



Law and Sexual Misconduct in New England 1650-1750: Steering Toward England

Abby Chandler

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Having arriving in the Province of Maine in 1641 with a brief to create both government and law for the fledgling colony, Thomas Gorges later recorded his policy as having 'steared as neere as we could to the course of England'. Over the course of the next century the various colonial administrations all consciously measured their laws against that of England, whether their intention was imitation of or conscious opposition to, established English legal system. In order to trace the shifting and contested relationships between colonial laws and English laws, this book focuses on the prosecution of sexual misconduct. All crimes can threaten orderly society but no other crime posed quite the same long term implications as illicit sex resulting in the birth of illegitimate children who became their own social challenges. Sexual misconduct was, consequently, a major concern for early modern leaders, making it a particularly fruitful subject for studying the complex relationship between laws in England and laws in the English colonies. Political and ecclesiastical leaders create laws to coerce people to behave in a certain fashion and to convey wider messages about the societies they govern. When those same laws are broken, lawbreakers must be tried and punished by a means intended to serve as a warning to other would-be lawbreakers. In this book the two-part analysis of changing sexual misconduct laws and the resulting trial depositions highlights the ways in which ordinary New England colonists across New England both interacted with and responded to the growing Anglicization of their legal systems and makes the argument that these men and women saw themselves as taking part in a much larger process.

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