov: 18. following, & ye birth of his first child ; beside abundant testimony of neighbours.

Ezekiel Cheever."

The jury found for the defendant, and Coy appealed to the Court of Assistants. "The Barn builded by Mr. Cheevers, ye first School master Imployed in ye School, and ye orchard planted by him, was Afterwards, upon his Removall, purchased by the Feeoff'es of ye said school, upon his Removall to Charlstown, and given Like wise to the School."

Ipswich in the Massachusetts Bay Colony: 1633-1700

By Thomas Franklin Waters, published by the Ipswich Historical Society (1906)

Ipswich in the Massachusetts Bay Colony: 1633 – 1700

“The Development of Our Town Government”

It was an easy matter, we imagine, for the little handful of original settlers to talk over their affairs and agree on measures of public policy. They might have gathered in a body and selected a spot for their meeting house, located the earliest roads and apportioned themselves home lots and tillage lands. The simplest form of pure democracy was adequate to all their needs; but, as their number increased, some system of representative government was found necessary.

[...]

"The seven men" are first mentioned under the date of Feb. 20, 1636-7, but they are alluded to in such an incidental way, that it would seem that they were already an established feature of town polity. This first board of government consisted of Mr. John Winthrop, Mr. Bradstreet, Mr. Denison, Goodman Perkins, Goodman Scott, John Gage and Mr. Wade, and they were chosen to order business for the next three months. Mr. Denison was chosen to keep the Town Book, enter the Town orders, and "set a copy of them up in ye meeting house." He was to keep a record of land grants as well, and a fee of sixpence for every entry was granted him.

[But the sturdy democracy seems to have been suspicious of detriment to its own power and dignity, accruing from the new officials, and forthwith it proceeded to hedge in their authority by ordering that "they shall have no power to grant any land in that which is commonly reputed and accounted the Cow Pasture, nor above twenty acres in any other place."

The older board of lot-layers was made to feel its subservience to the popular will, by the addition of Mr. Appleton, Serg. Howlett, John Perkins and Thos. Scott to assist them in laying out the large grants made to "Mr. Dudley, Mr. Bradstreet and Mr. Saltingstall" before the 14th of May 1637.

"The seven men" seem to have become "the eleven men" in January 1637-8, but in 1639, "the seven men" reappear, and in Feb. 1640-1, their term of office is specified as six months. Mr. Hubbard, Capt. Denison, Jo: Whipple, Good. Giddings, Mark Symonds, John Perkins, and Mr. William Payne were then chosen "for the Town's business for six months, provided that they give noe lands, nor meddle with dividing or stinting the Commons." Thus the lengthening of the term of service was balanced by curtailing their authority in regard to lands. In 1642, further "direction to simplify the Town business" was desired, and a committee consisting of the two magistrates, the elders, Mr. Giles Firman and George Giddings was appointed "to prepare for the next meeting of the freemen, what they shall think meet for yearly maintenance and for the way of raising of it."

[...]

The river itself was a busy place, with the coming and going of the fishing craft, and the larger vessels that carried cargoes of fish, pipe staves and lumber to foreign ports. The building of wharves began in 1641, when William Paine was allowed to build one for a warehouse, and a town wharf was constructed in 1656.

[...]

The Town had a Committee for furthering trade in 1641, Mr. Bradstreet, Mr. Robert Payne, Captain Denison, Mr. Tuttle, Matthew Whipple, John Whipple and Mr. Saltonstall, and they had the care of buoys and beacons, the providing of salt and cotton, the sowing of hemp seed and flaxseed, and "cards wyer canes." A special Committee to dispose of Little Neck in such wise as to promote the fishing interest was chosen, Mr. Bradstreet, Mr. Hubbard,

Mr. Symonds, Mr. Robert Payne and Mr. John Whipple, and they proceeded to accomplish their task, according to the vote of the Town:

"Agreed that the little neck of land, where the fishing stage is, shall be sequestered and set apart for the advancement of fishing, and that the fishermen there shall have liberty to enclose it from the other neck, where the Cattell goes; and it is agreed that every boat that comes to fish there shall have sufficient room to make their fish in, as also every boat gang shall have liberty to break up & plant an acre of ground which they shall enjoy during the pleasure of the Town."

"The like encouragement the Town intends to give to any other boat, that shall hereafter come to fish there, and it is the professed desire and agreement of those fishermen that are already settled there, that those that shall hereafter come to fish there, shall have equal privilege there with themselves."

"Also it is agreed that the fishermen shall have liberty to build them such houses as they will be willing to resign to the Town, whenever they desert the place, and they are to have the places assigned them for building their houses, by some that the Town shall appoint."

[...]

Shortly before Mr. Cheever's removal in the year 1660, the fund of the Grammar School was greatly enlarged through the bequest by Mr. William Paine of Little Neck, which is still held by the Feoffees, and the income derived from it is still appropriated for the Manning school.

Ipswich Antiquarian Papers

Published October 1879

THE IPSWICH PAINES

Dr. Henry D. Paine of New York city, is publishing a Quarterly, entitled "Paine Family Records." It includes the Genealogical History of the Ipswich Branch of the Family.

No early Ipswich name is held in higher respect than WILLIAM PAINE, who with his brother Robert aided so largely in establishing and endowing the Grammar School.

In 1639-40 William Paine came to Ipswich. He was preceded by his brother Robert, and his sister Phebe, wife of John Page.

Albert W. Paine, Esq., who is thoroughly investigating the Ipswich branch, says: "A visitor to Ipswich will find an old school house still standing on Paine street," on the same lot which he selected and gave to the town when he and others endowed the Ipswich Free School. The building is not the same of course, but the lot is identical, and the school has ever since been maintained until within a few years, when the fund was consolidated with another recently presented for the same purpose, and a new and much more elegant and convenient building erected for the school. The fund, however, still lives after two and a quarter centuries, producing now its annual income for the purpose originally prescribed. From a hill near by can be seen in the distance, at the mouth of the river, the lot of land, now dotted with residence for summer resort, known as Jeffries Neck, the lot bequeathed in trust for the school by Mr. Paine. It is annually rented by the Feoffees of the Grammar School."

William Paine died in Boston; and an old stone in the Granary burying yard, marks his grave, presumably.