

Gun Control in Colonial New England, Part II

In last month's column, I described some gun control laws of Massachusetts, Plymouth, Rhode Island, and Connecticut—and for the most part, these were gun control laws that would horrify and shock legislators in those states today. These laws not only *allowed* almost every colonist to have a gun, but *required* nearly everyone to own gun, and to carry that gun to church, or when traveling away from home.

In the last month, I have spent a bit more time digging through obscure books and hard to read microfilm, and I have found some more amazing and sometimes amusing laws and incidents. As I mentioned last month, Connecticut's 1650 laws required everyone above the age of 16, with a few exceptions, to own "a good musket or other gun, fit for service..."¹

This was not the first such law in Connecticut. A 1636 law required every militiaman to have two pounds of gunpowder and 20 bullets at home "before the end of August next." The militia officer for each settlement was to "take view of their several Arms whether they be serviceable or no." [spelling modernized in all quotations in this article] In 1637, Connecticut changed the law very slightly, with a fine of five shillings for each failure to appear so armed with a gun and ammunition.² Five shillings was equivalent, perhaps, to a minor traffic ticket today.

Were guns rare in Colonial America, as Professor Bellesiles's book *Arming America* claims? If so, you wouldn't know from reading the records of the courts. In 1639 a

¹ *Code of 1650, Being a Compilation of the Earliest Laws and Orders of the General Court of Connecticut* (Hartford, Conn.: Silas Andrus, 1822), 72-73.

Jonathan Moody sued someone named Blachford, for a “fowling piece” (a shotgun) that Moody have handed over, but for which Blachford had neglected to pay.³ In 1640, a William Hill is fined £4 for buying a stolen gun.⁴ In 1644, a Robert Bedle is fined for stealing gunpowder from a Mr. Blakman.⁵

Much like Massachusetts, Connecticut ordered in 1643 that at least one person in every house “shall bring a musket, pistol or some piece, with powder and shot” to every church meeting. Like Massachusetts, Connecticut found within a month that so many people were failing to do so, that they passed a law to fine anyone who neglected to bring their gun to church.⁶

Like the other American colonies, Connecticut was quite concerned about the Indians getting hold of guns, and passed various laws to make sure that only friendly Indians could buy them. The very first entry in *Public Records of the Colony of Connecticut* is a 1636 complaint that a Henry Stiles or one of his servants had traded a gun to the Indians for corn.⁷ In 1640, George Abbott is ordered to pay a £5 fine for “selling a pistol & powder to the Indians...”⁸ A few years later, four different men are each fined £10 (a very large sum in those days) for selling guns to the Indians.⁹

² J. Hammond Trumbull, *The Public Records of the Colony of Connecticut, Prior to the Union with New Haven Colony* (Hartford, Conn.: Brown & Parsons, 1850), 1:3-4, 15-16.

³ Trumbull, 1:33.

⁴ Trumbull, 1:50.

⁵ Trumbull, 1:115.

⁶ Trumbull, 1:95, 96.

⁷ Trumbull, 1:1, 2.

⁸ Trumbull, 1:49.

⁹ Trumbull, 1:182.

Connecticut quickly discovered what gun control advocates today don't seem to have learned: there is always someone willing to make a buck selling guns to the people that you want disarmed, and it's hard to keep guns from crossing borders to find the buyers. Connecticut repeatedly gave orders prohibiting sale of guns or ammunition to the Indians.¹⁰ But the merchants in adjoining Dutch and French colonies saw no reason to obey Connecticut's laws. So, Connecticut prohibited sale of guns outside of the colony. Finally, because the Dutch and French colonies had their own sources for guns, Connecticut retaliated for their continued sales of guns to the Indians, and prohibited foreigners from doing business in Connecticut.¹¹

Trying to block the supply of guns to the Indians didn't work, so the next step was a 1660 law that provided that "if any Indians shall bring in Guns into any of the Towns" that the English were to seize them. The Indians could get their guns back for ten shillings per gun. Where did that ten shillings go? Half went to the colony's treasury, and the other half to the Englishman who seized the gun. At least Connecticut recognized that if it wanted its people to enforce a law that was supposed to be for their own good, it needed to give them a financial incentive!

The following year, Connecticut ran into the problem that has always bedeviled moderate gun control advocates: any hard and fast rule that you make about guns will need some exceptions for your friends. In this case, the rule about confiscating guns from Indians who came to town was repealed for the Tunxis Indians, who "have free liberty to carry their guns, through the English Towns, provided they are not above 10

¹⁰ Trumbull, 1:79-80.

¹¹ Trumbull, 1:113-14, 138, 145-6, 197-8.

men in company.”¹² (Somehow, it doesn’t sound like guns were rare among the Indians.)

The colony of Rhode Island was also quite worried that its population wouldn’t own enough guns. There are orders for every man to have enough gunpowder and enough bullets, “and also that every man do come armed unto the meeting upon every sixth day....”

Today governments might be tempted to go door to door, searching for guns. Back then, the goal was a bit different, and Rhode Island told its militia officers to go to “to every inhabitant [in Portsmouth and] see whether every one of them has powder” and bullets.¹³ Gun control in Rhode Island meant making sure that no one was short of ammo!

Like Massachusetts, Rhode Island ordered “that no man shall go two miles from the Towne unarmed, either with Gun or Sword; and that none shall come to any public Meeting without his weapon.” There was a fine of five shillings for failing to be armed in either circumstance.¹⁴

New Haven Colony, until its acquisition by Connecticut, was an independent colony, with its own laws. (I am proud to tell you that my ancestor nineteen generations back, Thomas Nash, was the colony’s armorer—perhaps it runs in the family.) In 1644, the New Haven legislature ordered every man from 16 to 60 to be armed “with a good gun, a sword, a pound of good powder, 4 fathom [24 feet] of match for a matchlock, 5 or 6 good

¹² Trumbull, 1:351, 375.

¹³ John Russell Bartlett, ed., *Records of the Colony of Rhode Island and Providence Plantations, in New England* (Providence, R.I.: A. Crawford Greene and Brother, 1856), 1:79-80.

flints fitted for every fire lock, and 4 pound of pistol bullets, or 24 bullets fitted for every gun....” Militia officers were ordered to “take a strict view once every quarter of a year, that all the males from 16 to 60 be furnished as above....” Not only were individual militiamen subject to a 40 shilling fine, but so were the officers if they failed to inspect and fine their subordinates.¹⁵ (Earlier forms of this order appear in 1639, and in substantially identical form in 1643 and 1646.¹⁶)

Do you think it’s annoying when your wife or kids wake you up to go to church? In New Haven Colony, everyone was informed that church was starting because the militia were called by the beating of a drum “to the public worship of God....” Members of the militia were required to show up “with their arms complete, their guns ready charged, with their match for their matchlocks and flints ready fitted in their firelocks....”¹⁷

Did militiamen follow the law? Clearly some did not, because some were fined failing to have enough ammunition, and for failing to come to church armed. A Mathew Camfield was fined twelve pence “for want of some powder last viewing day..., and for not bringing his arms to meeting one lecture day, 2s. 6d.” Henry Pecke and Thomas Marshall were also fined two shillings “for not bringing their arms to the meeting one day when it was their turn....”¹⁸

Guns were heavy, and some people had excuses for why they didn’t want to carry that piece of iron back and forth to church. In 1649 William Paine asked permission to not

¹⁴ Bartlett, 1:94.

¹⁵ Charles J. Hoadly, ed., *Records Of The Colony And Plantation Of New Haven, From 1638 To 1649* (Hartford, Conn.: Case, Tiffany, 1857), 131.

¹⁶ Hoadly, 25-26, 96-97, 202.

¹⁷ Hoadly, 131-32.

¹⁸ Hoadly, 486.

bring his gun to church, “because he lives [far off] and hath three small children, and his wife is lame and cannot help to bring the children.” The General Court agreed to exempt Paine from the requirement as long “as his wife continues lame....”¹⁹

As I said in the last column, the America we live in today is very different from Colonial America. In most respects, the change is a good one. Flush toilets, antibiotics, and refrigerators are all great steps forward. But it is rather nice to see that once upon a time, the governments of New England trusted their own people.

Clayton E. Cramer writes history books at night, and computer software by day. His web page is <http://www.ggnra.org/cramer>.

¹⁹ Hoadly, 500.