

= Richard Bellingham =

Richard Bellingham (c . 1592 ? 7 December 1672) was a colonial magistrate , lawyer , and several @-@ time governor of the Massachusetts Bay Colony , and the last surviving signatory of the colonial charter at his death . A wealthy lawyer in Lincolnshire prior to his departure for the New World in 1634 , he was a liberal political opponent of the moderate John Winthrop , arguing for expansive views on suffrage and lawmaking , but also religiously somewhat conservative , opposing (at times quite harshly) the efforts of Quakers and Baptists to settle in the colony . He was one of the architects of the Massachusetts Body of Liberties , a document embodying many sentiments also found in the United States Bill of Rights .

Although he was generally in the minority during his early years in the colony , he served ten years as colonial governor , most of them during the delicate years of the English Restoration , when King Charles II scrutinized the behavior of the colonial governments . Bellingham notably refused a direct order from the king to appear in England , an action that may have contributed to the eventual revocation of the colonial charter in 1684 .

He was twice married , survived by his second wife and his only son Samuel . He died in 1672 , leaving an estate in present @-@ day Chelsea , Massachusetts and a large house in Boston . The estate became embroiled in legal action lasting more than 100 years after his will was challenged by his son and eventually set aside . Bellingham is immortalized in Nathaniel Hawthorne 's The Scarlet Letter and Henry Wadsworth Longfellow 's The New England Tragedies , both of which fictionalize events from colonial days .

= = Early life = =

Richard Bellingham , the son of William Bellingham and Frances Amcotts , was born in Lincolnshire , England , in about 1592 . The family was apparently well to do ; they resided in a manor at Bromby Wood near Scunthorpe . He studied law at Brasenose College , Oxford , matriculating on 1 December 1609 . In 1625 he was elected Recorder (the highest community legal post) of Boston , a position he held until 1633 . He represented Boston as a member of Parliament in 1628 and 1629 . He was first married to Elizabeth Backhouse of Swallowfield , Berkshire , with whom he had a number of children , although only their son Samuel survived to adulthood .

In 1628 he became an investor in the Massachusetts Bay Company , and was one of the signers of the land grant issued to it by the Plymouth Council for New England . His name also appears on the royal charter issued for the Massachusetts Bay Colony in 1629 . In 1633 he resigned as recorder of Boston and began selling off his properties . The next year he sailed for the New World with his wife and son ; Elizabeth died not long after their arrival in Boston , Massachusetts .

= = Massachusetts Bay Colony = =

Bellingham immediately assumed a prominent role in the colony , serving on the committee that oversaw the affairs of Boston (a precursor to the board of selectmen) . In this role he participated in the division of community lands that included the establishment of Boston Common . Not long after his arrival , he purchased the ferry service between Boston and Winnessimmett (present @-@ day Chelsea) from Samuel Maverick , along with tracts of land that encompass much of Chelsea . In addition to his mansion house in Boston , he also established a country home near the ferry in Winnessimmett . A house he built in 1659 still stands in Chelsea , and is known as the Bellingham @-@ Cary House .

For many years he was elected to the colony 's council of assistants , which advised the governor on legislative matters and served as a judicial body , and he also served several terms as colonial treasurer . He was first elected deputy governor of the colony in 1635 , at a time when the dominant John Winthrop was out of favor , and was elected to the post again in 1640 . In 1637 , during the Antinomian Controversy , he was one of the magistrates that sat during the trial of Anne Hutchinson , and voted for her to be banished from the colony . According to historian Francis Bremer ,

Bellingham was somewhat brash and antagonistic , and he and Winthrop repeatedly clashed on political matters . During these early years Bellingham was chosen to be on the first board of overseers of Harvard College . He also contributed to the development of the colony 's first legal code , known as the Massachusetts Body of Liberties . This work was opposed and repeatedly stalled by Winthrop , who favored a common law approach to legislation .

In 1641 Bellingham was elected governor for the first time , running against Winthrop . The Body of Liberties was formally adopted during his term . However , he served for just one year , and was replaced by Winthrop in 1642 . Bellingham 's defeat may have been caused in part by the scandalous impropriety surrounding his second marriage . A friend who was a guest in his house had been courting Penelope Pelham , a young woman of twenty . According to Winthrop , Bellingham , now 50 and a widower , won her heart , and , without waiting for the formalities of the banns of marriage , officiated at his own wedding . When the issue came before the colonial magistrates , Bellingham (as the governor and chief magistrate) refused to step down from the bench to face the charges , thus bringing the matter to a somewhat awkward end . Bellingham 's term in office was characterized by Winthrop as extremely difficult : " The General Court was full of uncomfortable agitations and contentions by reason of Bellingham 's unfriendliness to some other magistrates . He set himself in an opposite frame to them in all proceedings , which did much to retard business " .

In the 1640s constitutional issues concerning the power of the assistants arose . In a case involving an escaped pig , the assistants ruled in favor of a merchant who had allegedly taken a widow 's errant animal . She appealed to the general court , which ruled in her favor . The assistants then asserted their right to veto the general court 's decision , sparking the controversy . John Winthrop argued that the assistants , as experienced magistrates , must be able to check the democratic institution of the general court , because " a democracy is , amongst most civil nations , accounted the meanest and worst of all forms of government . " Bellingham was one of only two assistants (the other was Richard Saltonstall) who opposed the final decision that the assistants ' veto should stand . Bellingham and Saltonstall were often in a minority that opposed the more conservative views of Winthrop and Thomas Dudley . In 1648 Bellingham sat on a committee established to demonstrate that the colony 's legal codes were not " repugnant to the laws of England " , as called for by the colonial charter .

In 1650 , when Bellingham was an assistant , he concurred in the judicial decision banning William Pynchon 's *The Meritorious Price of Our Redemption* , which expressed views many Puritans considered heretical . Bellingham was again elected governor in 1654 , and again in May 1665 after the death of Governor John Endecott . He was thereafter annually re-elected to the post until his death , ultimately serving a total of ten years as governor and thirteen as deputy governor . While he was deputy to Endecott in 1656 , a boat carrying several Quakers arrived in Boston . Since Endecott was in Salem at the time , Bellingham directed the government 's reaction to their arrival . Because Quakerism was anathema to the Puritans , the Quakers were confined to the ship , their belongings were searched , and books promoting their religion were destroyed . After five weeks of captivity , they were sent back to England . During Endecott 's administration the penalties for Quakers defying banishment from the colony were made progressively harsher , until they included the imposition of the death penalty for repeat offenders . Under these laws , four Quakers were put to death for returning to the colony after their banishment . Quaker historians have also been harsh in their assessments of Bellingham . After Massachusetts authorities agreed that the death penalty did not work (it had long term negative consequences , feeding perceptions of Massachusetts intransigence) , the law was modified to reduce the penalties to branding and whipping .

= = English Restoration = =

The 1640s and 1650s in England were a time of great turmoil . The English Civil War led to the establishment of the Commonwealth of England and eventually the Protectorate of Oliver Cromwell . In this period , Massachusetts was generally sympathetic to Cromwell and the Parliamentary cause . With the restoration of Charles II to the throne in 1660 , all of the colonies , and Massachusetts in

particular , came under his scrutiny . In 1661 he issued a mandamus forbidding further persecution of the Quakers . He also requested specific changes to be made to Massachusetts laws to increase suffrage and tolerance for other Protestant religious practices , actions that were resisted or ignored during the Endecott administration . Charles finally sent royal commissioners to New England in 1664 to enforce his demands , but Massachusetts , of all the New England colonies , was the most recalcitrant , refusing all of the substantive demands or enacting changes that only superficially addressed the issues .

The reaction by Charles to this was to issue an order in 1666 demanding that Bellingham , since he was then governor , and William Hathorne , the speaker of the general court , travel to England to answer for the colony 's behavior . The issue of how to answer this demand divided the colony , with petitions from a cross @-@ section of the colony 's population calling for the magistrates to obey the king 's demand . The debate also introduced a long @-@ term rift in the council of assistants between hardliners wanting to resist the king 's demands at all costs and moderates who thought the king 's demands should be accommodated . Bellingham sided with the hardliners and the decision was reached to send the king a letter . The letter questioned whether the request actually originated with the king , protested that the colony was loyal to him , and claimed the magistrates had already explained fully why they were unable to comply with the king 's demands . The magistrates further pacified the angered sovereign by sending over a ship full of masts as a gift (New England was a valuable source of timber for the Royal Navy) . Distracted by the war with the Dutch and domestic politics , Charles did not pursue the issue further until after Bellingham 's death , though for numerous reasons the Massachusetts Bay Colony charter was finally voided in 1684 .

= = Death and legacy = =

Richard Bellingham died on 7 December 1672 . He was the last surviving signer of the colonial charter , and was buried in Boston 's Granary Burying Ground . He was survived by his son Samuel from his first marriage and his second wife Penelope , who outlived him by 30 years . His landholdings at Winnessimmett became tied up in legal action lasting more than 100 years , and involved court and procedural decisions on both sides of the Atlantic to resolve . Under the terms of his will , some of his properties in Winnessimmett were set aside for religious uses . His son challenged the will , which was eventually set aside . The litigation continued , carried on by his heirs and succeeding owners and occupants of the properties , and was finally concluded in 1785 . The town of Bellingham , Massachusetts is named in his honor , and a number of features in Chelsea , including a square , a street , and a hill , bear the name Bellingham .

Bellingham was immortalized as a fictional character in Nathaniel Hawthorne 's *The Scarlet Letter* , as the brother of Ann Hibbins , a woman who was executed (in real life in 1656 , as well as in the book) for practicing witchcraft . There are apparently no contemporary references to Mrs. Hibbins as Bellingham 's sister ? Hawthorne 's formation of this connection appears to be based on a footnote in James Savage 's 1825 edition of John Winthrop 's journals , and a genealogical tree of the Bellinghams published early in the 20th century does not mention her . However , Ann Hibbins ' second husband , William Hibbins , was first married to Richard Bellingham 's sister Hester but she died a year later and was buried in England . Bellingham also appears in Henry Wadsworth Longfellow 's *The New England Tragedies* , which fictionalizes events dealing with the Quakers .